

WINERY AND FARM BREWERY ZONING TEXT AMENDMENT PROJECT

SCH# 2015072019

DRAFT ENVIRONMENTAL IMPACT REPORT

**VOLUME I OF II
CHAPTERS 1 - 15 & APPENDICES A - D**

PREPARED FOR
PLACER COUNTY



APRIL 2019

PREPARED BY



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**Winery and Farm Brewery Zoning Text Amendment Project
Draft Environmental Impact Report**

SCH# 2015072019

Prepared for
Placer County

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1. INTRODUCTION

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INTRODUCTION

1.1 PROJECT BACKGROUND

The Winery and Farm Brewery Zoning Text Amendment Project (proposed project) includes several text amendments to the County's 2008 Winery Ordinance, which regulates wineries in the unincorporated portions of Placer County. In the years since the County of Placer's 2008 Winery Ordinance was approved, wine industry concerns regarding the County's existing Winery Ordinance have been raised, specifically citing a lack of promotional events allowed without a use permit. Based upon the desires of the community and winery owners to modify some standards in order to hold a greater number of events by right, staff determined that it was appropriate to re-examine the existing Winery Ordinance.

The Placer County Planning Commission held a series of workshops between December 2013 and February 2015 in relation to the review and adoption of a Winery Ordinance Zoning Text Amendment. Public comments provided by the Planning Commission, Placer County Vintners Association, Placer County Agricultural Commission, the applicable Municipal Advisory Councils, and community members were taken into account in order to address the diversity of ideas on the subject. The workshops introduced and analyzed a variety of potential changes to the Ordinance. Subsequent to the February 2015 workshop, County staff prepared a draft Zoning Text Amendment and Initial Study/Negative Declaration (IS/ND) to review the potential environmental effects associated with implementation of the changes. The IS/ND was circulated for a 30-day public review period beginning on July 11, 2015 and closing on August 10, 2015. During the public review period, the County received comments on the adequacy of the proposed IS/ND. As a result of public comment, County staff brought the Zoning Text Amendment to the Planning Commission as an information item during a regularly scheduled public hearing on January 14, 2016. During this public hearing, County staff informed the Planning Commission that the County's Environmental Review Committee had determined that, in light of the comments received on the IS/ND, an Environmental Impact Report (EIR) should be prepared. Section 1.12 of this chapter contains a summary of the comments received on the IS/ND.

For additional background information, see Section 3.1 of the Project Description chapter of this EIR.

1.2 TYPE AND PURPOSE OF THE EIR

The proposed project EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970, Pub. Res. Code §§ 21000-21178, as amended and the Guidelines for Implementation of the California Environmental Quality Act, Cal. Code Regs. Title 14, §§ 15000-15387 (CEQA Guidelines). Placer County is the lead agency for the environmental review of the proposed project evaluated herein and has the principal responsibility for approving the project. As required by Section 15121 of the CEQA Guidelines, this EIR will (a)

inform public agency decision-makers, and the public generally, of the significant environmental effects of the project, (b) identify possible ways to minimize the significant adverse environmental effects, and (c) describe reasonable and feasible project alternatives which reduce environmental effects. The public agency shall consider the information in the EIR along with other information that may be presented to the agency.

As provided in the CEQA Guidelines Section 15021, public agencies are charged with the duty to avoid or minimize environmental damage where feasible. The public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social issues. CEQA requires the preparation of an EIR prior to approving any project that may have a significant effect on the environment. For the purposes of CEQA, the term *project* refers to the whole of an action, which has the potential to result in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]). With respect to the proposed project, the County has determined that the proposed Zoning Text Amendment is a *project* within the definition of CEQA, which has the potential to result in significant environmental effects.

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a *program-level EIR* pursuant to CEQA Guidelines Section 15168. According to CEQA Guidelines Section 15168(a), a program-level EIR is an EIR that may be prepared on a series of actions that could be characterized as one large project and are related either: 1) geographically; 2) as logical parts in the chain of contemplated actions; 3) in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or 4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

A program-level analysis for the proposed Zoning Text Amendment is appropriate in this EIR because:

- Site-specific details are not available at this time;
- The Zoning Text Amendment covers a defined geographic area, with similar land use characteristics; and
- A program-level analysis provides the County with the opportunity to consider “broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts” (CEQA Guidelines Section 15168(b)(4)).

While site-specific details are not available for the programmatic analysis, the types of impacts that could occur are generalized based on the type and quantity of events that would be allowable by right at existing and future winery and farm brewery facilities as a result of the proposed project. For further details regarding the framework of the environmental analysis contained in this EIR, see the “Framework of EIR Analysis” section of the Project Description chapter.

1.3 PROJECT SUMMARY

The proposed project includes several text amendments to the County’s 2008 Winery Ordinance, which regulates wineries in the unincorporated portions of Placer County. All of the existing wineries and current and pending farm breweries are located in the western-central portion of the County. The proposed text amendments are intended to preserve and protect farmland while also enhancing the economic viability of Placer County’s agricultural operations and supporting the tenets of agri-tourism. The proposed text amendments to the Winery Ordinance include the following substantive changes to the current Winery Ordinance:

- Add definition of “Farm Brewery” to the Ordinance
- Amend “Winery” definition to reference appropriate California Alcohol Beverage Control (ABC) license
- Add definition of “Tasting Room” to the Ordinance
- Modify definition of “Event” in the Ordinance
- Define new 10-acre minimum parcel size requirements for Production-only Facilities and Tasting Rooms
- Create table outlining “Event” allowances, maximum capacity, and use permit requirement
- Clarify hours of operation of all facilities
- Update the potable water standards for facility water systems
- Update the wastewater disposal standards for all facilities
- Update the standards for facility access roadways
- Add “Accessory Use - Restaurant” as allowable land use subject to CUP

A detailed project description can be found in Chapter 3, Project Description, of this EIR. Please refer to Appendix A for the full draft language of the proposed Winery and Farm Brewery Zoning Text Amendment.

1.4 EIR PROCESS

The EIR process begins with the decision by the lead agency to prepare an EIR, either during a preliminary review of a project or at the conclusion of an initial study. Once the decision is made to prepare an EIR, the lead agency sends a Notice of Preparation (NOP) to appropriate government agencies and, when required, to the State Clearinghouse (SCH) in the Office of Planning and Research (OPR), which will ensure that responsible and trustee State agencies reply within the required time. The SCH assigns an identification number to the project, which then becomes the identification number for all subsequent environmental documents on the project. Commenting agencies have 30 days to respond to the NOP and provide information regarding alternatives and mitigation measures they wish to have explored in the Draft EIR and to provide notification regarding whether the agency will be a responsible agency or a trustee agency for the project.

Upon completion of the Draft EIR and prior to circulation to State and local agencies and interested members of the public, a notice of completion is filed with the SCH and a public

notice of availability is published to inform interested parties that a Draft EIR is available for agency and public review. In addition, the notice provides information regarding the location of copies of the Draft EