Negative Declaration & Notice Of Determination

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

ENVIRONMENTAL DETERMINATION NO. ED Number 21-028 **DATE:** February 16, 2021

PROJECT/ENTITLEMENT: Caelesta Estate Properties LLC, Minor Use Permit (ED 21-028); DRC2019-00239

APPLICANT NAME: Brian Farrel **Email:** lacey@kirk-consulting.net
ADDRESS: 8830 Morro Road, Atascadero, CA 93422
CONTACT PERSON: Lacey Zubak **Telephone:** (805) 374-9619

PROPOSED USES/INTENT: A request by Brian Farrell of Caelesta Estate Properties, LLC for a Minor Use Permit (DRC2019-00239) to allow for the construction of a 6,420-square foot winery facility. The project will consist of two buildings. The production building includes a 1,585-square-foot barrel storage room, a 2,020-square-foot fermentation room, and 455 square feet for lab/storage room/restrooms. The tasting room/hospitality building includes a 880-square-foot tasting room, 285-square-foot commercial kitchen, a 730-square-foot barrel storage room, and 465 square feet for offices and restrooms. The proposed winery also includes 4,165-square-foot outdoor patio, circulation, and wine production space. Wine production is estimated at 10,000 cases per year. The project includes 6 special events per year with a maximum of 80 guests and participation in industry-wide events as allowed per ordinance. Outdoor amplified music is proposed. The project will result in the disturbance of approximately 2.18 acres on a 196-acre parcel.

LOCATION: The proposed project is within the Agriculture land use category, located at 333 Lupine Lane, approximately 2.5 miles east of the community of Templeton. The project site is in the El Pomar-Estrella Sub area of the North County Planning area.

LEAD AGENCY:
County of San Luis Obispo
Dept of Planning & Building
976 Osos Street, Rm. 200
San Luis Obispo, CA 93408-2040
Website: http://www.sloplanning.org

STATE CLEARINGHOUSE REVIEW: YES ☒ **NO** ☐

OTHER POTENTIAL PERMITTING AGENCIES: None.

ADDITIONAL INFORMATION: Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-5600.
COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....4:30 p.m. (2 wks from above DATE)

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County_____ as ☒ *Lead Agency* ☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

	Matthew Ringel (Mringel@co.slo.ca.us)		County of San Luis Obispo
Signature	**Project Manager Name**	**Date**	**Public Agency**

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

Initial Study – Environmental Checklist

PLN-2039
04/2019

Caelesta Estate Properties, LLC Minor Use Permit DRC2019-00239 / ED21-028

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.

Matt Ringel	Matthew Ringel Digitally signed by Matthew Ringel DN: C=US, E=mringel@co.slo.ca.us, O=County of San Luis Obispo, OU=Department of Planning and Building, CN=Matthew Ringel Date: 2021.02.16 14:07:39-08'00'		02/16/2021
Prepared by (Print)	Signature		Date
Holly Phipps	Holly Phipps Digitally signed by Holly Phipps DN: C=US, E=hphipps@co.slo.ca.us, O=County of San Luis Obispo, OU=Planning and Building, CN=Holly Phipps Date: 2021.02.16 14:03:30-08'00'	For Xzandrea Fowler, Environmental Coordinator	02/16/2021
Reviewed by (Print)	Signature		Date

Initial Study – Environmental Checklist

Project Environmental Analysis

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

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

A. Project

DESCRIPTION: Request by Brian Farrell of Caelesta Estate Properties, LLC for a Minor Use Permit (DRC2019-00239) to allow for the construction of a 6,420-square foot winery facility. The project will consist of two buildings. The production building includes a 1,585-square-foot barrel storage room, a 2,020-square-foot fermentation room, and 455 square feet for lab/storage room/restrooms. The tasting room/hospitality building includes a 880-square-foot tasting room, 285-square-foot commercial kitchen, a 730-square-foot barrel storage room, and 465 square feet for offices and restrooms. The proposed winery also includes 4,165-square-foot outdoor patio, circulation, and wine production space. Wine production is estimated at 10,000 cases per year. The project includes 6 special events per year with a maximum of 80 guests and participation in industry-wide events as allowed per ordinance. Outdoor amplified music is proposed. The project will result in the disturbance of approximately 2.18 acres on a 196-acre parcel. The proposed project is within the Agriculture land use category, located at 333 Lupine Lane, approximately 2.5 miles east of the community of Templeton. The project site is in the El Pomar-Estrella Sub area of the North County Planning area.

ASSESSOR PARCEL NUMBER(S): 033-201-010

Latitude: 35° 33' 41.3" N **Longitude:** 120° 38' 53.2" W **SUPERVISORIAL DISTRICT #** 5

B. Existing Setting

Plan Area: North County **Sub:** El Pomar **Comm:** Templeton

Land Use Category: Agriculture

Combining Designation: None

Parcel Size: 196.05 acres

Topography: Gently sloping to moderately to gently rolling

Vegetation: Planted vineyards, Oak trees, and shrubs

Existing Uses: Agricultural Uses

Initial Study – Environmental Checklist

Surrounding Land Use Categories and Uses:

North: Agriculture; Ag uses, Victor Hugo Winery with planted vineyards, Single family residence(s)

East: Agriculture; Residential Rural; Ag uses, Single family residence(s)

South: Agriculture; Single family residence(s)

West: Residential Rural; Ag uses, Single family residence(s)

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.

Figure 1: Vicinity Map

Figure 2: Aerial Map of Proposed Project Site

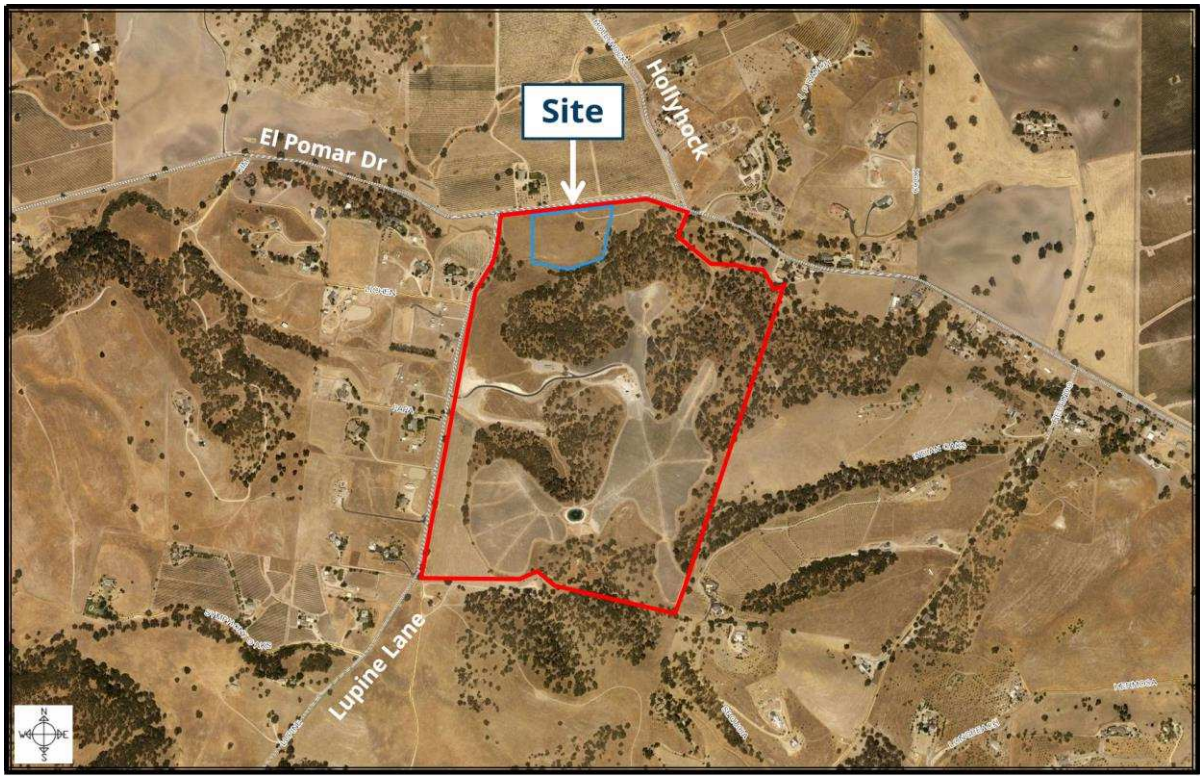


Figure 3: Oblique Aerial Site Plan

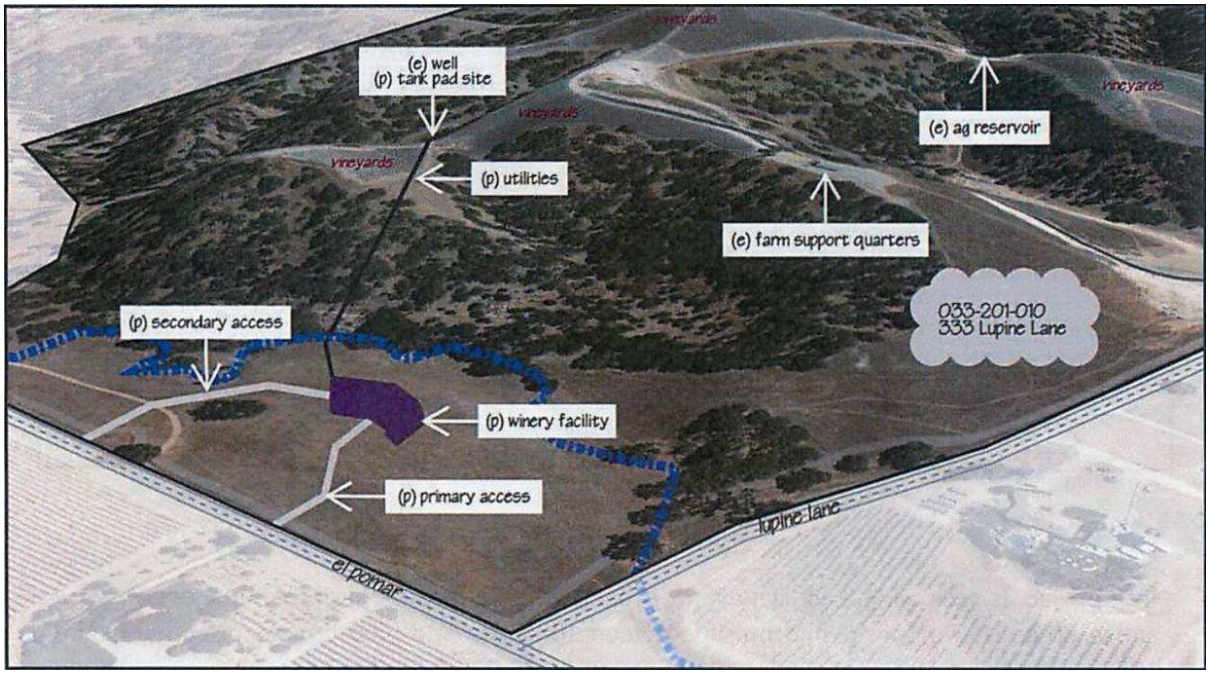


Figure 4: Site Plan

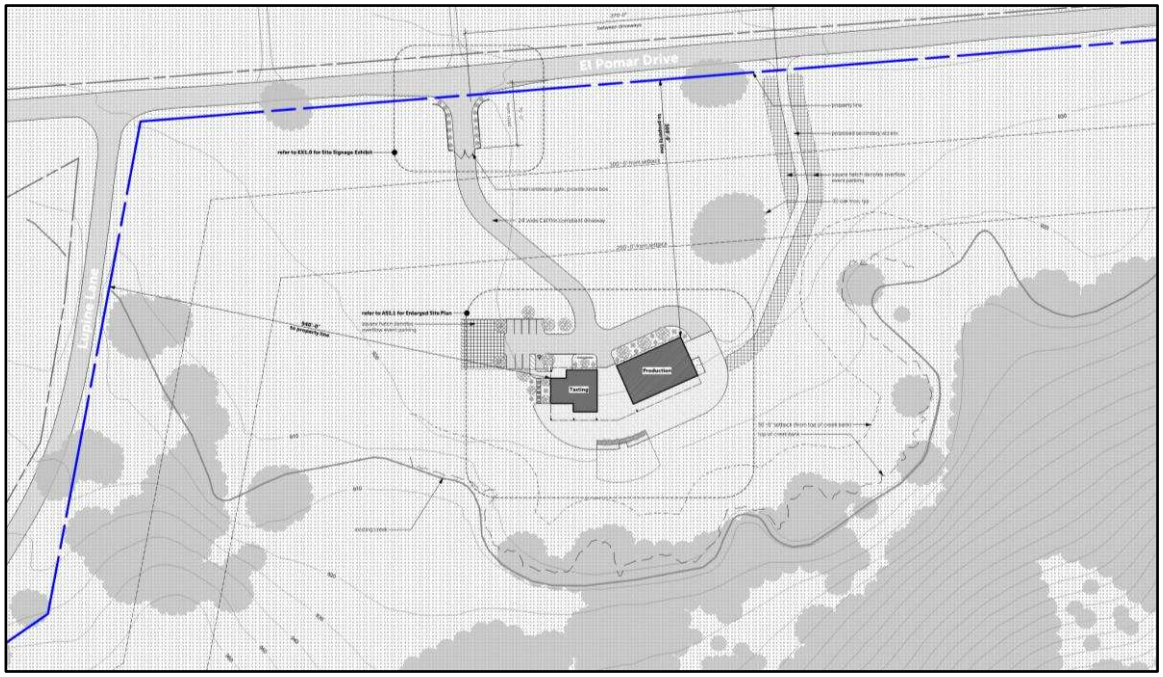


Figure 5: Enlarged Architectural Site Plan

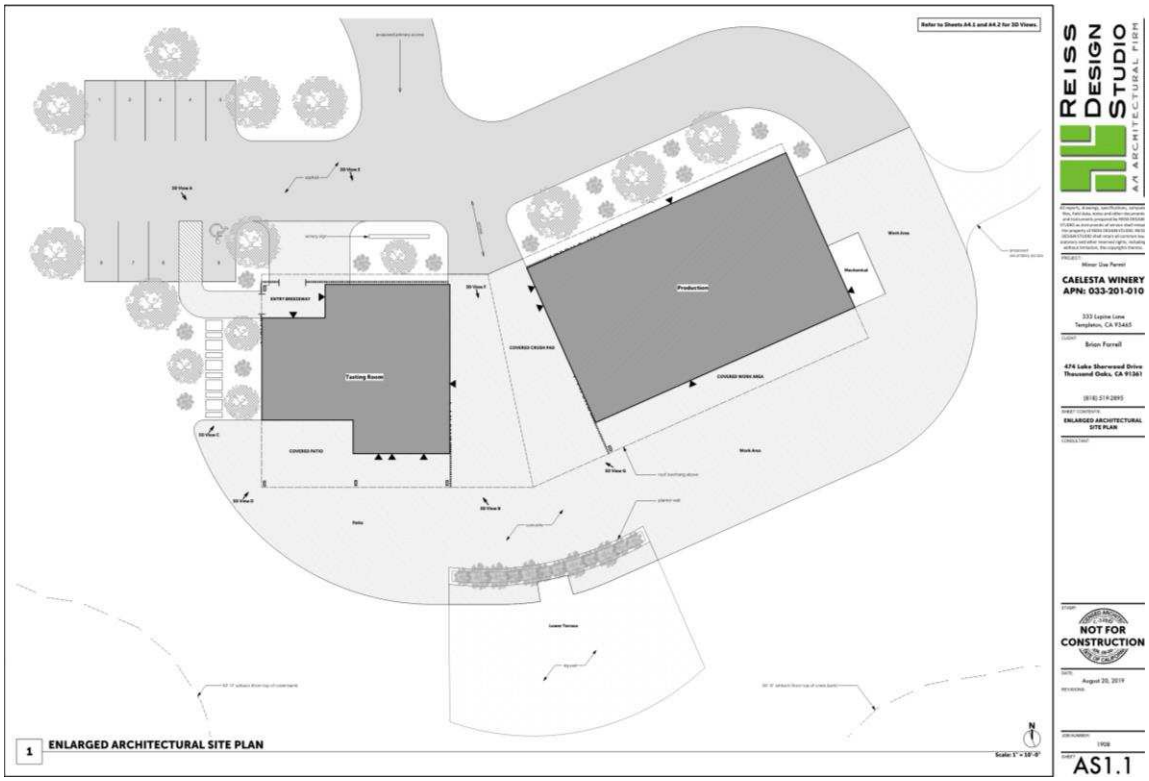


Figure 6: Entrance Rendering

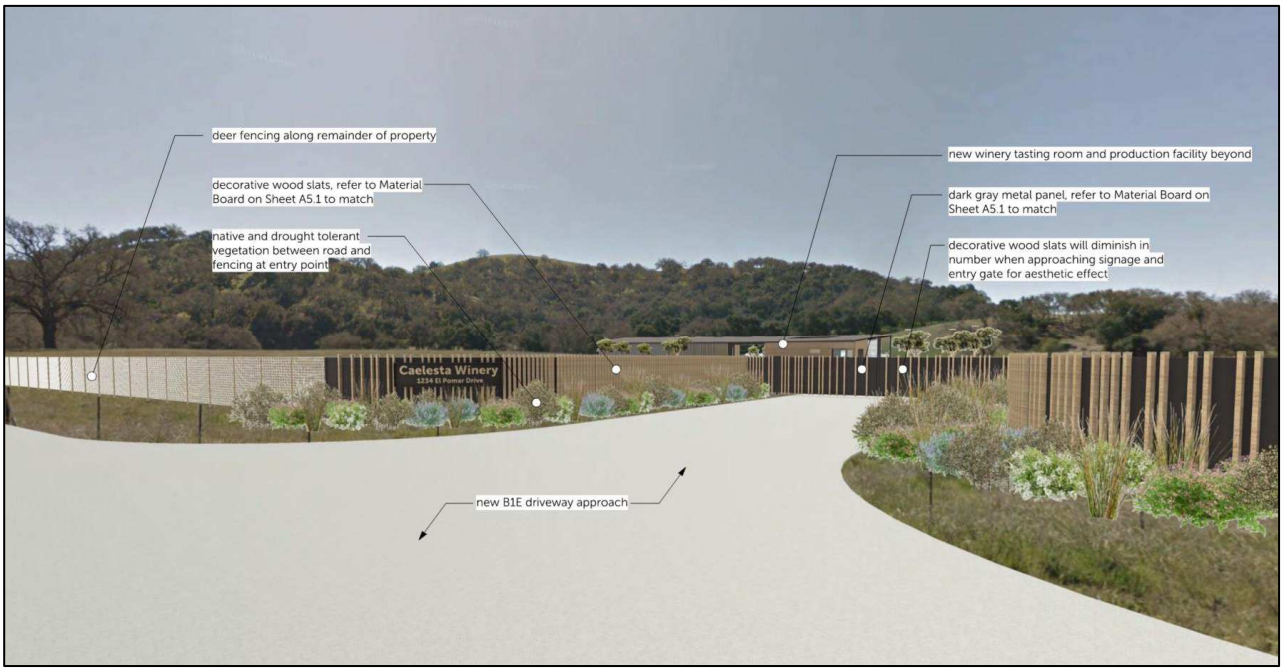


Figure 7: Elevations

Figure 8: Building Renders

Initial Study – Environmental Checklist

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

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

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

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

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

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

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

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

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

The proposed project is located in a rural, agricultural setting. The surrounding visual character consists of a mosaic of agricultural fields, rural residences, and undeveloped hills and grasslands. Surrounding parcels include large agricultural lots and smaller lots with rural residences. Adjacent lots to the west and northeast are occupied by rural residences, lots to the north and southeast by agricultural vineyards with wineries, and lots to the south and east are largely undeveloped. The topography of the project site and surrounding area consist of gentle to steep slopes. The project site currently contains 32 acres of vineyards, a 3-acre foot agricultural reservoir, and a 1,387-square-foot residence. The remainder of the project site is undeveloped and is characterized by natural grassland and oak woodland environments. The project site is visible from El Pomar Drive and Lupine Lane, both public roadways. However, the proposed facility will be down slope from the roads and will be further screened by a future vineyard and ornamental landscaping which will soften the facilities' appearance. No nearby roadways have been officially designed as scenic highways.

Discussion

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

The project is not located within an identified scenic vista, visually sensitive area, or scenic corridor. The project would be seen from public viewpoints, El Pomar Drive and Lupine Lane, and it would

occupy an area of notable scenic quality due to its natural environment. However, the proposed facility will be located downslope from the roads and will have its visual impact further attenuated by surrounding vineyards and oak woodlands. Therefore, the project would not have a substantial adverse effect on a scenic vista and *impacts would be less than significant.*

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

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

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

The project is located in a non-urbanized area and would be visually consistent with the type and extent of development in the surrounding area. The project's effect on the existing visual character of the site would be minor because the project's nature and design style would match the visual character of the surrounding area and its neighboring wineries. Therefore, the project would not result in a noticeable change to public views of the area or result in the degradation of the existing visual character or quality of public views of the site and its surroundings, and impacts would be less than significant.

Per the Land Use Ordinance (Section 22.30.70.D.2.g.2) screening may include such measures as landscape or existing vegetative screening, existing topography, and/or arrangement of the structures on the site to minimize bulky appearance. Any tank located outside of structures shall be screened 100 percent from public roads. Therefore, impacts would be less than significant, and no mitigation measures are necessary beyond ordinance requirements.

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

The project does not propose the use or installation of highly reflective materials that would create a substantial source of glare. The project would generally be consistent with the level of existing development in the project vicinity and does not propose the installation or use of outdoor lighting that would differ substantially from other proximate development. All proposed lighting would be downcast and shielded from public view.

Standard County Regulations require exterior lighting to be shielded to minimize glare. The project will be conditioned to provide an exterior lighting plan prior to building permit issuance to ensure the project will not create off-site glare. Therefore, impacts relating to nighttime lighting and glare would be less than significant.

Therefore, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area and potential impacts would be *less than significant.*

Initial Study – Environmental Checklist

Conclusion

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

Mitigation

No mitigation measures above what are already required by ordinance are necessary.

Sources

See Exhibit A.

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

includes policies, goals, objectives, and other requirements that apply to lands designated in the Agriculture land use category. In addition to the Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county. The most recent annual crop report can be found here: https://www.slocounty.ca.gov/Departments/Agriculture-Weights-and-Measures/All-Forms-Documents/Information/Crop-Report.aspx.

The wine production and tasting room facility was reviewed relative to the Agriculture Element polices to ensure the visitor serving uses are secondary and incidental to the agricultural processing, and that impacts to agricultural resources are minimized. The Agriculture Department reviewed the project on November 25, 2019 (Lynda L. Auchinachie) and concluded that the project appears to be consistent with polices and designed to minimize impacts to on and off-site agricultural resources and that Williamson Act contracts should be maintained.

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

Based on the FMMP, soils at the project site are within the following FMMP designation(s):

- Farmland of Statewide Importance
- Not Prime Farmland

Onsite soils include:

- Lockwood-Concepcion complex, 2 to 9 percent slopes
- Linne-Calodo complex, 50 to 75 percent slopes

Lockwood-Concepcion. This gently sloping soil is considered well drained, and it is composed mostly of channerly load over channer clay loam. This soil type tends to occur on terraces between 600 and 1,500 feet and is designated as farmland of statewide importance.

Linne-Calodo. This gently to moderately sloping soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

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

According to Public Resources Code Section 12220(g), forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by

the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any forest land or timberland.

Discussion

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

Based on information provided by the Farmland Mapping and Monitoring Program of the California Resources Agency, the proposed project would be located on a parcel partially containing soils which are designated as "Farmland of Statewide Importance". The project site is not located on soils designated as "Farmland of Statewide Importance". The proposed project would construct a winery facility and hospitality building to be compatible with existing and future vineyards on the project parcel. The proposed project is an agricultural use and would not result in the conversion of prime farmland; therefore, impacts would be *less than significant.*

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

The subject property is within the Agriculture land use category and is currently under a Williamson Act contract. The proposed facilities would be consistent with this zoning and contract. Therefore, impacts would be *less than significant*.

(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 does not include land use designations or zoning for forest land or timberland; *no impacts would occur.*

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

The project site does not support forest land or timberland and would not result in the loss or conversion of these lands to non-forest use; *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?*

The project proposes the development of winery and hospitality facility and would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forestland to non-forest use. The project would be compatible with existing agricultural operations, would not adversely affect existing proximate agricultural uses, agricultural support services, or agricultural infrastructure or resources. The proposed project would not result in the indirect conversion of existing farm or forestland to another use. Therefore, no impacts would occur.

Conclusion

The winery and tasting room facility was reviewed relative to Agriculture Element policies to ensure the visitor serving uses are secondary and incidental to the agricultural processing and that impacts to agricultural resources are minimized.

Initial Study – Environmental Checklist

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

Mitigation

None necessary.

Sources

See Exhibit A.

III. AIR QUALITY

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

Setting

Regulatory Agencies and Standards

San Luis Obispo County is part of the South-Central Coast Air Basin, (SCCAB) which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The California ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The State Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The California ARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (PM_{10} and $PM_{2.5}$), 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 U.S. EPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The U.S. EPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO_2, ozone, PM_{10} and $PM_{2.5}$, and SO_2.

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

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

SLOAPCD Thresholds

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

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

Earthwork quantities for the project are expected to include 4,520 CY of cut and 2,655 CY of fill. The total area of grading or removal of groundcover is expected to be 2.18 acres.

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

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

Air Quality Monitoring

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

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

San Luis Obispo County Clean Air Plan

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

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

Naturally Occurring Asbestos

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

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

Sensitive Receptors

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

The proposed project is within close proximity to sensitive receptors. Rural residences and wineries are located on adjacent parcels to the north, east, and west. The closest sensitive receptors are to the north and west of the project site at a distance of approximately 548 feet and 830 feet respectively.

Discussion

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

As proposed, the project will result in the disturbance of approximately 2.18 acres. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project will result in less than 10 lbs/day of pollutants, which is below thresholds warranting any mitigation.

The project would not introduce a new or substantially different use to the project area. The project would not generate a substantial increase in population or employment opportunities and would not result in a significant increase in vehicle trips. The proposed project would not contribute to the generation of significant levels of any air contaminants and would not conflict with or obstruct the implementation of the San Luis Obispo County Clean Air Plan or other applicable regional and local planning documents. Therefore, impacts would be *less than significant.*

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

The County is currently designated as non-attainment for ozone and PM_{10} under state ambient air quality standards. Construction of the project would result in emissions of ozone precursors including reactive organic gasses (ROG) and nitrous oxides (NO_X) and fugitive dust emissions (PM_{10}).

Construction Impacts

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

Table 1. SLOAPCD Thresholds of Significance for Construction Activities

Pollutant	Threshold (1)		
	Daily	Quarterly Tier 1	Quarterly Tier 2
Diesel Particulate Matter (DPM)	7 lbs	0.13 tons	0.32 tons
Reactive Organic Gases (ROG) + Oxides of Nitrogen (NO_X)	137 lbs	2.5	6.3 tons
Fugitive Particulate Matter (PM_{10}), Dust (2)		2.5 tons (2)	

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

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

Table 2. Screening Emission Rates for Construction Activities

Pollutant	Grams/Cubic Yard of Material Moved	Lbs/Cubic Yard of Material Moved
Diesel Particulate Matter (DPM)	2.2	0.0049
Reactive Organic Gases (ROG)	9.2	0.0203

Oxides of Nitrogen (NO_X)	42.4	0.0935
Fugitive Particulate Matter (PM_{10})	0.75 tons/acre/month of construction activity (assuming 22 days of construction per month)	

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

Table 3. Proposed Project Estimated Construction Emissions.

Pollutant	Total Estimated Emissions	SLOAPCD Threshold		Threshold Exceeded?
		Daily	Quarterly (Tier 1)	
ROG + NO_X (combined)	706.02 pounds	137 pounds	2.5 tons	With mitigation, no
Diesel Particulate Matter (DPM)	145.65 pounds	7 pounds	0.13 tons	With mitigation, no
Fugitive Particulate Matter (PM_{10})	1.63 tons/month		2.5 tons	No

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

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

Based on the volume of proposed grading, area of project site disturbance, estimated duration of the construction period, and the APCD's screening construction emission rates identified above, the project would result in the emission of criteria pollutants that would exceed construction-related thresholds established by the SLOAPCD. The project exceeds the daily thresholds for construction emissions but remains within the limits of quarterly emissions. Mitigation Measure AQ-1 is

recommended to reduce project construction emissions of diesel particulates as well as ROG and NOX. Implementation of Mitigation Measure AQ-1 would reduce possible impacts and therefore, the project construction impacts would be *less than significant with mitigation*.

Operational Impacts

The SLOAPCD's CEQA Air Quality Handbook provides operational screening criteria to identify projects with the potential to exceed APCD operational significance thresholds (refer to Table 1-1 of the CEQA Handbook). Based on Table 1-1 of the CEQA Handbook, the project does not propose a use that would have the potential to result in operational emissions that would exceed APCD thresholds. The project would not generate substantial new long-term traffic trips or vehicle emissions and does not propose construction of new direct (source) emissions. Therefore, potential operational emissions would be *less than significant*.

(c) Expose sensitive receptors to substantial pollutant concentrations?

The proposed project would require disturbance within 1,000 feet of a sensitive receptor (i.e. single-family residences). Implementation of the proposed project would result in the generation of dust, potentially affecting local residents and businesses in close proximity to the project site. Dust complaints could result in violation of the APCD's nuisance rules, a potentially significant air quality impact. As such, the project would be subject to expanded fugitive dust control measures in addition to primary measures pursuant to Land Use Ordinance Section 22.52.160 C (Construction Procedures, Air Quality Controls). These measures shall be shown on all grading and building plans in accordance with LUO Section 22.52.160 C. Compliance with these measures would ensure fugitive dust emissions are adequately controlled to below 20 percent opacity limit as identified in the APCD's 401 Visible Emissions rule and that dust is not emitted offsite. Through the incorporation of mitigation measure AQ-2, impacts would be minimized to *less than significant levels with mitigation*.

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

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

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan. The project would have the potential to result in ROG, NOX, and DPM emissions that exceed the daily thresholds established by SLOAPCD for construction emissions. Mitigation Measures AQ-1 through AQ-2 have been identified to reduce construction-related emissions. With implementation of these measures, potential impacts to air quality would be less than significant.

Mitigation

AQ-1 **Prior to issuance of construction permits**, the following measures related to ROG and NOx shall be incorporated into the construction phase of the project and shown on all applicable construction plans:

a) Maintain all construction equipment in proper tune according to manufacturer's specifications;

b) Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);

c) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;

d) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;

e) Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;

f) All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;

g) Diesel idling within 1,000 feet of sensitive receptors is not permitted;

h) Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;

i) Electrify equipment when feasible;

j) Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,

k) Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-2 **Prior to issuance of construction permits**, the following measures related to fugitive dust emissions shall be incorporated into the construction phase of the project and shown on all applicable construction plans:

a) Reduce the amount of the disturbed area where possible;

b) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;

c) All dirt stock pile areas should be sprayed daily as needed;

d) Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;

e) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

f) All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;

g) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;

h) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

i) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;

j) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;

k) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;

l) All of these fugitive dust mitigation measures shall be shown on grading and building plans; and

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

Sources

See Exhibit A.

IV. BIOLOGICAL RESOURCES

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

Setting

Sensitive Resource Area Designations

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

Federal and State Endangered Species Acts

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

Migratory Bird Treaty Act

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

Oak Woodland Ordinance

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

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

Clean Water Act and State Porter Cologne Water Quality Control Act

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

continuous flow at least seasonally (typically 3 months), and wetlands that directly abut relatively permanent tributaries.

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

Conservation and Open Space Element

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

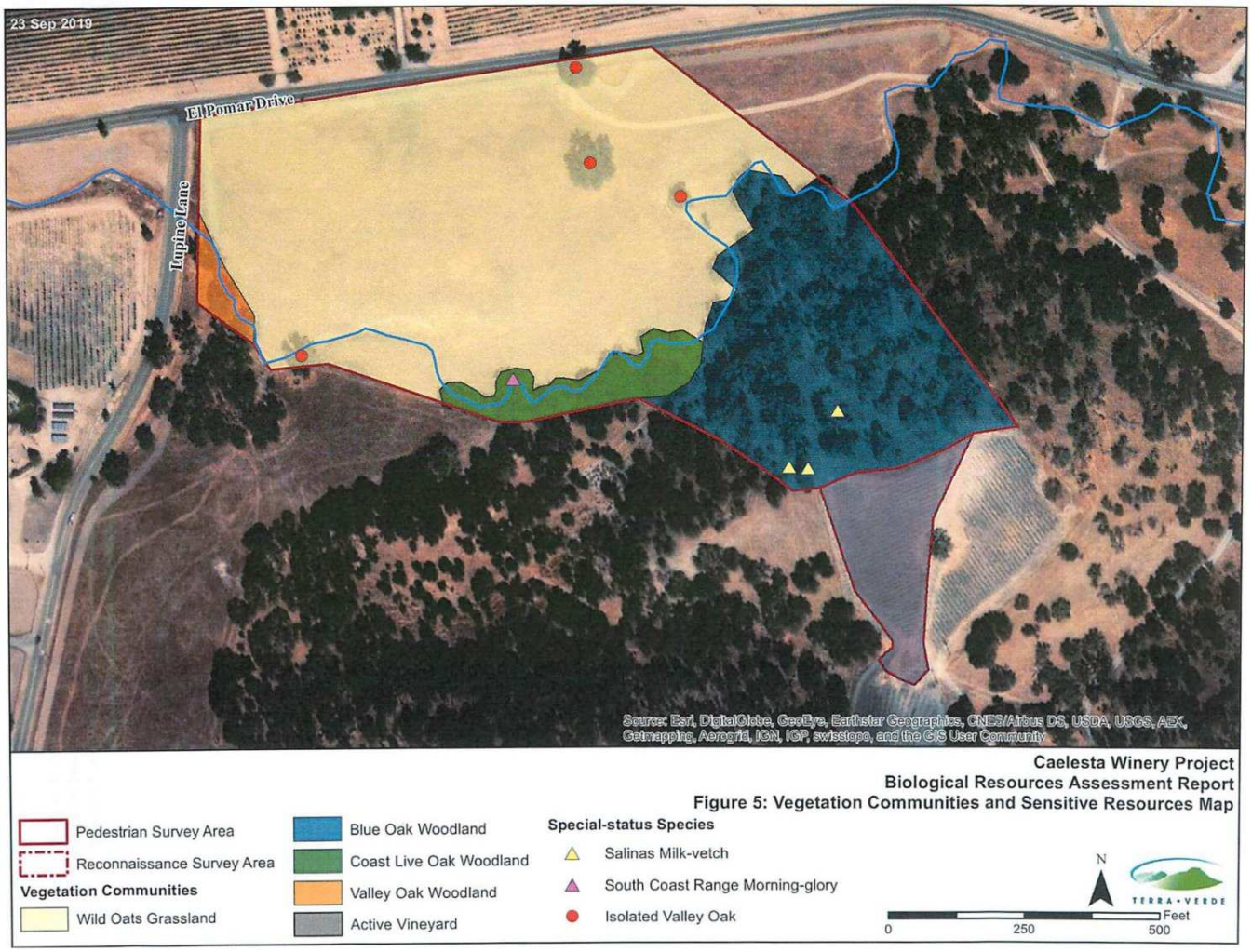
The project site is not within any designated sensitive resource areas, high priority conservation areas, or undeveloped natural lands subjected to any local, regional, or state habitat conservation plan. The site is currently undeveloped and has no existing pavement. There are no water bodies within the vicinity of project site, and there is only one blue line drainage within the project area located along the southern edge of the site. On site vegetation consists of annual grasslands with oak woodland habitat neighboring the site to the south and east. A Biological Resources Assessment was completed for the project by Terra Verde Environmental Consulting, LLC in September 2019.

Habitat Types

Five habitat types comprising of 18.3 acres was identified and mapped in the Study Area: wild oats grassland, blue oak woodland, coast live oak woodland, valley oak woodland, and active vineyard.

Habitat Type	Location	Approximate Acreage
Wild Oats Grassland	Flat portions on the north and northwest	11.5
Blue Oak Woodland	Sloped portions on the eastern edge of the Study Area	4.8
Coast Live Oak Woodland	South of the proposed development	0.83
Valley Oak Woodland	West of the proposed development	0.25
Active Vineyard	Southeast of the project site	0.92

Figure 9: Vegetation Communities and Sensitive Resources Map



Botanical Resources

A botanical survey conducted by Terra Verde on May 17, 2019, alongside the review of relevant literature, determined that 14 special-status botanical species have the potential to occur on the project site, based on the presence of suitable habitat. Two special-status species, Salinas Milk-vetch and South Coast Range morning-glory, were documented on site. The May 2019 botanical survey was conducted during the typical blooming period for regionally occurring special-status plant species.

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 Biological Resources Assessment (Terra Verde, 2019) identified 14 special status plant species and 9 special status animal species with the potential to occur on the project site based on the presence of suitable habitat. Of the identified special status plant species, two species, the Salinas Milk-vetch and South Coast Range morning-glory were documented within the survey area; however, both

species occurred outside the proposed development footprint. Of the identified special status wildlife species, none were documented within the survey area.

A discussion of each species' known habitat, range, occurrences, potential to occur, and survey results for the Study Area are provided below.

Special-Status Plants

Douglas' fiddleneck (Amsinckia douglasiana) is a CRPR 4.2 species endemic to the coastal ranges of central California. It is known to occur in dry, unstable shaly sedimentary slopes in grassland and woodland habitats below 1,850 meters elevation. It may tolerate moderate levels of disturbance. The typical blooming period is from March to June (Jepson Flora Project 2019). According to CCH records (2019), the nearest documented occurrence is approximately 7.2 miles north of the project site. Douglas' fiddleneck was not detected in the Study Area during the May 2019 survey.

Bishop manzanita (Arctostaphylos obispoensis) is a CRPR 4.3 species that occurs along the Outer South Coast Ranges from southern Monterey County to northern Santa Barbara County. The Bishop manzanita is a shrub up to 4 meters tall that typically occurs in serpentine soils in association with chaparral and open coniferous forest near the coast. It is known to occur at elevations ranging from 60 to 950 meters. The typical blooming period for this species may span from February to March (Jepson Flora Project 2019). According to CCH records (2019), the nearest documented occurrence is approximately 7.9 miles southwest of the project site. Bishop manzanita was not detected in the Study Area during the May 2019 survey.

Salinas milk-vetch (Astragalus macrodon) is a CRPR 4.3 species that is endemic to the Inner South Coast Ranges of California. Salinas milk-vetch is a perennial herb that typically grows in eroded shale or sandstone soils or serpentine alluvium in association with various vegetation communities including grassland, chaparral, and woodland. It is known to occur at elevations ranging from 200 to 1,550 meters and may tolerate some disturbance. They typical blooming period for Salinas milk-vetch is from April to June (Jepson Flora Project 2019). According to CCH (2019) records, the nearest occurrence is approximately 0.8 mile southeast of the project site. In addition, approximately 50 individuals of this species were mapped at the southeastern edge of the survey area, near the top of the slope where the new water tank is proposed (Figure 9).

The project has the potential to cause direct and indirect impacts to this plant species through its proposed development and operations. To ensure avoidance and any potential future impacts, the applicant shall conduct a pre-activity Spring survey with provisions for relocation if any Salinas Milk-vetch is encountered to nearby suitable habitat. (BIO-11)

Dwarf calycadenia (Calycadenia villosa) is a CRPR 1B.1 species that is known to occur along the length of the Outer South Coast Ranges, from northern Monterey County to central Santa Barbara County. The Dwarf calycadenia is an annual herb that typically occurs in association with grassland and openings in foothill woodland on dry, rocky hills and ridges at elevations ranging form 250 to 850 meters. They typical blooming period is from May to September (Jepson Flora Project 2019). According to CNDDB records (CDFW 2019), the nearest occurrence is approximately 6.7 miles southeast of the project site. Dwarf calycadenia was not detected in the Study Area during the May 2019 survey.

South Coast Range morning-glory (Calystegia collina subsp. Venusta) is a CRPR 4.3 species that has been documented in disjunct populations from the Inner and Outer Coast Ranges of San Benito, Monterey, and Santa Barbara Counties, with only limited occurrences at the edges of San Luis Obispo County. South Coast Range morning-glory is a perennial herb that is known to occur in serpentine or

sedimentary soils in association with grassland, chaparral, or woodland. It has been documented at elevations below 600 meters and is known to tolerate disturbance. The typical blooming period is from April to June (Jepson Flora Project 2019). According to the CNDDB (CDFW 2019) records, the nearest documented occurrence is approximately 23 miles west of the project site. However, an isolated patch of this species, containing approximately 40 individuals, was mapped just north of the ephemeral drainage and just south of the proposed production facility and tasting room (Figure 9).

The project has the potential to cause direct and indirect impacts to this plant species through its proposed development and operations. To ensure avoidance and any potential future impacts, the applicant shall conduct a pre-activity Spring survey with provisions for relocation if any South Coast Range morning-glory is encountered to nearby suitable habitat. (BIO-11)

San Luis Obispo owl's-clover (Castilleja densiflora subsp. Obispoensis) is a CRPR 1B.2 species that is known to occur mostly in coastal areas along the Outer South Coast Ranges from the south of Ragged Point to Avila Beach, with several populations in the Irish Hills of San Luis Obispo County. The San Luis Obispo owl's-clover is an annual herb that typically grows in coastal grasslands at elevations below 40 meters and may be somewhat tolerant of disturbance. They typical blooming period for this species is from March to June (Jepson Flora Project 2019). According to CNDDB (CDFW 2019) records, the nearest occurrence is approximately 6.7 miles north of the project site. San Luis Obispo owl's-clover was not detected in the Study Area during the May 2019 survey.

Lemmon's jewelflower (Caulanthus lemmonii) is a CRPR 1B.2 species that is known to occur throughout the inner and Outer South Coast Ranges and along the western foothills of the San Joaquin Valley, with some populations extending east along the Transverse Ranges and into the northewest corner of the Mojave Desert. The Lemmon's jewelflower is an annual herb that typically occurs in grassland, chaparral, and scrub communities at elevations ranging from 80 to 1,100 meters. The typical blooming period is from March to May (Jepson Flora Project 2019). According to CNDDB records (CDFW 2019), the nearest documented occurrence of this species is approximately 4.9 miles north of the site. Lemmon's jewelflower was not detected in the Study Area during the May 2019 survey.

Paniculate tarplant (Deinandra paniculate) is a CRPR 4.2 species that is native to California and northern Baja California. Known populations are concentrated along the central and southern coastal ranges of California between San Luis Obispo and Baja. Paniculate tarplant is an annual herb that typically occurs in sandy soils in grassland, open chaparral, and woodland communities at elevations up to 1,320 meters and is known to tolerate disturbance. The typical blooming period is from May to November (Jepson Flora Project 2019). Documented threats to this species include development, with some historical occurrences known to be extirpated by urbanization (CNPS 2019). According to CCH (2019) records, the nearest occurrence of this species is approximately 16 miles southwest of the project site. Paniculate tarplant was not detected in the Study Area during the May 2019 survey.

Yellow-flowered eriastrum (Eriastrum luteum) is a CRPR 1B.2 species that is endemic to a portion of the Inner and Outer South Coast Ranges of Monterey and San Luis Obispo Counties. Yellow-flowered eriastrum is an annual herb typically occurs in rocky or gravelly soils on drying slopes in association with chaparral, broadleaf forest, and woodland communities. It is known to occur at elevations below 1,000 meters. The typical blooming period is from May to June (Jepson Flora Project 2019). Documented thereats to this species include grazing, vehicles, and possibly development (CNPS 2019). According to CNDDB records (CDFW 2019), the nearest occurrence is located approximately 4.5 miles south of the project site. Yellow-flowered eriastrum was not detected in the Study Area during the May 2019 survey.

Ojai fritillary (Fritillaria ojaiensis) is a CRPR 1B.2 species that is known to occur throughout the Outer South Coast Ranges and the western Traverse Ranges. Ojai fritillary is a perennial herb that typically occurs on a rocky slopes and in river basins associated with broadleaf forest, chaparral, woodland, and coniferous forest communities. This species is known to occur at elevations between 300 and 500 meters. The typical blooming period is from February to May (Jepson Flora Project 2019). Documented threats to this species include road maintenance and recreational activities (CNPS 2019). According to CNDDB records (CDFW 2019), the nearest documented occurrence of this species is located approximately 8.6 miles southwest of the project site. Ojai fritillary was not detected in the Study Area during the May 2019 survey.

Santa Lucia Dwarf Rush (Juncus luciensis) is a CRPR 1B.2 species that is known to occur along the central and southern coast, as well as in northeastern regions of the state, from Lake Tahoe to the Modoc Plateau. This species typically grows in a variety of seasonally and perennially wet habitats, including seeps, meadows, vernal pools, along streams, and in roadside ditches at elevations ranging from 1,300 to 1,900 meters. The typical blooming period may span from Aril through August (Jepson Flora Project 2019). Threats to this species may include development and grazing. According to CNDDB (CDFW 2019), the nearest occurrence is approximately 2.0 miles northeast of the project site. Santa Lucia Dwar Rush was not detected in the Study Area during the May 2019 survey.

Jones' Bush-mallow (Malacothamnus jonesii) is a CRPR 4.3 species that is known from disjunct populations in the Inner North Coast Ranges and Outer South Coast Ranges. Jones' Bush-mallow is a shrub up to 3 meters tall that typically occus in open chaparral and woodland habitats. It is known to occur at elevations from 250 to 830 meters. They typical blooming period may span from May to July (Jepson Flora Project 2019). According to CCH records (2019), the nearest documented occurrence is approximately 3.7 miles south of the project site. Jones' Bush-mallow was not detected in the Study Area during the May 2019 survey.

Carmel Valley Bush-mallow (Malacothamnus palmeri var. involucratus) is a CRPR 1B.2 species that is known from disjunct populations along the immediate coast and the Inner South Coast Ranges of Montery and Lan Luis Obispo Counties. The Carmel Valley Bush-mallow is a shrub up to 2.5 meters tall that typically occurs in valleys, in association with chaparral, woodland, and scrub communities, and is known to occur at elevations ranging from 30 to 800 meters. The typical blooming period is from May to July (Jepson Flora Project 2019). Documented threats to this species include development (CNPS 2019). According to CNDDB (CDFW 2019) records, the nearest documented occurrence is approximately 11.3 miles southwest of the project site. Carmel Valley Bush-mallow was not detected in the Study Area during the May 2019 survey.

Oak Trees (Quercus spp.) and Oak Woodland are protected under state and local ordinance. Oak woodland habitat and individual oak trees were documented on site. Oak Trees and Oak Woodland have the potential to be impacted through the installation of the water system at the southeastern side of the project site, alongside the plumbing necessary to connect the system to the proposed development. Mitigation measures BIO-1 through BIO-10 are conditioned onto the project to mitigate potential effects of impacted species.

Special-Status Wildlife

American badger (Taxidea taxus) is a California Species of Special Concern with a widespread range across the state (Brehme et. al. 2015; CDFW 2014). It is a permanent but uncommon resident in all parts of California, except for forested regions of the far northwestern corner, and is more abundant in dry, open areas of most shrub and forest habitats. The American badger requires friable soil in

order to dig burrows for cover and breeding. The main food source for the species is fossorial rodents, mainly ground squirrels and pocket gophers (CDFW 2014). The breeding season for badgers is in summer and early fall, and females give birth to litters usually in March and April (CDFW 2014).

According to CNDDB (CDFW 2019), a road-killed badger was observed along Highway 101 approximately 3.0 miles west of the project site. No sign (e.g., characteristic claw marks on the interior sides of den entrances, horizontally oriented elliptical den openings, frequent prey excavations) of this species were detected in the Study Area during the May 2019 survey. However, the grassland within the survey area may provide suitable habitat for American badger, including an available prey base (e.g., pocket gophers and squirrels). Based on the nearest documented occurrences, the habitat suitability, and the presence of prey base, there is potential to encounter this species on site.

American badger was not present in the Study Area during the 2019 surveys. Because badgers are highly mobile species with known occurrences in the region, it is possible a badger could occupy a den site in or near Study Area in the future. Direct impacts to American badger may occur during construction as a result of vehicle strikes, or during excavation activities, if there are occupied dens on-site or adjacent to the area of disturbance. Increased short and long-term anthropogenic activity in the vicinity of viable populations located outside of project area also have a potential to indirectly impact this species by removal of habitat, increased light-pollution, and potential primary and secondary exposure to agricultural chemicals including rodenticides.

Phallid Bat (Antrozous pallidus) is a California Species of Special Concern. Phallid bats range throughout the North American west, from southern British Columbia to central Mexico. They are common throughout California, except for high elevations, and are found in a variety of habitats, such as grasslands, shurblands, woodlands, and mixed conifer forests but are most commonly found in dry habitats with rocky outcrops (Verts and Carraway 1998). Pallid bats will use a variety of roosts, like caves, rock crevices, mines, trees, and buildings. They are year-long residences in their home range and hibernate during the winter (Vaughan and O'Shea 1967). These bats undergo daily torpor and are most active for a couple of hours after sunset and shortly before sunrise. Pallid bats are sensitive to disturbance and will readily abandon roosting sites.

According to CNDDB (CDFW 2019), there are two occurrences located 12 and 13 miles south, and one occurrence 13 miles north of the project site. The occurrence to the north and one of the occurrences to the south were of pallid bat roosts in bridges. Pallid bats may forage on site and roost within the adjacent oak woodlands, but suitable maternity colony habitat was not observed within the survey area. No trees are expected to be removed as a result of project implementation within the grassland habitat area; however, installation of the water line may require impacts to and/or removal of individual oak trees and oak woodland habitat, which could result in impacts to roosting bats.

San Joaquin kit fox (Vulpes macrotis mutica) Federal Endangered and State Threatened. San Joaquin kit fox (SJKF) is endemic to the San Joaquin Valley and adjacent arid valleys of central California. Highly suitable habits for kit fox are characterized by sparsely vegetated saltbush scrublands and grasslands dominated by red brome (Bromus madritensis) on flat or gently rolling terrain (Brown et al. 2019). The three remaining core populations of SJKF are in 1) Carrizo Plain Natural Area in San Luis Obispo County; 2) natural lands of western Kern County; and 3) the Ciervo-Panoche Natural Area of western Fresno and eastern San Benito Counties (USFWS 1998). The kit fox is adapted to arid climates and primarily preys on small mammals and invertebrates. Kit foxes extensively use dens for protection from the elements, predators, and rearing pups. Mating occurs between December and March and pups are born after a 48 to 52-day gestation period. The pups are reared in the den and begin to

emerge approximately one month after birth, and most disperse by August. Kit foxes are primarily nocturnal but may be observed during the day, basking outside the den entrance or taking short excursions. Kit Foxes excavate their own dens, enlarge burros of other species, such as giant kangaroo rats, or den in manmade features, such as culverts. They occupy numerous den sites throughout the year. Many factors have contributed to the decline of San Joaquin kit fox. By the 1950's, loss, degradation, and fragmentation of habitats in the San Joaquin Valley were the primary factors of decline. Many of other sources of mortality pose a threat to maintaining viable populations of this species, including disease, parasites, predation, and many human-induced factors such as shooting, trapping, poisoning, electrocution, and vehicle strikes (Brown et al. 2019).

According to CNDDB (CDFW 2019), the two nearest observations of SJKF are approximately 4.0 and 5.0 miles north of the project site (from 1990 and 1991, respectively). There are no known extant populations of SJKF in the project vicinity and no kit fox or dens were present during the site's May 2019 site visit. Historical and ongoing vineyard and farming operations within the project vicinity has substantially modified the landscape; as such, kit foxes are not expected to occur on site.

Western spadefoot (Spea hammondii) is a California Species of Special Concern. Western spadefoot toad generally inhabits lowlands, sand washes, and river flood plains but also may be found in woodlands, grasslands, and chaparral where soils are sandy and loose. Theis species occupies small mammal burrows or uses the hardened spades on its feet to burrow underground where it remains buried for most of the year, only emerging at night during the rainy season to breed in ephemeral pools. Seasonal pools and other breeding locations must stay inundated for at least 30 days for larvae to survive. Threats to this species include loss, degradation, and fragmentation of breeding and upland habitats (Nafis 2019)

According to CNDDB (CDFW 2019), the nearest observations of western spadefood were from 2016, approximately 2.6 miles and from 2005, approximately 3.0 miles north of the project site. No pools were present within the ephemeral drainage at the time of the survey; however, signs of seasonal ponding were observed. Spadefoots may maybe present on site if the pools within the drainage have a sufficient hydroperiod to support tadpole development and completion of metamorphosis.

California glossy snake (Arizona elegans occidentalis) is a California Species of Special Concern. California glossy snakes are common throughout California, especially in arid habitats such as grasslands, chaparral, and washes. This species prefers areas with loose soils for burrowing and is primarily nocturnal, feeding on a variety of lizards, snakes, small mammals, and occasionally birds. They are oviparous and lay 3 to 23 eggs from June to July (Stebbins and McGinnis 2018). The greatest threat to this species is habitat modification due to agricultural, commercial, and residential development (Thompson et al. 2016).

According to CNDDB (CDFW 2019) records, the nearest observation of this species was approximately 12 miles southeast of the project site. The grassland habitat on site and associated loose soil with small mammal burros provides suitable habitat and forage opportunities. Based on the nearby CNDDB-recorded observation and the presence of suitable habitat, there is potential to encounter this species on site.

Northern California Legless Lizard (Anniella pulchra) is a California Species of Special Concern. Northern California legless lizard ranges from the northern San Joaquin Valley south through the inner and outer South Coast Ranges, with populations in the southern Sierra Nevada and Tehachapi Mountains, at elevations up to 5,900 feet (Nafis 2019). This species requires moist, sandy or loose loamy soils within coastal dune scrub, coastal sage scrub, chaparral, woodlands, riparian, or forest habitats. It

shelters in leaf litter and under bushes, rocks, or detritus like logs and driftwood. Relatively little is known about the specific behaior and ecology of this peicies, but it is thought to be a diurnal species that breeds between the months of March and July. It gives birth to live young in the early fall. Population declines have been attributed to agricultural development, sand mining, use of off-road recreational vehicles, and habitat loss through spread of invasive, non-native vegetation such as iceplant (Zeiner et al. 1988-1990b).

According to CNDDB (CDFW 2019) records, there are four observations of this species within 4.0 to 4.5 miles of the project site. Two observations are to the north, documented in 1954 and 1966 and two observations and the presence of suitable habitat, there is potential for this species to occur on site. Northern California Legless Lizards were not observed in the Study Area during the May 2019 site survey.

Grasshopper sparrow (Ammodramus savannarum) is a California Species of Special Concern. Within California, grasshopper sparrows breed along the coast, coast ranges, and central valley. They are late spring migrants, typically arriving in California in late April and early may. Grasshopper sparrows occur in grasslands with little to or no shrub cover, often with patches of bare ground. They forage on grasshoppers and other insects during the summer and eat primary seeds in the winter. Grasshopper sparrows nest on the ground, often at the base of a clump of grass within an area of tall grasses or sedges. The nest is woven into adjacent vegetation and is usually domed with a side entrance. Grasshopper sparrows can produce two to four broods of three to seven eggs per year (Cornell 2015). According to CNDDB (CDFW 2019a) records, the nearest documented occurrence is located approximately 11 miles south of the project site. The grasslands within the survey area and adjacent may provide suitable nesting habitat for grasshopper sparrows. Grasshopper sparrows were not observed in the Study Area during the May 2019 site survey.

Golden eagle (Aquila chrysaetos) is a State Fully Protected species and s protected under the federal Bald and Golden Eagle Protection Act. Golden eagles typically occur in open and semi-open habitats, most commonly in mountainous areas with hunting grounds where prey is abundant. Golden eagles typically feed on small mammals and will nes in trees, on cliffs, or other steep escarpments (Cornell 2015). The typical nesting period for golden eagles is from January 1 through September 15. Theis species is threatened by loss of foraging and nesting habitat, secondary pesticide poisoning, and collisions with man-made structures.

According to CNDDB (CDFW 2019) records, the nearest documented occurrence is located approximately 6.0 miles north of the project site. The blue oak woodland within the survey area and the project vicinity may provide suitable nesting habitat for this species. In addition, the ground squirrels observed on site provide a suitable prey source.

Western burrowing owl (Athene cunicularia) is a California Species of Special Concern. Burrowing owls generally inhabit open grasslands, prairies, and fields with short-stature vegetation, but may also occupy agricultural and developed areas (Shuford et al. 2008). This species typically uses the burros of ground squirrels and other small mammals for shelter, protection from predators, and rearing of chicks. Burrowing owls are active day and night and can be seen roosting outside burrow entrances during the day. Courtship and mating may begin as early as late December in California nd continue not early spring. Incubation lasts 28-30 days and young disperse to nearby burrows by early fall. The primary threats to burrowing owls are the elimination of burrowing mammals through control programs and habitat loss (Klute et al. 2003). Burrowing owl was not present in the Study Area during the May 2019 survey.

Several occurrences of burrowing owls have been recorded in the CNDDB (CDFW 2019) approximately 14 miles northwest of the site at Camp Roberts, with the most recent record from 2004. Some suitable ground squirrel burrows were observed within the grassland on site. Based on the presence of marginally suitable habitat, there is potential to encounter burrowing owls on site.

White-tailed kite (Elanus leucurus) State Fully Protected species. White-tailed kite is a resident to coastal valleys and lowlands of California where it inhabits herbaceous and open stands of various habitats, often near agricultural operations. Nest sites are typically placed on the top of a tree near or within riparian areas, with adjacent grasslands for foraging. Typical prey items include voles and other small diurnal mammals, but they will occasionally feed on birds, insects, reptiles, and amphibians (Zeiner et al. 1988-1990c). White-tailed kite were not present in the Study Area during the May 2019 survey. According to CNDDB records (CDFW 2019), the nearest documented occurrence of this species is approximately 12 miles south of the project site. However, suitable nesting habitat is present within the oak woodlands and individual valley oak on site. Additionally, white-tailed kite may forage in the project area.

Nesting Birds. Impacts to, or take of, nesting birds could occur if vegetation removal, grading, or construction activities are conducted during nesting season (February 1 through August 31). Direct and indirect impacts may occur if tree trimming/removals are proposed as a part of the project and occur during nesting season. In addition, impacts may occur due to habitat loss (e.g. grassland) or project-related disturbances that may deter nesting or cause nests to fail during construction.

Based on the preceding analysis, project impacts to special-status species is considered *less than significant with mitigation (BIO1 - BIO-20).*

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

No riparian vegetation or other sensitive natural communities were identified within or immediately adjacent to the proposed areas of disturbance. One blue line creek was identified near the project site; impacts related to this feature are addressed in section c. Impacts to riparian habitat or other sensitive natural communities would be less than significant.

(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?*

The Biological Resources Assessment (Terra Verde, 2019) identified one USGS blue line drainage to the south of the project site. The drainage feature discharges into the Salinas River and is assumed to fall under the jurisdiction of the California Department of Fish and Wildlife, the California Regional Water Quality Control Board, and the U.S. Army Corps of Engineers. All proposed structures for the project will be located more than 50 feet from the drainage; however, the project's proposed water supply line will be installed beneath the drainage feature via HDD methodology. The project may cause indirect impacts to the drainage feature through HDD operations, grading, and/or runoff modifications. During application for construction permits, a drainage, sedimentation, erosion plan will be required and will be reviewed by the Department of Public Works (per Land Use Ordinance section 22.52.110). With implementation of this plan, impacts to a blue line stream would be *less than significant.*

(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?

Development could potentially affect nesting birds that may be present seasonally in large oak and willow trees which are close to construction activities. Preconstruction surveys will be required to ensure if any active nest sites of protected bird species are onsite, appropriate buffers are enforced to avoid direct impacts to nests, eggs, and/or young (BIO-16).

Based on the California Essential Habitat Connectivity Project, the project site is not located in an identified Essential Connectivity Area. The project site does not habitat features conducive to migratory wildlife species such as riparian corridors, shorelines, or ridgelines. The project site is in a semi-rural area with many existing barriers to wildlife movement such as public roadways and dense agricultural operations.

Therefore, the project is not expected to interfere with the movement of resident or migratory fish or wildlife species or wildlife nursery sites, and *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 project would not adversely affect sensitive habitats or resources identified in the COSE. The project is not located within an SRA designated for protection of unique or sensitive endangered vegetation or habitat resources.

The project is located in the vicinity of oak woodland habitat and several mature oak trees are located within 100 feet of the project's proposed development. Removal of oak trees is not expected for the project development; however, trimming and/or disturbance within the root zone of oak trees may occur. The project would be subject to the County's Oak Woodland Ordinance and would be required to implement recommended mitigation contingent on any disturbance to existing oaks.

With adherence to this ordinance, the project would not result in a conflict with local policies or ordinances protecting biological resources and *impacts would be less than significant.*

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

The project is not located within an area under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The project is not within areas identified as critical habitat or within the County's San Joaquin Kit Fox standard mitigation ratio area (County of San Luis Obispo 2007). Therefore, the project would not conflict with the provisions of an adopted plan and *no impacts would occur.*

Conclusion

The project is not expected to result in significant biological impacts. Implementation of Land Use Ordinance section 22.52.110 will ensure no significant drainage related issues will occur to the stream corridors during construction. With the implementation of these mitigation measures, impacts to biological resources will be less than significant. Upon implementation of mitigation measures BIO-1 through BIO-22 to reduce potential impacts to special-status wildlife and native oak trees, potential impacts to biological resources would be less than significant.

Mitigation

Biological Resources

Oak Trees

BIO-1 An oak tree mitigation plan shall be prepared by a Certified Arborist and approved by the County of San Luis Obispo. The mitigation plan shall incorporate the most current County standards for mitigating impacts to oak and pine trees, and oak woodland habitat.

BIO-2 Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage.

BIO-3 Prior to groundbreaking, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in place throughout the duration of the project, and removed only under the direction of the project's Certified Arborist.

BIO-4 Trenching within the CRZ must be approved by the project's Certified Arborist, and shall be done by hand or with an air spade. Any roots exposed during construction shall be evaluated and treated by the project's Certified Arborist.

BIO-5 Tree removal, if approved, shall commence within 30 days of inspection by a qualified biologist to determine the tree is not being used by nesting birds or bats at the time of removal.

BIO-6 Impacts to oak trees shall be assessed by a Certified Arborist. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage.

BIO-7 Impacts to native trees shall be mitigated by planting additional trees on site. Any oak tree with a dbh of five inches or greater shall require mitigation. Oak trees removed shall be replaced in kind at a 4:1 ratio. Impacts to oak trees shall be mitigated by planting additional oak trees, in kind, at a 2:1 ratio. Replacement trees shall be of one-gallon size, of local origin, and of the same species as was impacted. Replacement trees shall be seasonally maintained and monitored annually for at least seven years.

BIO-8 Prior to commencement of project construction activities, tree protection fencing shall be installed along the outer limit of the critical root zone (1.5 times the trunk diameter) of all oak trees within 50 feet of Project activities. The fencing shall be in place for the duration of the construction occurring within 50 feet of the trees. Where approved Project activities are within the critical root zone, fencing shall be temporarily moved to facilitate the work. A Certified Arborist shall be present during approved Project activities within the critical root zone to document impacts to the trees, and shall provide a written report to the County of any mitigation obligation.

Salinas Milk-vetch and South Coast Range morning-glory

BIO-9 Prior to issuance of construction and/or grading permits to assure avoidance of potential impacts, a focused preconstruction survey for Salinas Milk-vetch and South Coast Range morning-glory shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by a County approved biologist. The preconstruction survey shall be conducted by a qualified biologist and with approval from the California Department of Fish and Wildlife to relocate Salinas Milk-vetch and South Coast Range

morning-glory out of harm's way. The scope of work survey shall be determined by qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If these species are found to be present in the work areas, the following steps shall be taken:

a. Salinas Milk-vetch and South Coast Range morning-glory shall be collected by hand by the project biologist and relocated to an appropriate location well outside the project areas.

b. A letter report shall be submitted to the County and CDFW within 30 days of Salinas Milk-vetch and South Coast Range morning-glory relocation, or as directed by CDFW.

Surface Water

BIO-10 A SWPPP shall be developed and implemented. Construction activities shall implement Best Management Practices to adequately address prevention of sedimentation into drainages. The plan shall include a schedule of BMP inspection and maintenance.

BIO-11 All hazardous materials shall be properly stored within secondary containment. All portable generators and portable toilets shall also be staged within secondary containment.

BIO-12 Construction activities within 100 feet of drainages should be scheduled to the maximum extent practicable to occur outside of the rainy season (November through April).

BIO-13 Project activity occurring within 50 feet of aquatic habitat (e.g., swales, drainages, ponds, vernal pool, etc., identified in biological report) shall occur during the dry season (between June 1 and September 31). For short-term, temporary stabilization, an erosion and sedimentation control plan shall be developed outlining controls, which shall be implemented to prevent erosion and sedimentation into drainages and wetlands. Acceptable stabilization methods include the use of weed-free, natural fiber (i.e., non-monofilament) fiber rolls, jute or coir netting, and/or other industry standard materials. These controls shall be installed and maintained for the duration of the project.

BIO-14 No equipment fueling, hazardous materials storage, portable restrooms, concrete washouts, or overnight vehicle or equipment staging shall be permitted within 100 feet of aquatic features during construction.

BIO-15 **Protection of State Water and Wetlands (if present on site) -** Prior to project initiation, all applicable agency permits with jurisdiction over the project area (e.g., California Department of Fish and Wildlife [CDFW], Regional Water Quality Control Board) shall be obtained, as necessary. Any additional measures required by these agencies shall be implemented as necessary throughout the project.

Nesting Birds

BIO-16 **Pre-construction Survey for Sensitive and Nesting Birds.** If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within one week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active.

- A 50-foot exclusion zone shall be placed around non-listed, passerine species, and a 250-foot exclusion zone will be implemented 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 project-related disturbances have been terminated, 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.
- If special-status avian species (aside from burrowing owl) are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the County and any relevant resource agencies.
- The results of the survey shall be provided to the County prior to 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 two weeks lapse between different phases of project activities (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated.

Legless Lizard

BIO-17 Prior to issuance of construction and/or grading permits to assure avoidance of potential impacts, a focused preconstruction survey for legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Wildlife to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:

a. Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.

b. Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate horned lizards as specified above.

c. A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW.

Burrowing Owl

BIO-18 Prior to issuance of construction and/or grading permits to assure avoidance of potential impacts, a pre-construction survey for Burrowing Owl ("**BUOW")**. If work is planned to occur within 150 meters (approximately 492 feet) of BUOW habitat, a qualified biologist shall conduct a pre-construction survey for the species within 14 days prior to initial project activities. A second survey shall be completed immediately prior to initial project activities (i.e., within the preceding 24 hours). This applies year-round (i.e., within the breeding (February 1 to August 31) or non-breeding (September 1 to January 31) seasons. The pre-construction surveys shall be conducted to determine no burrowing owls are present in the work areas.

The surveys shall be consistent with the methods outlined in Appendix D of the CDFW 2012 Staff Report on BUOW Mitigation, which specifies that 7- to 20-meter transects shall be walked, such that the entire project area is visible. These surveys may be completed concurrently with American badger or other special-status species surveys.

If occupied BUOW burrows are identified the following exclusion zones shall be observed during project activities, unless otherwise authorized by CDFW:

Location	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting Sites	April 1 – Aug 15	656 feet	1,640 feet	1,640 feet
Nesting Sites	Aug 16 – Oct 15	656 feet	656 feet	1,640 feet
Any Occupied Burrow	Oct 16 – Mar 31	164 feet	328 feet	1,640 feet

Each exclusion zone shall encircle the burrow and have a radius as specified in the table above. All foot and vehicle traffic, as well as all project activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, or it has been determined by a qualified biologist that the burrow is no longer in use.

If two weeks lapse between construction phases (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the BUOW survey shall be repeated.

Bats

BIO-19 Prior to removal of any trees over 20 inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. The survey may include visual inspection of potential roost trees and/or acoustic surveys using bat detectors. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Wildlife, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.

American Badger

BIO-20 **Pre-construction survey for American badgers**. A qualified biologist shall complete a pre-construction survey for badgers no less than 14 days and no more than 30 days prior to the start of initial project activities to determine if badgers are present within proposed work areas, in addition to a 200-foot buffer around work areas. The results of the survey shall be provided to the County prior to initial project activities.

a. If a potential den is discovered, the den will be monitored for 3 consecutive nights with an infra-red, motion-triggered camera, prior to any project activities, to determine if the den is being used by an American badger.

b. If an active badger den is found, an exclusion zone shall be established around the den. A minimum of a 50-foot exclusion zone shall be established during the non-reproductive season (July 1 to January 31) and a minimum 100-foot exclusion zone during the reproductive season (February 1 to June 30). Each exclusion zone shall encircle the den and have a radius of 50 feet (non-reproductive season) or 100 feet (reproductive season), measured outward from the burrow entrance. 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 project-related disturbances have been terminated, or it has been determined by a qualified biologist that the den is no longer in use. If avoidance is not possible during project construction or continued operation, the County shall be contacted. The County will coordinate with appropriate resource agencies for guidance.

   If more than 30 days pass between construction phases (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the badger survey shall be repeated.

Sources

See Exhibit A.

V. CULTURAL RESOURCES

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

Setting

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

As defined by CEQA, a historical resource includes:

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

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

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

The COSE identifies and maps anticipated culturally sensitive areas and historic resources within the county and establishes goals, policies, and implementation strategies to identify and protect areas, sites, and buildings having architectural, historical, Native American, or cultural significance. Based on the COSE, the project is not located in a designated Archaeological Sensitive Area or Historic Site. A Phase I Archaeological Survey was prepared by LSA Associates, Inc. in July 2019.

Discussion

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

The project site does not contain, nor is it located near, any historic resources identified in the National Register of Historic Places or California Register of Historic Resources. The project site does not contain a site under the Historic Site (H) combining designation and does not contain other structures of historic age (50 years or older) that could be potentially significant as a historical resource. Therefore, the project would not result in an adverse change in the significance of a historical resources and *no impacts would occur.*

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

The record search prepared by LSA Associated, Inc. (July 2019) found no cultural resources recorded within a 0.25-mile radius of the project site. Additionally, the field survey did not identify any archaeological cultural resources in the project site. Although the site has not been subject to a subsurface cultural resources study, the Archeological Survey judged the site to have a low likelihood of containing buried archeological resources that would be disturbed during construction activities.

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

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

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

Conclusion

No archaeological or historical resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive archaeological resources or human remains are discovered during project construction activities, adherence with County LUO standards and State Health and Safety Code

procedures would reduce potential impacts to less than significant; therefore, potential impacts to cultural resources would be less than significant and no mitigation measures are necessary.

Mitigation

None required.

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 the County of San Luis Obispo. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources (PG&E 2017).

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

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

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

The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources and decreasing reliance on environmentally costly energy sources. This designation is intended to identify areas of the county where

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

The project is located in the County's Renewable Energy Area Combining Designation. The Renewable Energy (RE) Area Combining Designation is used to encourage and support the development of local renewable energy resources, conserving energy resources, and decreasing reliance on environmentally costly energy sources. No renewable energy structures are proposed as part of this project.

Discussion

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

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

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

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

Conclusion

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

Mitigation

None required.

Initial Study – Environmental Checklist

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?	☐	☐	☒	☐
(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?	☐	☐	☒	☐

Initial Study – Environmental Checklist

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

Setting

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

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code. There are no active faults within 1 mile of the project, however two known, potentially capable fault lines are located within one mile of the project site, to the west.

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

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

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of landslide, there is a considerable amount of development that is impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope

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

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

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

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

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

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

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

(a-ii) Strong seismic ground shaking?

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

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

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

(a-iv) Landslides?

The project site has relatively flat topography and based on the County Safety Element Landslide Hazards Map is located in an area with low to high potential for landslide risk. According to the California Department of Conservation's Reported Landslides map, no landslides have been reported within at least one mile of the project site. Therefore, based on the known landslide activity in the area and the project site's existing topography, the project would not result in significant adverse effects associated with landslides and impacts would be *less than significant*.

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

The project would result in approximately 2.2 acres of site disturbance and, during grading activities, there would be a potential for erosion to occur. Preparation and approval of an Erosion and

Sedimentation Control Plan is required for all construction and grading projects (LUO 22.52.120) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Compliance with existing regulations would reduce potential impacts related to soil erosion and loss of topsoil to *less than significant.*

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

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

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

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

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

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

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

The winery's proposed maximum annual production of 10,000 cases will qualify for a small winery discharge waiver through Regional Water Quality Control Board (RWQCB). The wastewater will be treated, and land applied under provisions of the RWQCB winery wastewater waiver. The proposed winery wastewater treatment will require discharge waiver from the RWQCB prior to construction. Based on compliance with existing regulations and requirements, potential wastewater impacts would be less than significant, and no mitigation measures are required.

The project site is located atop Lockwood-Concepcion complex, 2 to 9 percent slope, a soil considered well drained, and composed mostly of channerly load over channer clay loam. The main limitation of this soil for wastewater effluent is slow percolation.

Where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch. As previously noted, prior to building permit issuance, the standard septic systems will be evaluated in greater detail to ensure compliance with the Central Coast Basin and will not be approved if Basin Plan criteria cannot be met.

Therefore, potential impacts associated with having soils incapable of adequately supporting the use of septic tanks would be *less than significant.*

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

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

Conclusion

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

Mitigation

None required.

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

Greenhouse gases (GHG) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement).

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

In March 2012, the SLOAPCD approved thresholds for Greenhouse Gas (GHG) emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook. The Bright-Line Threshold of 1,150 Metric Tons CO_2/year (MT CO_2e/yr) is the most applicable GHG threshold for most projects. Table 1-1 in the APCD CEQA Air Quality Handbook provides a list of general land uses and the estimated sizes or capacity of those uses expected to exceed the GHG Bight Line Threshold of 1,150 Metric Tons of carbon dioxide per year (MT CO_2/yr). Projects that exceed the criteria or are within ten percent of exceeding the criteria presented in Table 1-1 are required to conduct a more detailed analysis of air quality impacts.

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

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

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

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

The County Energy Wise Plan (EWP; 2011) identifies ways in which the community and County government can reduce greenhouse gas emissions from their various sources. Looking at the four key sectors of energy, waste, transportation, and land use, the EWP incorporates best practices to provide a blueprint for achieving greenhouse gas emissions reductions in the unincorporated towns and rural areas of San Luis Obispo County by 15% below the baseline year of 2006 by the year 2020. The EWP includes an Implementation Program that provides a strategy for actions with specific measures and steps to achieve the identified GHG reduction targets.

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

Discussion

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

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

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

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

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

Conclusion

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

Mitigation

None required.

Initial Study – Environmental Checklist

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

Initial Study – Environmental Checklist

Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California EPA to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List.

The California Department of Toxic Substance Control's (DTSC's) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board's (SWRCB's) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: https://calepa.ca.gov/sitecleanup/corteselist/. The project site is not located within close proximity to any site included on the Cortese List, EnviroStor database, or GeoTracker database.

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

The project would be not located within an Airport Review Area and there are no active public or private landing strips within the immediate project vicinity.

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

Discussion

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

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

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

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including

gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Additionally, the construction contractor would be required to implement BMPs for the storage, use, and transportation of hazardous materials during all construction activities. Therefore, potential impacts would be *less than significant.*

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

The project does not propose the use of hazardous materials, nor the generation of hazardous emissions. The project site is not located within 0.25 mile of an existing or proposed school facility; therefore, *no impacts would occur.*

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

The proposed project is not found on the 'Cortese List', a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Based on a search of the California Department of Toxic Substance Control's EnviroStar database, the State Water Resources Control Board's Geotracker database, and CalEPA's Cortese List website, there are no hazardous waste cleanup sites within the project site. Therefore, *no impacts would occur.*

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

The project site is not located within an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impacts would occur.*

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

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

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

Based on the County Safety Element, the project is located within a high fire hazard severity zone. A Master Fire Protection Plan (FMPP) has been prepared to lessen potential fire risks within the project site. California Fire Code Section 104.7.2 requires a technical analysis of the proposed fire protection systems be prepared by a Registered Fire Protection Engineer. The project would be required to comply with all applicable fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits; therefore, potential impacts would be *less than significant.*

Initial Study – Environmental Checklist

Conclusion

The construction and use of the proposed winery facility will not require the use or generation of any hazardous materials. Additionally, the project is not located on a site known to contain, use, or generate any hazardous materials. The project is not within the Airport Review Area and it is unlikely that the project result in any safety hazard or excessive noise exposure. The project does not propose the routine transport, use, handling, or disposal of hazardous substances. It is not located within proximity to any known contaminated sites and is not within close proximity to populations that could be substantially affected by upset or release of hazardous substances.

Project implementation would not subject people or structures to substantial risks associated with wildland fires and would not impair implementation or interfere with any adopted emergency response or evacuation plan. Therefore, potential impacts related to hazards and hazardous materials would be less than significant and no mitigation measures are necessary.

Mitigation

None required.

Sources

See Exhibit A.

Initial Study – Environmental Checklist

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 project site is generally flat and does not pose a risk to downslope runoff, sedimentation, erosion, or runoff. The project site is not within a 100-year Flood Hazard designation and is approximately 72 feet from the closest creek. The project site contains two existing wells (domestic and Ag).

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

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

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

The project site for the applicant's proposed winery is located at the edge, but still within the Paso Robles Area Groundwater Basin (PRGWB); however, the proposed development will draw its water from an existing well, just outside of the PRGWB. The existing agricultural well that will serve as the project's dedicated water source is located outside of the PRGWB boundary.

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

The County LUO dictates which projects are required to prepare a drainage plan, including any project that would, for example, change the runoff volume or velocity leaving any point of the site, result in an impervious

surface of more than 20,000 square feet, or involve hillside development on slopes steeper than 10 percent. Preparation of a drainage plan is not required where grading is exclusively for an exempt agricultural structure, crop production, or grazing.

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

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

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in a 100-year flood zone is subject to Federal Emergency Management Act (FEMA) regulations. The County Land Use Ordinance designates a Flood Hazard (FH) combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements, including, but not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements for substances that could be injurious to human, animal or plant life in the event of flooding. The project site is not located within a Flood Hazard combining designation. The nearest watercourse to the project is an ephemeral stream located approximately 200 feet south of the project site.

Discussion

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

The project will result in approximately 2.18 acres of site disturbance, including 4,450 cubic yards of cut and 2,580 cubic yards of fill. The project is not on highly erodible soils, not on steep slopes. The project will be subject to standard County requirements for drainage, sedimentation, and erosion control from construction and permanent use. Project grading will create exposed graded areas subject to increased soil erosion and down-gradient sedimentation. Adherence to the County's LUO for sedimentation and erosion control (Sec. 22.52.120) will adequately address these impacts. Additionally, all disturbed areas will be permanently stabilized with impermeable surfaces and landscaping and stockpiles will be properly managed during construction to avoid material loss due to erosion.

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

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

The proposed project is not expected to impact the unnamed intermittent blue line creek that runs south of the proposed winery site. The proposed project includes the installation of a water tank at the crest of the southeastern hill behind the winery, along with plumbing to connect the system to the proposed winery. The proposed piping to connect the water tank to the winery is planned to be built over the intermitted blue line creek, not impacting the water quality of the creek. The project site does not contain Waters of the U.S. or the State. Implementation of the project would not substantially change the volume or velocity of runoff leaving any point of the site or result in a significant increase in impervious surface area.

Existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project. The project would not substantially affect surface water or groundwater quality. Therefore, potential impacts would be *less than significant.*

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

The water demand for the project is expected to be 0.168 AFY. The project is not located within a groundwater basin designated as Level of Severity III per the County's Resource Management System or in severe decline by the Sustainable Groundwater Management Act (SGMA).

A Producing Aquifer Zone letter written by Cleath-Harris Geologist, Inc in 2016 as part of an ag offset determination concluded that the existing well to be used by the proposed project does not draw its water from the PRGWB aquifers. Moreover, it concluded that the well's impact to the groundwater basin and adjacent property owners would be minimal due to the construction of irrigation reservoirs on the project parcel.

The project would not substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge; therefore, the project would not interfere with sustainable management of the groundwater basin. Potential impacts associated with groundwater supplies would be *less than significant.*

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

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

The project will result in approximately 2.18 acres of site disturbance, including 4,450 cubic yards of cut and 2,580 cubic yards of fill. A sedimentation and erosion control plan is required to minimize the potential for soil erosion, which would be subject to the review and approval of the County Building Division in accordance with LUO Section 22.52.120 to minimize potential impacts related to erosion, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation.

The project will be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP, which would identify appropriate Best Management Practices to capture and treat runoff before it leaves the site. The preliminary grading, drainage, and erosion control plan prepared for the project also identifies measures such as hydroseeding of all disturbed surfaces and installation of fiber rolls throughout the site to slow runoff and capture sediment. Based on required compliance with applicable state and County drainage and stormwater control regulations, the project's impacts associated with increased surface runoff resulting in flooding on- or off-site would be *less than significant.*

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

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

The project will be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP, which would identify appropriate Best Management Practices to capture and treat runoff before it leaves the site. The preliminary grading, drainage, and erosion control plan prepared for the project also identifies measures such as hydroseeding of all disturbed surfaces and installation of fiber rolls throughout the site to slow runoff and capture sediment. Based on required compliance with applicable state and County drainage and stormwater control regulations, the project's impacts associated with increased surface runoff resulting in flooding on- or off-site would be *less than significant.*

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

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

(c-iv) Impede or redirect flood flows?

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

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

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

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

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

Conclusion

The project site is not within the 100-year flood zone and does not include existing drainages or other surface waters. The project would not substantially increase impervious surfaces and does not propose alterations to existing water courses or other significant alterations to existing on-site drainage patterns. Compliance with existing regulations and/or required plans would adequately reduce potential impacts associated with hydrology and water quality to be less than significant.

Mitigation

There is no evidence that measures above what will already be required by ordinance or codes are needed.

Sources

See Exhibit A.

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

The County Land Use Element (LUE) provides policies and standards for the management of growth and development in each unincorporated community and rural areas of the county and serves as a reference point and guide for future land use planning studies throughout the county. The LUE identifies strategic grown principles to define and focus the county's pro-active planning approach and balance environmental, economic, and social equity concerns. Each strategic growth principle correlates with a set of policies and implementation strategies that define how land will be used and resources protected. The LUE also defines each of the 14 land use designations and identifies standards for land uses based on the designation they are located within. The project parcel and adjacent parcels to the south and northwest are located in the Agricultural designation. Adjacent parcels to the west, east, and northeast are located in the Residential Rural designation.

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

The proposed project (winery facility) would be located in an area designated Agricultural by the County of San Luis Obispo. The project site is surrounded by large agricultural parcels and rural residences. Surrounding uses are identified on Page 2 of this Initial Study and the proposed project is considered compatible with these surrounding uses.

Initial Study – Environmental Checklist

The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, North County Area Plan, etc.). Referrals were sent to outside agencies and other County departments to review for policy consistencies (e.g., County Fire/CAL FIRE for Fire Code, Environmental Health, Public Works, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., Cal Fire, Environmental Health, Public Works, Agricultural Department, and Native American Tribes.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

Discussion

(a) *Physically divide an established community?*

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

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

The project would be consistent with the property's land use designation and the guidelines and policies for development within the applicable area plan, inland LUO, and the COSE. The project is consistent with existing surrounding developments and does not contain sensitive on-site resources; therefore, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects. The project would be consistent with existing land uses and designations for the proposed site and, therefore, would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating environmental effects. *No impacts would occur.*

Conclusion

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

Mitigation

There is no evidence that measures above what will already be required by ordinance or codes are needed.

Sources

See Exhibit A.

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 (MRZ) according to the known or inferred mineral potential of the land (Public Resources Code Sections 2710–2796).

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

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

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

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

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

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

Discussion

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

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

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

The project is not located within a designated mineral resource zone or within an Extractive Resource Area combining designation. There are no known or mapped mineral resources in the project area and the likelihood of future mining of important resources within the project area is very low. Therefore, *no impacts would occur.*

Conclusion

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

Mitigation

None required.

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 San Luis Obispo County Noise Element of the General Plan provides a policy framework for addressing potential noise impacts in the planning process. The purpose of the Noise Element is to minimize future noise conflicts. The Noise Element identifies the major noise sources in the county (highways and freeways, primary arterial roadways and major local streets, railroad operations, aircraft and airport operations, local industrial facilities, and other stationary sources) and includes goals, policies, and implementation programs to reduce future noise impacts. Among the most significant 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, 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
- Offices

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

The existing ambient noise environment of the project site is characterized by light traffic on El Pomar Drive and Lupine Lane. The nearest existing off-site noise-sensitive land uses are residential parcels to the west, east, and northeast, and a wine facility to the north. The closest receptors are to the north and west of the project site at a distance of approximately 548 feet and 830 feet respectively. The project site is not located within an Airport Review Area.

Discussion

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

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

Table 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, the noise level standards are increased by 10 db.

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

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

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

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

Special Events. The applicant has requested to hold six special events each year with up to 80 guests attending each event. The applicant has proposed that each event include amplified music between 10:00 am to 5:00 pm.

Section 22.30.70.D.2.i.(3) states the following: any special event proposing outdoor amplified music shall only be allowed from 10:00 a.m. to 5:00 p.m. No outside amplified sound shall occur before 10:00 a.m. or after 5:00 p.m. The standard relating to amplified music may only be waived or modified where a finding can be made by the Review Authority that the noise at the property line will not exceed 65dB. The applicant has proposed that each event include amplified music between 10:00 am to 5:00 pm.

Noise impacts can occur as a result of amplified music if the events occur within the vicinity of sensitive receptors (e.g., residences). The subject property and the project site are not within close proximity to any residences (the nearest neighbor is 548 feet to the north). In compliance with the County LUO, the applicant has proposed to limit amplified music between the hours of 10 a.m. and 5 p.m. Therefore, with the implementation of County LUO standards, no significant impacts are anticipated.

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

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

The project does not propose any uses or features that would generate a significant permanent source of mobile or stationary noise sources. Ambient noise levels at the project site and in surrounding areas after project implementation would be consistent with the existing noise environment. Therefore, potential operational noise impacts would be less than significant.

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

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

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

The project site is not located within or adjacent to an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impact would occur*.

Conclusion

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

Any special events with amplified music will not have outdoor amplified music before 10 am or after 5 pm. as required by the LUO, Section 22.30.070.D.2.i(3). The project shall comply with the County Noise Element. No mitigation measures beyond the LUO noise standards are required.

Winery Operations and Industry-wide Events. No significant noise impacts are anticipated, and no mitigation measures are necessary. The project shall comply with the County Noise Element.

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

Mitigation

No mitigation measures above what are already required by ordinance are necessary.

Sources

See Exhibit A.

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

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

Section 22.12.080.B.2.e. does not require Inclusionary Housing fees if the commercial structures cumulatively do not exceed 5,000 square feet. The project is proposing the construction of two winery buildings that will total 10,585 square feet. Inclusionary Housing fees will be required at time of submittal of building permits.

The project parcel contains one single-family residence, and the project area includes scattered rural residences.

Discussion

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

The project does not include the construction of new homes or businesses or the extension or establishment of roads, utilities, or other infrastructure that would induce development and population growth in new areas. The project would not generate a substantial number of new employment opportunities that would encourage population growth in the area. Therefore, the project would not directly or indirectly induce substantial growth and *no impacts would occur.*

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

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

Conclusion

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

Mitigation

None required.

XV. PUBLIC SERVICES

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

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by the California Department of Forestry and Fire Protection (CAL FIRE), which has been under contract with the County of San Luis Obispo to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county. The project would be served by County Fire Station #30 - Templeton, located approximately 3 miles to the northwest of the project site. Based on the County's response time map, it will take approximately 5-10 minutes to respond to a call regarding fire or life safety.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The nearest sheriff station is the Templeton substation, located approximately 3.1 miles to the west of the project site.

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

Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County. The project is located approximately 3 miles northeast of Evers Park Field and 3.5 miles northeast of Templeton Park.

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

Discussion

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

Fire protection?
The project's fire protection agency, Cal Fire, has noted that "the cumulative effects of commercial development and special event type programs within areas such as this continue to place challenges upon [the agency's] ability to provide effective and efficient emergency services within rural areas."

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

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

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

Parks?

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

Other public facilities?

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

Conclusion

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

Mitigation

None required.

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

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

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

The project is located within the proposed Creston to Salinas River Trail corridor.

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 would not result in a substantial population growth within the area and would not substantially increase demand on any proximate existing neighborhood or regional park or other

recreational facilities. Payment of standard development impact fees would ensure any incremental increase in use of existing parks and recreational facilities would be reduced to *less than significant.*

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

The project does not include the construction of new recreational facilities and would not result in a substantial increase in demand or use of parks and recreational facilities. The project does not include any features which would impair use of the County's proposed Creston to Salinas River Trail corridor. Implementation of the project would not require the construction or expansion of recreational facilities; therefore, *no impacts would occur.*

Conclusion

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

Mitigation

None required.

XVII. TRANSPORTATION

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

Setting

The County Department of Public Works maintains updated traffic count data for all County-maintained roadways. In addition, Traffic Circulation Studies have been conducted within several community areas using traffic models to reasonably simulate current traffic flow patterns and forecast future travel demands and traffic flow patterns. These community Traffic Circulation Studies include the South County Circulation Study, Los Osos Circulation Study, Templeton Circulation Study, San Miguel Circulation Study, Avila Circulation Study, and North Coast Circulation Study. The California Department of Transportation (Caltrans) maintains annual traffic data on state highways and interchanges within the county. The project site would be accessed off of El Pomar Dr and is adjacent to Lupine Ln, both of which are County maintained two lane roads.

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

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

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

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

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

The County's Framework for Planning (Inland), includes the Land Use and Circulation Elements of the County's General Plan. The Framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. There are no bus stops within 1 mile of the project site, and there are no proximate bike or pedestrian facilities.

Discussion

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

The project does not propose the substantial temporary or long-term alteration of any proximate transportation facilities. In August of 2019, Orosz Engineering Group, Inc prepared a Roadway Safety Audit in which the project was estimated to generate 35 Special Event trips per hour when an event is occurring. The traffic associated with the tasting room is nominal with 1 peak hour trip ("pht"). The peak hour traffic trips generated by the proposed project in total is 4 pht when a special event is not occurring.

Marginal increases in traffic can be accommodated by existing local streets and the project would not result in any long-term changes in traffic or circulation. The project does not propose uses that would interfere or conflict with applicable policies related to circulation, transit, roadway, bicycle, or pedestrian systems or facilities.

In September of 2020, Orosz Engineering Group, Inc prepared an updated Roadway Safety Audit in which additional analysis was completed regarding 2019 crash data from the California Highway Patrol for El Pomar Drive and Lupine Lane. Based on the data provided by the California Highway Patrol, no significant traffic safety issues or significant patterns were identified at the project access driveways.

The project does not conflict with adopted policies, plans and programs related to transportation, and would not affect air traffic patterns or policies related to public transit, bicycle, or pedestrian facilities. As a result, the proposed project would have *a less than significant*, long-term impact on existing road service or traffic safety levels.

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

The County of San Luis Obispo has developed a model for determining potential increases in vehicle miles traveled (VMT) for proposed projects. The County model makes use of the suggested screening thresholds outlined by the Office of Planning and Research ("OPR") in their Technical Advisory on Evaluating Transportation Impacts in CEQA from December of 2018. These include screening thresholds for small projects, office and residential projects, projects near transit stations, and affordable residential development projects. The project is under the threshold for small projects which states that projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than significant transportation impact. Therefore, 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)?

A safety analysis prepared by Orosz determined no significant traffic safety issues associated with the project. The project would not change roadway design and does not include geometric design features that would create new hazards or an incompatible use. Therefore, *no impacts would occur*.

(d) Result in inadequate emergency access?

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

Conclusion

The project would not alter existing transportation facilities or result in the generation of substantial additional trips or vehicle miles traveled. Payment of standard development fees and compliance with existing regulations would ensure potential impacts were reduced to less than significant. Therefore, potential impacts related to transportation would be less than significant and no mitigation measures are necessary.

Mitigation

Improvements to meet County Standards.

Sources

Referral Response form Public Works (David E. Grim, Development Services, November 18, 2019).

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

Setting

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

1) Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

    a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or

    b. Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code Section 5020.1.

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

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

AB 52 consultation letters were sent to four tribes on November 7, 2019: Northern Chumash Tribal Council, Salinan Tribe of San Luis Obispo and Monterey Counties, Xolon Salinan Tribe, and yak tityu tityu yak tiłhini. A response from a representative of the Xolon Salinan Tribe was received on December 1, 2019. The response requested that the County contact the Tribe should any unforeseen cultural materials or human remains be discovered during ground penetration. No additional comments were received.

As noted in Section V: Cultural Resources, the project is located in an area historically occupied by the Obispeño Chumash and the Salinan. Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources. The nearest watercourse to the project is an ephemeral stream located approximately 200 feet south of the project site.

A Phase I Archaeological Survey was prepared by LSA Associates, Inc. in July 2019.

Discussion

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

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

The County has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52 and the project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to LUO 22.10.040 (Archaeological Resources), which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be *less than significant*.

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

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

Conclusion

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

Mitigation

None required.

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 Department of Public Works currently maintains CSAs for the communities of Nipomo, Oak Shores, Cayucos, Avila Beach, Shandon, the San Luis Obispo County Club, and Santa Margarita. Other unincorporated areas in the County rely on on-site wells and individual wastewater systems. Regulatory standards and design criteria for onsite wastewater treatment systems are provided by the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy).

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

must obtain coverage under the SWRCB's Construction General Permit. Pacific Gas & Electric Company (PG&E) is the primary electricity provider and both PG&E and Southern California Gas Company provide natural gas services for urban and rural communities within the County of San Luis Obispo. The project would utilize an existing agricultural well on-site.

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

Discussion

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

The project proposes the use of an existing on-site well and wastewater will be disposed of and processed through an onsite wastewater treatment system (septic and leach field). The project proposes the construction of a 60,000-gallon water tank and concrete pad with a main water supply line connecting to the project site. Energy needs will be met through proposed connection to exiting PG&E infrastructure.

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

The proposed winery wastewater treatment will require a discharge waiver from the Regional Water Quality Control Board ("RWQCB") prior to construction. The winery's proposed maximum annual production of 10,000 cases will qualify for a small winery discharge waiver through Regional Water Quality Control Board ("RWQCB"). Case production at 10,000 cases will generate an estimated 600 gpd during peak production and 400 gpd on average. All waste will go into a holding tank where the solids will settle, and the liquids will be treated and re-used onsite for vineyard irrigation and dust control under the provisions of the RWQCB winery wastewater wavier.

Through compliance with existing regulations and requirements, potential wastewater impacts would be *less than significant*.

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

The project would be consistent with existing and planned levels and types of development in the project area and would not create new or expanded water supply entitlements. In December of 2019, the County of San Luis Obispo's Environmental Health Department provided a referral response letter advising the applicant when a public water system would be required to be permitted. The letter stated that if the on-site population (including all uses served by the water system) reaches 25 persons or more for at least 60 days per year, including residents, employees, and guest/customers, any domestic water supply would be required to permit as a public water system (Environmental Health

Services, 2019). Short-term construction activities would require minimal amounts of water, which would be met through available existing supplies. In October of 2019, the applicant's agent (Kirk Consulting) provided a project description, which identified the operational water demands to be 0.168 Acre Feet/Year (AFY) for the proposed project. Anticipated annual water demand estimate for the project is shown below:

Wine Production	
Cases per year (assuming 10 gallons/case water demand):	10,000
Total increased demand in acre-ft per year (AFY):	0.306 AFY
Percentage recycled for vineyard irrigation with new system:	80%
Total net demand	0.062 AFY
Tasting Room	
Visitor use per day 1 gallon per 10sf (tasting room 880 sf)	88.0 GPD
Visitor use per year (7 day a weeks)	32,120.0 GPY
Total increased demand in acre-ft per year (AFY)	0.099 AFY
Employee Demand	
Full time equivalent (FTE) employee count	3 FTE
Estimated average daily use per employee	10 GPD/empy
Percentage discharged to subsurface recharge via leach pit	80%
Total net employee demand	2,190 GPY
Total increased demand in acre-ft per year (AFY)	0.007 AFY
Total increase in water use	**0.1681 AFY**

A Producing Aquifer Zone letter written by Cleath-Harris Geologist, Inc in 2016 as part of an ag offset determination concluded that the existing well's impact to the groundwater basin and adjacent property owners would be minimal due to the presence of irrigation reservoirs on the project parcel. Therefore, potential impacts on water supplies would be *less than significant*.

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

The project would utilize a proposed leach field and would not substantially increase demands on existing wastewater collection, treatment, and disposal facilities. The project does not include new connections to wastewater treatment facilities; therefore, *no impact 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?*

Construction activities would result in the generation of minimal solid waste materials; operational solid waste generation would be within expected quantities for the type of development. Local landfills have adequate permit capacity to serve the project and the project does not propose to generate solid waste in excess of State or local standards or otherwise impair the attainment of solid waste reduction goals. Therefore, potential impacts would be *less than significant*.

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

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

Conclusion

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

Mitigation

None required.

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

In central California, the fire season usually extends from roughly May through October, however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZ) are defined by the California Department of Forestry and Fire Protection (CALFIRE) based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency's ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the County have been designated as "Very High," "High," or "Moderate." In San Luis Obispo County, most of the area that has been designated as a "Very High Fire Hazard Severity Zone" is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County. The Moderate Hazard designation does not mean the area cannot experience a damaging fire; rather, it indicates that the probability is reduced, generally because the number of days a year that the area has "fire weather" is less than in high or very high fire severity zones. The project is located within a high fire hazard severity zone, and, based on the County's response time map, it will take approximately 5-10 minutes to respond to a call regarding fire or life safety.

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

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

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

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

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

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

Discussion

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

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

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

The project site is generally flat and contains substantial herbaceous vegetation. Proposed uses would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. A Master Fire Protection Plan (MFPP) has been prepared to lessen potential fire risks within the project site. Therefore, potential impacts would be *less than significant*.

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

As per the MFPP, the project would construct fire protection infrastructure including a steel water storage tank, primary and secondary fire department access roads, and underground fire service lines. Through implementation of the MFPP and conformance with the applicable standards of California Fire Code, the project would not exacerbate fire risk or result in substantial temporary or ongoing impacts to the environment as a result of the development of wildfire prevention, protection, and/or management techniques. Therefore, potential impacts would be *less than significant*.

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

The project site is generally flat and is not located in an area subject to downstream flooding. The project site is located near a hillslope with potential for landslides, and the project site is located within a high fire hazard severity zone. The project would comply with the recommendations outlined in the Master Fire Protection Plan (MFPP) to reduce potential impacts from wildfires. Through implementation of the MFPP and conformance with the applicable standards of California Fire Code, potential impacts would be *less than significant*.

Conclusion

The project would not expose people or structures to new or exacerbated wildfire risks and would not require the development of new or expanded infrastructure or maintenance to reduce wildfire risks. A Master Fire Protection Plan has been prepared to lessen potential fire risks within the project site and compliance with California Fire Code is required. Therefore, potential impacts associated with wildfire would be less than significant and no mitigation measures are necessary.

Mitigation

None required.

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?*

The proposed project has the potential to have significant impacts to biological resources. However, with the inclusion of mitigation measures, impacts would be mitigated to *less than significant.*

Initial Study – Environmental Checklist

(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)?

Potential cumulative impacts of the proposed project have been analyzed within the discussion sections of each environmental resource area. Cumulative impacts associated with the proposed project would be minimized to less than significant levels through ordinance requirements and the implementation of proposed mitigation measures.

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

The project's environmental impacts which might result in adverse effects on human beings, either directly or indirectly, have been analyzed in the discussion section of each environmental resource area. *There are no significant impacts to human beings anticipated.*

Conclusion

The proposed project has the potential to have significant impacts to biological resources. However, with the inclusion of mitigation measures, impacts would be mitigated to less than significant.

Mitigation

See mitigation measures BIO-1 through BIO-22 which would reduce biological resource impacts to less than significant.

Initial Study – Environmental Checklist

Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
☒	County Public Works Department	**In File****
☒	County Environmental Health Services	**Attached**
☒	County Agricultural Commissioner's Office	**Attached**
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☐	Air Pollution Control District	**Not Applicable**
☐	County Sheriff's Department	**Not Applicable**
☐	Regional Water Quality Control Board	**Not Applicable**
☐	CA Coastal Commission	**Not Applicable**
☐	CA Department of Fish and Wildlife	**Not Applicable**
☒	CA Department of Forestry (Cal Fire)	**Attached**
☐	CA Department of Transportation	**Not Applicable**
☐	Community Services District	**Not Applicable**
☒	Other AB52 Tribes	**In File****
☐	Other _____	**Not Applicable**

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

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

☒ Project File for the Subject Application

County Documents

☐ Coastal Plan Policies
☒ Framework for Planning (Coastal/Inland)
☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:
- ☒ Agriculture Element
- ☒ Conservation & Open Space Element
- ☐ Economic Element
- ☒ Housing Element
- ☒ Noise Element
- ☒ Parks & Recreation Element/Project List
- ☒ Safety Element

☒ Land Use Ordinance (Inland/Coastal)
☐ Building and Construction Ordinance
☒ Public Facilities Fee Ordinance
☒ Real Property Division Ordinance
☐ Affordable Housing Fund
☐ Airport Land Use Plan
☒ Energy Wise Plan
☒ North County Area Plan/El Pomar-Estrella SA
☐ Design Plan
☐ Specific Plan
☐ Annual Resource Summary Report
☐ Circulation Study

Other Documents

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

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

The project application materials are incorporated by reference and available for review at the Department of Planning and Building, 976 Osos Street, Suite 200, San Luis Obispo.

Project-Specific Studies

LSA, July 2019, Phase I Archaeological Survey of a Portion of APN 033-201-010 at 333 Lupine Lane in Templeton, San Luis Obispo County, California

Orosz Engineering Group, August 2019, Farrell Winery- Sight Distance, Speed Survey and Roadway Safety Audit at 2851 El Pomar Drive, Templeton

Orosz Engineering Group, September 2020, Farrell Winery- Sight Distance, Speed Survey and Roadway Safety Audit at 2851 El Pomar Drive, Templeton - UPDATED

Terra Verde Environmental Consulting, LLC, September 2019, Biological Resources Assessment for Caelesta Winery Project

Other County References

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

Brown, N. L., C. D. Johnson, P. D. Kelly, D. F. Williams. 2019. Endangered Species Recovery Program species profile for San Joaquin kit fox (Vulpes macrotis mutica). <http://esrp.csustan.edu/speciesprofiles/profile.php?sp=vuma>. Accessed March 2019.

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

California Department of Fish and Wildlife. 2019. California Natural Diversity Database: RareFind 5. Accessible online with subscription at: http://www.dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp. Accessed May 2019.

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

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

California Native Plant Society, Rare Plant Program. 2019. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Available online at: <http://www.rareplants.cnps.org/>. Accessed May 2019.

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

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

_____. 2018. Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater

Treatment Systems (OWTUS Policy) Fact Sheet. August 2018.

Cornell Lab of Ornithology. 2015. All about Birds. Available online at: <http://www.allaboutbirds.org/> . Accessed May-June 2019.

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

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

_____. 2016. Emergency Operation Plan. December 2016.

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

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

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

Jepson Flora Project (eds.). 2019. Jepson eFlora. Available online at: <http://ucjeps.berkeley.edu/eflora/>. Accessed May 2019

Nafis, G. 2019. California Herps – A Guide to the Amphibians and Reptiles of California. Available at: <http://www.californiaherps.com/>. Accessed May – June 2019.

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

San Luis Obispo Council of Governments (SLOCOG). 2019. Responsibilities. Available at: <https://slocog.org/about/responsibilities>.

Shuford, W.D. and T. Gardali. 2008. Burrowing Owl account from California Bird Species of Speical Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds No. I. Western Field Ornithologist, Camarillo, California, and California Department of Fish and Game, Sacramento. Available online at: <http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=10405>.

Stebbins, R. C., S. M. McGinnis. 2018. Peterson Field Guide to Western Reptiles and Amphibians. Fouth Edition. Houghton Mifflin Harcourt Company, New York, New York.

Thompson, R.C, A.N. Wright, and H.B Shaffer. California Amphibian and Reptile Species of Special Concern. University of California Press, 2016.

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

U.S. Fish and Wildlife Service (USFWS). 2019. National Wetlands Inventory Surface Waters and Wetlands. May

5, 2019. Available at: <https://www.fws.gov/wetlands/data/Mapper.html>

Vaughan, T. A., T. J. O'Sshea. 1976. Roosting ecology of the pallid bat, Antrozous pallidus. Journal of Mammalogy 57:19-42.

Verts, B. J., L. N. Carraway. 1998. Land Mammals of Oregon. University of California Press, Berkeley and Los Angeles, California. 668 pp.

Zeiner, D.C., W.F. Laudenslayer, Jr., K.E. Mayer, and M. White, eds. 1988-1990a. Life History Account for American Badger. California's Wildlife. Vol. I-III. California Department of Fish and Game, Sacramento, California.

_____.1988-1990b. Life History Account for California Legless Lizard. California's Wildlife. Vol. I-III. California Department of Fish and Game, Sacramento, California.

_____.1998-1990c. Life History Account for White-tailed kite. California's Wildlife. Vol. I-III. California Department of Fish and Game, Sacramento, California.

Exhibit B - Mitigation Summary

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

Air Quality

AQ-1 **Prior to issuance of construction permits**, the following measures related to ROG and NOx shall be incorporated into the construction phase of the project and shown on all applicable construction plans:

l) Maintain all construction equipment in proper tune according to manufacturer's specifications;

m) Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);

n) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;

o) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;

p) Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;

q) All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;

r) Diesel idling within 1,000 feet of sensitive receptors is not permitted;

s) Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;

t) Electrify equipment when feasible;

u) Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,

v) Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-2 **Prior to issuance of construction permits**, the following measures related to fugitive dust emissions shall be incorporated into the construction phase of the project and shown on all applicable construction plans:

n) Reduce the amount of the disturbed area where possible;

o) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;

p) All dirt stock pile areas should be sprayed daily as needed;

q) Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;

r) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

s) All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;

t) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;

u) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

v) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;

w) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;

x) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;

y) All of these fugitive dust mitigation measures shall be shown on grading and building plans; and

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

Biological Resources

Oak Trees

BIO-1 An oak tree mitigation plan shall be prepared by a Certified Arborist and approved by the County of San Luis Obispo. The mitigation plan shall incorporate the most current County standards for mitigating impacts to oak and pine trees, and oak woodland habitat.

BIO-2 Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage.

BIO-3 Prior to groundbreaking, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in place throughout the duration of the project, and removed only under the direction of the project's Certified Arborist.

BIO-4 Trenching within the CRZ must be approved by the project's Certified Arborist, and shall be done by hand or with an air spade. Any roots exposed during construction shall be evaluated and treated by the project's Certified Arborist.

BIO-5 Tree removal, if approved, shall commence within 30 days of inspection by a qualified biologist to determine the tree is not being used by nesting birds or bats at the time of removal.

BIO-6 Impacts to oak trees shall be assessed by a Certified Arborist. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage.

BIO-7 Impacts to native trees shall be mitigated by planting additional trees on site. Any oak tree with a dbh of five inches or greater shall require mitigation. Oak trees removed shall be replaced in kind at a 4:1 ratio. Impacts to oak trees shall be mitigated by planting additional oak trees, in kind, at a 2:1 ratio. Replacement trees shall be of one-gallon size, of local origin, and of the same species as was impacted. Replacement trees shall be seasonally maintained and monitored annually for at least seven years.

BIO-8 Prior to commencement of project construction activities, tree protection fencing shall be installed along the outer limit of the critical root zone (1.5 times the trunk diameter) of all oak trees within 50 feet of Project activities. The fencing shall be in place for the duration of the construction occurring within 50 feet of the trees. Where approved Project activities are within the critical root zone, fencing shall be temporarily moved to facilitate the work. A Certified Arborist shall be present during approved Project activities within the critical root zone to document impacts to the trees, and shall provide a written report to the County of any mitigation obligation.

Salinas Milk-vetch and South Coast Range morning-glory

BIO-9 Prior to issuance of construction and/or grading permits to assure avoidance of potential impacts, a focused preconstruction survey for Salinas Milk-vetch and South Coast Range morning-glory shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by a County approved biologist. The preconstruction survey shall be conducted by a qualified biologist and with approval from the California Department of Fish and Wildlife to relocate Salinas Milk-vetch and South Coast Range morning-glory out of harm's way. The scope of work survey shall be determined by qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If these species are found to be present in the work areas, the following steps shall be taken:

c. Salinas Milk-vetch and South Coast Range morning-glory shall be collected by hand by the project biologist and relocated to an appropriate location well outside the project areas.

d. A letter report shall be submitted to the County and CDFW within 30 days of Salinas Milk-vetch and South Coast Range morning-glory relocation, or as directed by CDFW.

Surface Water

BIO-10 A SWPPP shall be developed and implemented. Construction activities shall implement Best Management Practices to adequately address prevention of sedimentation into drainages. The plan shall include a schedule of BMP inspection and maintenance.

BIO-11 All hazardous materials shall be properly stored within secondary containment. All portable generators and portable toilets shall also be staged within secondary containment.

BIO-12 Construction activities within 100 feet of drainages should be scheduled to the maximum extent practicable to occur outside of the rainy season (November through April).

BIO-13 Project activity occurring within 50 feet of aquatic habitat (e.g., swales, drainages, ponds, vernal pool, etc., identified in biological report) shall occur during the dry season (between June 1 and September 31). For short-term, temporary stabilization, an erosion and sedimentation control plan shall be developed outlining controls, which shall be implemented to prevent erosion and sedimentation into drainages and wetlands. Acceptable stabilization methods include the use of weed-free, natural fiber (i.e., non-monofilament) fiber rolls, jute or coir netting, and/or other industry standard materials. These controls shall be installed and maintained for the duration of the project.

BIO-14 No equipment fueling, hazardous materials storage, portable restrooms, concrete washouts, or overnight vehicle or equipment staging shall be permitted within 100 feet of aquatic features during construction.

BIO-15 **Protection of State Water and Wetlands (if present on site) -** Prior to project initiation, all applicable agency permits with jurisdiction over the project area (e.g., California Department of Fish and Wildlife [CDFW], Regional Water Quality Control Board) shall be obtained, as necessary. Any additional measures required by these agencies shall be implemented as necessary throughout the project.

Nesting Birds

BIO-16 **Pre-construction Survey for Sensitive and Nesting Birds.** If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within one week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active.

- A 50-foot exclusion zone shall be placed around non-listed, passerine species, and a 250-foot exclusion zone will be implemented 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 project-related disturbances have been terminated, 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.
- If special-status avian species (aside from burrowing owl) are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the County and any relevant resource agencies.

- The results of the survey shall be provided to the County prior to 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 two weeks lapse between different phases of project activities (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated.

Legless Lizard

BIO-17 Prior to issuance of construction and/or grading permits to assure avoidance of potential impacts, a focused preconstruction survey for legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Wildlife to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:

d. Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.

e. Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate horned lizards as specified above.

f. A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW.

Burrowing Owl

BIO-18 Prior to issuance of construction and/or grading permits to assure avoidance of potential impacts**, a** pre-construction survey for Burrowing Owl (**"BUOW")**. If work is planned to occur within 150 meters (approximately 492 feet) of BUOW habitat, a qualified biologist shall conduct a pre-construction survey for the species within 14 days prior to initial project activities. A second survey shall be completed immediately prior to initial project activities (i.e., within the preceding 24 hours). This applies year-round (i.e., within the breeding (February 1 to August 31) or non-breeding (September 1 to January 31) seasons. The pre-construction surveys shall be conducted to determine no burrowing owls are present in the work areas.

The surveys shall be consistent with the methods outlined in Appendix D of the CDFW 2012 Staff Report on BUOW Mitigation, which specifies that 7- to 20-meter transects shall be walked, such

that the entire project area is visible. These surveys may be completed concurrently with American badger or other special-status species surveys.

If occupied BUOW burrows are identified the following exclusion zones shall be observed during project activities, unless otherwise authorized by CDFW:

Location	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting Sites	April 1 – Aug 15	656 feet	1,640 feet	1,640 feet
Nesting Sites	Aug 16 – Oct 15	656 feet	656 feet	1,640 feet
Any Occupied Burrow	Oct 16 – Mar 31	164 feet	328 feet	1,640 feet

Each exclusion zone shall encircle the burrow and have a radius as specified in the table above. All foot and vehicle traffic, as well as all project activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, or it has been determined by a qualified biologist that the burrow is no longer in use.

If two weeks lapse between construction phases (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the BUOW survey shall be repeated.

Bats

BIO-19 Prior to removal of any trees over 20 inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. The survey may include visual inspection of potential roost trees and/or acoustic surveys using bat detectors. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Wildlife, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.

American Badger

BIO-20 **Pre-construction survey for American badgers**. A qualified biologist shall complete a pre-construction survey for badgers no less than 14 days and no more than 30 days prior to the start of initial project activities to determine if badgers are present within proposed work areas, in addition to a 200-foot buffer around work areas. The results of the survey shall be provided to the County prior to initial project activities.

c. If a potential den is discovered, the den will be monitored for 3 consecutive nights with an infra-red, motion-triggered camera, prior to any project activities, to determine if the den is being used by an American badger.

d. If an active badger den is found, an exclusion zone shall be established around the den. A minimum of a 50-foot exclusion zone shall be established during the non-reproductive season (July 1 to January 31) and a minimum 100-foot exclusion zone during the reproductive season (February 1 to June 30). Each exclusion zone shall encircle the den and have a radius of 50 feet (non-reproductive season) or 100 feet (reproductive season), measured outward from the burrow entrance. 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 project-related disturbances have been terminated, or it has been determined by a qualified biologist that the den is no longer in use. If avoidance is not possible during project construction or continued operation, the County shall be contacted. The County will coordinate with appropriate resource agencies for guidance.

   If more than 30 days pass between construction phases (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the badger survey shall be repeated.

DEVELOPER'S STATEMENT FOR
Caelesta Estate Properties, LLC MINOR USE PERMIT
DRC2019-00239

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

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

Air Quality

AQ-1 **Prior to issuance of construction permits**, the following measures related to ROG and NOx shall be incorporated into the construction phase of the project and shown on all applicable construction plans:

a. Maintain all construction equipment in proper tune according to manufacturer's specifications;

b. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);

c. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;

d. Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;

e. Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;

f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;

g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;

h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;

i. Electrify equipment when feasible;

j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,

k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-2 **Prior to issuance of construction permits**, the following measures related to fugitive dust emissions shall be incorporated into the construction phase of the project and shown on all applicable construction plans:

a. Reduce the amount of the disturbed area where possible;

b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;

c. All dirt stock pile areas should be sprayed daily as needed;

d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;

e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;

g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;

h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;

j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;

k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;

l. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and

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

AQ-1 and AQ-2 Monitoring/compliance.

Compliance: Prior to issuance of construction permits, the measures outlined in mitigation measures AQ-1 and AQ-2 shall be incorporated into the construction phase of the project and shown on all applicable construction plans.

Biological Resources

Oak Trees

BIO-1 An oak tree mitigation plan shall be prepared by a Certified Arborist and approved by the County of San Luis Obispo. The mitigation plan shall incorporate the most current County standards for mitigating impacts to oak and pine trees, and oak woodland habitat.

BIO-2 Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage.

BIO-3 Prior to groundbreaking, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in place throughout the duration of the project, and removed only under the direction of the project's Certified Arborist.

BIO-4 Trenching within the CRZ must be approved by the project's Certified Arborist, and shall be done by hand or with an air spade. Any roots exposed during construction shall be evaluated and treated by the project's Certified Arborist.

BIO-5 Tree removal, if approved, shall commence within 30 days of inspection by a qualified biologist to determine the tree is not being used by nesting birds or bats at the time of removal.

BIO-6 Impacts to oak trees shall be assessed by a Certified Arborist. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage.

BIO-7 Impacts to native trees shall be mitigated by planting additional trees on site. Any oak tree with a dbh of five inches or greater shall require mitigation. Oak trees removed shall be replaced in kind at a 4:1 ratio. Impacts to oak trees shall be mitigated by planting additional oak trees, in kind, at a 2:1 ratio. Replacement trees shall be of one-gallon size, of local origin, and of the same species as was impacted. Replacement trees shall be seasonally maintained and monitored annually for at least seven years.

BIO-8 Prior to commencement of project construction activities, tree protection fencing shall be installed along the outer limit of the critical root zone (1.5 times the trunk diameter) of all oak trees within 50 feet of Project activities. The fencing shall be in place for the duration of the construction occurring within 50 feet of the trees. Where approved Project activities are within the critical root zone, fencing shall be temporarily moved to facilitate the work. A Certified Arborist shall be present during approved Project activities within the critical root zone to document impacts to the trees, and shall provide a written report to the County of any mitigation obligation.

Salinas Milk-vetch and South Coast Range morning-glory

BIO-9 Prior to issuance of construction and/or grading permits to assure avoidance of potential impacts, a focused preconstruction survey for Salinas Milk-vetch and South Coast Range morning-glory shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by a County approved biologist. The preconstruction survey shall be conducted by a qualified biologist and with approval from the California Department of Fish and Wildlife to relocate Salinas Milk-vetch and South Coast Range morning-glory out of harm's way. The scope of work survey shall be determined by qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If these species are found to be present in the work areas, the following steps shall be taken:

a. Salinas Milk-vetch and South Coast Range morning-glory shall be collected by hand by the project biologist and relocated to an appropriate location well outside the project areas.

b. A letter report shall be submitted to the County and CDFW within 30 days of Salinas Milk-vetch and South Coast Range morning-glory relocation, or as directed by CDFW.

Surface Water

BIO-10 A SWPPP shall be developed and implemented. Construction activities shall implement Best Management Practices to adequately address prevention of sedimentation into drainages. The plan shall include a schedule of BMP inspection and maintenance.

BIO-11 All hazardous materials shall be properly stored within secondary containment. All portable generators and portable toilets shall also be staged within secondary containment.

BIO-12 Construction activities within 100 feet of drainages should be scheduled to the maximum extent practicable to occur outside of the rainy season (November through April).

BIO-13 Project activity occurring within 50 feet of aquatic habitat (e.g., swales, drainages, ponds, vernal pool, etc., identified in biological report) shall occur during the dry season (between June 1 and September 31). For short-term, temporary stabilization, an erosion and sedimentation control plan shall be developed outlining controls, which shall be implemented to prevent erosion and sedimentation into drainages and wetlands. Acceptable stabilization methods include the use of weed-free, natural fiber (i.e., non-monofilament) fiber rolls, jute or coir netting, and/or other industry standard materials. These controls shall be installed and maintained for the duration of the project.

BIO-14 No equipment fueling, hazardous materials storage, portable restrooms, concrete washouts, or overnight vehicle or equipment staging shall be permitted within 100 feet of aquatic features during construction.

BIO-15 **Protection of State Water and Wetlands (if present on site) -** Prior to project initiation, all applicable agency permits with jurisdiction over the project area (e.g., California Department of Fish and Wildlife [CDFW], Regional Water Quality Control

Board) shall be obtained, as necessary. Any additional measures required by these agencies shall be implemented as necessary throughout the project.

Nesting Birds

BIO-16 **Pre-construction Survey for Sensitive and Nesting Birds.** If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within one week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active.

a. A 50-foot exclusion zone shall be placed around non-listed, passerine species, and a 250-foot exclusion zone will be implemented 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 project-related disturbances have been terminated, 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.

b. If special-status avian species (aside from burrowing owl) are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the County and any relevant resource agencies.

c. The results of the survey shall be provided to the County prior to 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).

d. If two weeks lapse between different phases of project activities (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated.

Legless Lizard

BIO-17 Prior to issuance of construction and/or grading permits to assure avoidance of potential impacts, a focused preconstruction survey for legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Wildlife to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:

a. Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.

b. Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate horned lizards as specified above.

c. A letter report shall be submitted to the County and CDFW within 30 days of legless lizard relocation, or as directed by CDFW.

Burrowing Owl

BIO-18 Prior to issuance of construction and/or grading permits to assure avoidance of potential impacts**, a** pre-construction survey for Burrowing Owl ("**BUOW")**. If work is planned to occur within 150 meters (approximately 492 feet) of BUOW habitat, a qualified biologist shall conduct a pre-construction survey for the species within 14 days prior to initial project activities. A second survey shall be completed immediately prior to initial project activities (i.e., within the preceding 24 hours). This applies year-round (i.e., within the breeding (February 1 to August 31) or non-breeding (September 1 to January 31) seasons. The pre-construction surveys shall be conducted to determine no burrowing owls are present in the work areas.

The surveys shall be consistent with the methods outlined in Appendix D of the CDFW 2012 Staff Report on BUOW Mitigation, which specifies that 7- to 20-meter transects shall be walked, such that the entire project area is visible. These surveys may be completed concurrently with American badger or other special-status species surveys.

If occupied BUOW burrows are identified the following exclusion zones shall be observed during project activities, unless otherwise authorized by CDFW:

Location	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting Sites	April 1 – Aug 15	656 feet	1,640 feet	1,640 feet
Nesting Sites	Aug 16 – Oct 15	656 feet	656 feet	1,640 feet
Any Occupied Burrow	Oct 16 – Mar 31	164 feet	328 feet	1,640 feet

Each exclusion zone shall encircle the burrow and have a radius as specified in the table above. All foot and vehicle traffic, as well as all project activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, or it has been determined by a qualified biologist that the burrow is no longer in use.

If two weeks lapse between construction phases (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the BUOW survey shall be repeated.

Bats

BIO-19 Prior to removal of any trees over 20 inches dbh, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. The survey may include visual inspection of potential roost trees and/or acoustic surveys using bat detectors. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Wildlife, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.

American Badger

BIO-20 **Pre-construction survey for American badgers**. A qualified biologist shall complete a pre-construction survey for badgers no less than 14 days and no more than 30 days prior to the start of initial project activities to determine if badgers are present within proposed work areas, in addition to a 200-foot buffer around work areas. The results of the survey shall be provided to the County prior to initial project activities.

a. If a potential den is discovered, the den will be monitored for 3 consecutive nights with an infra-red, motion-triggered camera, prior to any project activities, to determine if the den is being used by an American badger.

b. If an active badger den is found, an exclusion zone shall be established around the den. A minimum of a 50-foot exclusion zone shall be established during the non-reproductive season (July 1 to January 31) and a minimum 100-foot exclusion zone during the reproductive season (February 1 to June 30). Each exclusion zone shall encircle the den and have a radius of 50 feet (non-reproductive season) or 100 feet (reproductive season), measured outward from the burrow entrance. 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 project-related disturbances have been terminated, or it has been determined by a qualified biologist that the den is no longer in use. If avoidance is not possible during project construction or continued operation, the County shall be contacted. The County will coordinate with appropriate resource agencies for guidance.

   If more than 30 days pass between construction phases (e.g., vegetation trimming and the start of grading), during which no or minimal work activity occurs, the badger survey shall be repeated.

Monitoring: Department of Planning and Building shall verify compliance (BIO-1 through BIO-20) in consultation with the Environmental Coordinator.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signature of Owner(s)

2/16/21
Date

BRIAN J FARRELL

Name (Print) MANAGER
CALCESTA ESTATE PROPERTIES LLC

TEMPLETON AREA ADVISORY GROUP

Addressing the Area's Land Use Planning Since 1994

PO Box 1135 Templeton, CA 93465

REPORT TO THE COUNTY

TO: County Board of Supervisors, County Planning Department, Kate Shea, Eric Hughes, Vicki Janssen, Micki Olinger, Trevor Keith
CC: TAAG Board members

FROM: Bruce Jones, TAAG Board Chair

SUBJECT: Report of significant actions at TAAG's teleconferenced September 17, 2020 Board meeting

At TAAG's Zoom (teleconferenced) September 17. 2020, Board meeting, TAAG's Board made the following significant recommendations:

SAN LUIS OBISPO HOUSING ELEMENT UPDATE
Four hours and fifteen minutes before this meeting, we received information regarding the Planning Commission Public Hearing scheduled for September 24, 2020 to discuss the Housing Element update. Considering how soon the Planning Commission public hearing is scheduled, the Board unanimously approved a special meeting for Monday, September 21, 2020 to discuss this update in more depth so that we can provide our input before the scheduled hearing.

DRC2019-00239 CAELESTA ORIOERTUES LLC
This project was reviewed at this meeting. It had previously been reviewed by the Project Review Committee. At the PRC meeting, neighbors expressed concerns about traffic safety along El Pomar, where drivers tend to speed in part because no speed limit signs are posted. A motion was made and seconded to approve the project and to ask the County to address Traffic Safety issues in that area of El Pomar Road. This motion was passed unanimously.

DRC2019-00042 COPPER CREEK FARMS LLC
This cannabis project is approximately two and a half miles east of the Templeton Reserve line. It is technically outside the TAAG designated boundary line. Opinions were voiced at the meeting that this project impacts residents of the TAAG designated area and should be reviewed by TAAG. The Board unanimously recommended that the Cannabis Project Review Committee (CPRC) review this project and make their recommendation to the TAAG Board. Timing issues may require that the TAAG Board will need to change the meeting date for the October, 2020 Board meeting. If the CPRC recommends that the Board meeting time needs to be changed, we will proceed with these changes.

CO-LOCATED DISPATCH FACILITY
The sentiment among TAAG Delegates was supportive of this Co-Located Dispatch Facility. We would like to review this project when the Environmental Impact Report (EIR) is completed.

FILLING VACANT FIRST ALTERNATE DELEGATE POSITION
The TAAG Board interviewed Dede Davis and reviewed her resume. She was elected unanimously to fill the vacant First Alternate Delegate for the TAAG Board.

Respectfully submitted,
Bruce Jones, TAAG Chair

Date: November 18, 2019

To: Holly Phipps, Project Planner

From: David E. Grim, Development Services

Subject: DRC2019-00239, Caelesta Properties MUP, 333 Lupine Ln., Templeton, APN 033-201-010

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Public Works Comments:

A. The project site is located on Lupine Lane and El Pomar Drive, County-maintained local road and collector road, respectively.

B. The proposed public serving project site is not located further than one mile from a collector or arterial (22.30.070(D)(2)(a)). El Pomar Drive is designated a collector.

C. The project is located within the Paso Robles Groundwater Basin and must follow the adopted water conservation requirements of the Paso Robles Groundwater Basin Plan.

D. The proposed project triggers review of Resolution 2008-152, as it brings general public traffic into a rural area. However, project frontage road widening improvements are not required for the following reasons:

- Low collision history;
- El Pomar Drive meets roadway section requirements;
- Trip generation: Proposed project including 4,940 SF of wine production/storage, 940 SF of tasting room, and 6 special events with a maximum attendance of 80 persons per event. This would generate 4.00 PHT from regular operations and 35 PHT from special events, both below the limits triggering improvements (OEG traffic letter/RSA, August 5, 2019)

E. The proposed project is within the Templeton Area B Road Fee Area. Payment of Road Improvement Fees is required prior to building permit issuance.

F. Special events associated with this project should be coordinated to avoid potential conflicts with the Eroica cycling community event, which has historically occurred in April of each year using El Pomar Drive.

G. The proposed project is within a drainage review area. A drainage plan is required to be prepared by a registered civil engineer and will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52.110 of the Land Use Ordinance prior to future submittal of development permits.

H. This project appears to not meet the applicability criteria for Stormwater Management, it is located outside a Stormwater Management Area, or is within but creates or replaces less than 2,500 sf of impervious area.

I. If the project site disturbs 1.0 acre or more the applicant must enroll for coverage under California's Construction General Permit, which may require preparation of a project Stormwater Control Plan even if it is located outside a Stormwater Management Area.

J. The site is within the Paso Robles Groundwater Basin and may be subject to the Sustainable Groundwater Management Act (SGMA). However, the Groundwater Sustainability Agency responsible for overseeing SGMA compliance has not completed the planning efforts that will define the need for any groundwater mitigation requirements. In the interim, consideration of the project's impacts on the groundwater basin should be included in the project's CEQA analysis.

Recommended Project Conditions of Approval:

Access

1. **At the time of application for construction permits**, the applicant shall submit to the Department of Public Works an encroachment permit application, plans, fees, and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plans are to include, as applicable:
   a. A new El Pomar Drive primary site access shall be constructed in accordance with B-1e rural driveway approach and A-5 sight distance standards.
   b. A new secondary, emergency egress-only site access shall be constructed in accordance with B-1a rural driveway approach and A-5 sight distance standards.
   c. Except for the primary and secondary access driveways on El Pomar Drive, and agriculture related access on Lupine Lane, all other existing property connections, if any, to El Pomar Drive and Lupine Lane shall be removed, scarified, revegetated, and fenced (or otherwise blocked) to prohibit access. The adjacent shoulder shall be restored to County road standards.
   d. Drainage ditches, culverts, and other structures (if drainage calculations require).
   e. Public utility plan, showing all existing utilities and installation of all new utilities to serve the site.
   f. Tree removal/retention plan for trees to be removed and retained associated with the required public improvements. The plan shall be approved jointly with the Department of Planning and Building.
   g. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).
   h. The applicant shall provide satisfactory evidence that the Army Corps of Engineers and the California Department of Fish and Game environmental permits have either been secured or that the regulatory agency has determined that their permit is not required.
2. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage, tree planting, fences, etc., without a valid encroachment permit issued by the Department of Public Works.
3. **On-going condition of approval (valid for the life of the project)**, the property owner shall be responsible for operation and maintenance of public road frontage landscaping, maintaining County driveway sight distance standards on a continuing basis into perpetuity.

4. **On-going condition of approval (valid for the life of the project):**

   a. Any gate constructed on a driveway where off-site grapes are delivered and/or product is exported from the site shall be a minimum of 75-feet from the traveled way of any road open to public traffic. The existing gate is approximately 35-feet from the roadway and must be removed.

   b. Any gate constructed on a driveway to the site shall be a minimum of 75-feet from the traveled way of any Collector or Arterial Road.

5. **Prior to commencing permitted activities**, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the Public Works Inspector and in accordance with the County Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans.

6. **At the time of application for construction permits,** the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire, or the regulating fire agency standards and specifications back to the nearest public maintained roadway.

Fees

7. **Prior to commencing permitted activities,** and in accordance with Title 13.01 of the County Code, the applicant must pay to the Department of Public Works the Templeton Area B Road Improvement Fee based on the latest adopted area fee schedule and 4.00 peak hour trips as estimated in the project traffic study prepared by Orosz Engineering Group, dated August 5, 2019. The estimated fee is $33,848 ($8,462/PHT x 4.0 PHT).

   The fee schedule is subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of issuance of building permits, or within 30 days of Land Use Permit approval if no building permits are required.

Drainage & Flood Hazard

8. **At the time of application for construction permits,** the applicant may be required to submit complete drainage plans for review and approval in accordance with Section 22.52.110 of the Land Use Ordinance.

9. **At the time of application for construction permits,** the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with Section 22.52.120 of the Land Use Ordinance.

Stormwater Pollution Prevention Plan (SWPPP)

10. **At the time of application for construction permits**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

Stormwater Control Plan (SWCP)

11. **At the time of application for construction or grading permits**, the applicant shall demonstrate whether the project is subject to post-construction stormwater requirements by submitting a Stormwater Control Plan application or Stormwater Post Construction Requirements (PCRs) Waiver Request Form.

    a. The applicant must submit a SWCP for all regulated projects subject to Performance Requirement #2 and above. The SWCP must be prepared by an appropriately licensed professional and submitted to the County for review and approval. Applicants must utilize the County's latest SWCP template.

b. If post-construction stormwater control measures (SCMs) are proposed, the applicant must submit a draft Stormwater Operations and Maintenance Plan for review by the County. The plan must consist of the following Planning & Building Department forms;

    1. Structural Control Measure Description (Exhibit B)
    2. Stormwater System Contact Information
    3. Stormwater System Plans and Manuals

c. If applicable, following approval by the County, the applicant shall record with the County Clerk-Recorder the Stormwater Operation and Maintenance Plan and an agreement or provisions in the CCRs for the purpose of documenting on-going and permanent storm drainage control, management, treatment, inspection and reporting.

12. **Prior to acceptance of the improvements (if applicable)**, the Stormwater Operations and Maintenance plan and General Notice must be updated to reflect as-built changes, approved by the County, and re-recorded with the County Clerk-Recorder as amendments to the original document.

Recycling

13. **On-going condition of approval (valid for the life of the project)**, the applicants shall provide recycling opportunities to all facility users at all events in accordance with Ordinance 2008-3 of the San Luis Obispo County Integrated Waste Management Authority (mandatory recycling for residential, commercial and special events).

G:\Development_DEVSERV Referrals\Land Use Permits\MUP\DRC2019\DRC2019-00239 Caelesta MUP 333 Lupine Ln., Templeton\DRC2019-00239 Caelesta MUP 333 Lupine Ln., Templeton.docx

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF AGRICULTURE / WEIGHTS & MEASURES
Martin Settevendemie, Agricultural Commissioner / Sealer of Weights & Measures

DATE: **November 25, 2019**

TO: **Holly Phipps, Project Manager**

FROM: **Lynda L. Auchinachie, Agriculture Department**

SUBJECT: **Caelesta Winery Minor Use Permit DRC2019-00239 (3172)**

Thank you for the opportunity to comment on the proposed wine production and tasting room facility. The applicant is requesting a minor use permit to allow for:

- 7,205 square feet of interior and exterior wine production area.
- An 880 square foot tasting room and an additional 2,500 square feet of other interior and exterior visitor serving uses.
- A special events program consisting of no more that six events with a maximum of 80 attendees.
- Required parking.

The project site is within the Agriculture land use category and is located at 333 Lupine Lane, east of Templeton. The 196-acre project site is developed with approximately 30-acres of wine grape vineyards, truffle oaks, and farm workers quarters. The winery facility will be located over the Paso Robles groundwater basin and best management water conservation practices and native/drought tolerant landscaping are proposed. Neighboring agricultural properties support wine grape vineyards and dry farmed field crops. The project site is under a Williamson Act contract.

The wine production and tasting room facility was reviewed relative to Agriculture Element policies to ensure the that impacts to agricultural resources are minimized and visitor serving uses are secondary to the winery production uses. It appears the proposed development is consistent with policies and designed to minimize impacts to on and off-site agricultural resources. Compliance with the existing Williamson Act contract has not been confirmed. The following is recommended:

- Williamson Act contract requirements should be maintained.

The above comments and recommendations are based on the Agriculture Department's application of policies in the San Luis Obispo County Agriculture Element, the Conservation and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA)

and on current departmental objectives to conserve agricultural resources and to provide for public health, safety and welfare, while mitigating negative impacts of development to agriculture. The Agriculture Department is a referral agency to the Planning and Building Department. Comments and recommendations are specific to agricultural resources and operations and are intended to inform the overall decision-making process.

If you have any questions, please call me at 805.781.5914.

Michael Stoker
Tue 11/12/2019 10:58 AM
Holly,

Please find buildings recommendations for DRC2019-00239 below. Please let me know if you have any questions.

In regards to this preliminary review, a building permit is required. The drawings specify the work to be completed consists of construct a new 10,585 SF Winery Facility consisting of two (2) buildings (Production Building = 4060 SF; Hospitality Building = 2360 SF) under one roof structure, and additional 4165 SF of exterior use area. A California State licensed design professional (Architect/Engineer) shall prepare plans in compliance with current codes adopted by the County of San Luis Obispo (Current version of the California Building Standards Codes and Title 19 of the SLO County Codes at time of permit submittal).

While a thorough plan review will be conducted at the time of the building permit application, the following items are noted to assist design review;

A California licensed Architect or Engineer is required to submit the plans for this project per BPC 5536.1.
A pre-application meeting will be needed prior to submitting for a building permit to answer any questions and / or discuss code related issues.
Separate building permits will be required for the separate building/structures, fire sprinklers, and grading (major) located on the site for the proposed project.
Specify the applicable codes on the cover sheet of the plans.
Specify the occupancy group and type of construction on the cover sheet of the plans for each building to comply with the California Building Code.
Please provide a building tabulation for each separate structure on the cover sheet of the plans.
Provide an allowable area analysis on the plans to verify compliance with CBC Chapter 5, including Table 503 and sections 504, 506, and 508. Also, provide information stating is the building is using the separated, non-separated, or accessory occupancy method or combination of each per CBC Chapter 5.
Any fire resistive walls or ceilings due to occupancy separations will need to be detailed on the plans to comply with the requirements of with CBC, including Chapter 5, 6 and 7. The specific details for the wall construction on the plans will need to reference an approved UL listing or gypsum manual listing.
The fire and smoke protection features (i.e. exterior walls, projections, openings, rated wall assemblies, shaft enclosures, parapet, etc) shall be shown, calculated and detailed on the plans to comply with CBC, including Chapter 7.
The interior finishes (floors, ceiling, walls, insulation, etc) will need to be shown on the plans to comply with CBC, including Chapter 8.
Provide an occupant load and exiting analysis on the plans to verify compliance with CBC, including Chapter 10.
The accessibility elements throughout will need to be shown, detailed, and / or noted on the plans to verify compliance with CBC Chapter 11B. (i.e. accessible parking, path of travel, restroom design, accessible amenities, rooms, doors, electrical outlets, etc.).

Provide plans which clearly show the structural design to verify compliance with the current version of the California Building Code and referenced standards. The plans and supporting calculations will need to be prepared by a California Licensed Design Professional (Architect or Engineer) justifying the structural design.
The project will require a soils report and structural calculations for the design of the buildings.
All structural elements to be detailed on the plans to comply with CBSC and adopted referenced codes.
A grading permit will be required for the project and or site specific. Also, a SWPPP plan will be required for this project if the total area of disturbance for the project is 1 acre or greater.
Provide isometric / single line drawings for the electrical, plumbing, and mechanical elements to verify compliance with the current versions of the California Electrical, Plumbing, and Mechanical Codes.
Provide a plumbing fixture analysis on the plans to verify the number of fixtures provided are sufficient for the proposed use and complies with CPC Chapter 4 and Table A and Table 422.
Provide an equipment schedule on the plans and any referenced standards or spec sheets that are applicable.
Provide details for anchorage for all equipment. For equipment weighing more than 400 lbs, provide calculations for seismic anchorage in accordance with ASCE 7-16, Chapter 13.
Energy Calculations will need to be provided to verify compliance with current California Energy Code.
Compliance with the current California Green Building Code and County of San Luis Obispo Green Building Ordinance will need to be show on the plans.
The building(s) will need to be provided with fire sprinklers and an alarm system under a separate permit. At the time of the permit application provide plans and calculations showing the design of the system.
The septic design will need to comply with Tier I requirements of the California Onsite Wastewater Treatment Systems design criteria or the design will need to be submitted to RWQCB for review and approval.

Thanks

Michael Stoker, CASp

Building Division Supervisor

County of San Luis Obispo

Planning and Building Department

(p) 805-781-1543

(f) 805-781-1242

mstoker@co.slo.ca.us

COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
PUBLIC HEALTH DEPARTMENT
Michael Hill *Health Agency Director*
Penny Borenstein, MD, MPH *Health Officer/Public Health Director*

December 5, 2019

To: Holly Phipps, Department of Planning and Building

From: Environmental Health
Leslie Terry, 805-781-5553, lterry@co.slo.ca.us

RE: DRC2019-00239 Caelesta Properties LLC MUP Winery Facility

Applicant/tenant to return attached Hazardous Materials Declaration Flowchart to this office. Be advised that threshold levels are 55 gallons, 500 pounds or 200 cubic feet and common materials include (but are not limited to): fuel, paint, lubricants, pesticides, pool chemicals and compressed gases. Contact Austin Avan at (805)781-1105 or aavan@co.slo.ca.us in this office with any questions regarding this form. The form should be submitted directly to Austin Avan.

If plan review for cross connection determines a device is necessary, then an annual device test requirement shall be added as a condition of this MUP. For questions regarding cross connection, please contact Matthew Giuffrida in this office at mgiuffrida@co.slo.ca.us or 805.781.5567.

Applicant/property owner is advised that if the on-site population (including all uses served by water system) reaches 25 persons or more for at least 60 days per year, including residents, employees, and guests/customers, any domestic water supply would be required to permit as a public water system. If the property does not currently meet the threshold to become a public water system, but onsite population increases at a later date, property owner/manager to contact this office to determine if a public water system is required. Please be advised for future planning purposes that water system requirements will be reviewed if/when any building permit application is submitted. Applicant or property owner/manager to contact Kealoha Ghiglia at klghiglia@co.slo.ca.us or (805) 781-5551 for questions regarding water supply.

Verify water supply adequacy and potability as needed for proposed use.

No food (except for crackers) may be served without a health permit. Food pairing and serving cheese requires a health permit. Please contact this office if, in the future, food will be provided to the public (regardless of whether food is sold or simply provided). Use only licensed caterers for wine industry events where food may be served.

HAZARDOUS MATERIALS BUSINESS PLAN IMPLEMENTATION FLOWCHART

Under penalty of law, I declare that I have followed the flowchart and checked the boxes that are appropriate for this business's operations. I also understand that the SLO County CUPA must be notified if our operations or procedures change and make the above statement inaccurate.

Name (print)

Signature

Business Name

Address

Date

START HERE
Do you generate hazardous waste in ANY quantity?

YES

NO

Do you store, use, or handle hazardous material at any one time during a calendar year in quantities equal to or greater than 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a compressed gas at standard temperature and pressure?

Sign and submit this document – you need not submit a business plan or pay a fee ☐

NO

YES

Are you a physician, veterinarian, pharmacist, dentist, or podiatrist who stores ONLY oxygen, nitrogen or nitrous oxide and the total quantity of each gas on-site is 1,000 cubic feet or less?

YES

NO

Is your facility either a :

Agricultural Business ☐

Other Business ☐

Do you store **ONLY** motor vehicle fuel in above or underground tanks at 1,100 gallons or less capacity and the TOTAL volume of fuel is less than 20,000 gallons?

YES

Submit Form S, Form I, and Form M one time only and pay a one time fee. ☐

NO

Do you store **ONLY** motor or lubricating oil and is the total volume less than 275 gallons? (Does not include waste oil)

YES

Sign this document – you need not submit a business plan or pay a fee ☐

Do you store ONLY motor or lubricating oil and is the total volume less than 275 gallons? (Does not include waste oil)

YES

NO

Do you store **ONLY** N-P-K fertilizers (excluding ammonium nitrates) less than 10,000 pounds total?

YES

NO

Do you apply liquid fertilizer no more than four times a year, apply and store it over period of less than seven days, and is the quantity less than 1,190 gallons and you do not store any other hazardous materials in reportable quantities?

YES

NO

Is your facility:
A): a remote site (a remote site is defined as an unstaffed facility located in an isolated, sparsely populated area. The facility is secured and not accessible to the general public) and
B): is the inventory less than: 500 cubic feet compressed inert gas, 500 gallons combustible liquid fuel, 200 gallons electrolytes in closed containers, 500 gallons lubricating and hydraulic fluids, and 1,200 gallons of flammable gas used as fuel (propane)?

YES

NO

Submit a one time business plan, complete exemption form R and pay a one time fee. ☐

NO

Submit a business plan and pay an annual fee to:

San Luis Obispo County CUPA, PO Box 1489
2156 Sierra Way
San Luis Obispo, CA 93406
Ph: (805) 781-5544 ☐

Within San Luis Obispo city limits:
SLO City Fire Dept, 2160 Santa Barbara Ave
San Luis Obispo, CA 93401-5240
Ph: (805) 781-7380 ☐

COMMON HAZARDOUS MATERIALS

- Lubricants
- Solvents
- Compressed Gases
- Fuel
- Pesticides
- Paint

COMMON HAZARDOUS WASTES

- Crank Case Oil
- Used Anti-Freeze
- Paint
- Used automotive batteries
- Spent solvents

Not sure?

Please contact The County of San Luis Obispo
Public Health Department
Division of Environmental Health
at
(805) 781-5544

CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805.543.4244 • Fax: 805.543.4248
www.calfireslo.org

Scott M. Jalbert, Unit Chief

FIRE SAFETY PLAN

March 9, 2020

San Luis Obispo County
Department of Planning & Building
County Government Center
San Luis Obispo, CA 93408

Subject: DRC2019-00239 CAELESTA PROPERTIES LLC

Holly Phillips,

CAL FIRE/San Luis Obispo County Fire Department has reviewed the New Project Referral information, the project description and building plans provided for the proposed Minor Use Permit for a new 10,585 sq. ft winery facility consisting of two building (production building 4,60 sq. ft.; hospitality building 2,360 sq. ft.) under one roof structure. Additional 4,165 sq. ft. of exterior use area . This project will be located at 333 Lupine Lane, Templeton, CA.

Special Concerns:
The cumulative effects of commercial development and special event type programs within areas such as this continue to place challenges upon CAL FIRE/County Fire's ability to provide effective and efficient emergency services within rural areas.

The nearest CAL FIRE/County Fire station (#30-Paso Robles) is located at 2510 Ramada Road, Paso Robles, CA. This station has an approximate 7.7 -miles vehicular travel distance and a 12 minute response time. At a minimum, 2 full-time firefighters are on duty at this station throughout the entire year regardless of weather conditions.

This geographic location is within lands classified as State Responsibility Area.

The following are requirements that must be satisfied.

- The Registered Fire Protection Engineer must provide a detailed written technical analysis of the entire fire protection system(s). This technical analysis must account for any phased approach to the project. This report will be reviewed and approved by CAL FIRE/ San Luis Obispo County Fire Department. California Fire Code Section 104.7.2

- ***ACCESS***- The grade for all roads, streets, private lands and driveways shall not exceed 16 percent, grades over 16% not to exceed 20 percent only on approval of the Fire Marshal. A Design criteria shall be in accordance with San Luis Obispo County Public Works public improvement standards. Roads under 12% grade will be all-weather base. Roads 12%-16% shall be a nonskid asphalt or concrete surface as specified in San Luis Obispo County public improvement standards, specifications and drawings.

  All roads shall:
  - Be able to support Fire Apparatus
  - Provide a vertical clearance of 13'6"
  - Provide a 2-foot fuel modification zone on both sides (Combustible Vegetation)

  The access road(s) must be a minimum of 24 feet in width for two-way traffic and shall be constructed to SLO County Public Works Standards. Two (2) 10- foot driving lanes and Two (2) – Two (2) foot shoulders.

  Parking is only allowed where an additional 8 feet of width is added to each side of the road to accommodate parking. "No Parking - Fire Lane" signs will be required in areas determine by County Fire.

  Fire access shall be provided to within 150 feet of the furthest outside building perimeter. Turn arounds will be provided for access exceeding 150 feet. All structures will require an access.

- ***OCCUPANCY CLASSIFICATION*** – An occupancy classification will be set based on California Building Code. The San Luis Obispo County Building Department will set occupancy.

- ***MEANS OF EGRESS AND EXITING***- Project structures and surroundings will meet applicable sections of chapter 10 and 11 of the 2019 California Fire Code.

- ***FIRE FLOW and HYDRANT LOCATIONS***- An Fire Protection Engineer will be required to develop and review fire flow and hydrant location based on 2019 California Fire Code Appendix B and C. NFPA 1142 may be referenced for rural water supply.

- ***FIRE PROTECTION SYSTEMS***- Project will require a water based fire protection system to meet 2019 California Fire Code sections 901 and NFPA-13. Building hazard class will be established for this system.

- ***ALARMS/DETECTION*** – An approved fire alarm system installed in accordance with the provisions of 2019 California Fire Code Section 903 and NFPA 72 shall be provided in new buildings. Monitoring shall be provided by a central station listed by Underwriters Laboratories for receiving fire alarms.
-

- ***EMERGENCY ACCESS*** – A Knox Corporation key switch shall be installed on all electric gates and rapid entry. Knox box(es) shall be attached to commercial structure(s) agreed upon by County Fire.

- ***ADDRESSING*** – Address numbers shall meet current commercial standards of 8 inch high with ½ inch stroke. Building identification may be required. Proper signage shall be required onsite in order to properly identify access and egress routes.

  A building identification and directory will be required to assist with location of building within the property.

- ***SOLAR / STANBY EMEREGNY POWER-*** Any proposed emergency stand by power or solar or standby will meet 2019 California Fire Code Sections 604 and 605.11

- ***2019 CALIFORINA FIRE CODE***- Project will meet applicable fire code requirements that will included exiting, fire extinguishers, housekeeping, storage and electrical. Code requirements will be further address in the permitting process.

- ***Commercial Cooking:*** Proposed commercial cooking will comply with California Fire Code section 609 for hood type and fire suppression system(s).

Events proposed will be reviewed by CAL FIRE/ San Luis Obispo County Fire for any required secondary egress standards based on County Land Use Ordnances.

The proposed project(s) will require a fire review of construction documents. Project will meet all applicable regulations related to safeguarding against fire and explosion hazards found within 2019 California Code of Regulations Title 24, Part 9 and its referenced standards adopted by San Luis Obispo County. Please contact this office at (805) 543-4244 to schedule inspections or meeting related to fire and life safety.

If I may be of additional assistance regarding this matter, please do not hesitate to contact me at (805) 593-3427

Sincerely,

Dell Wells
Fire Captain / Deputy Fire Marshal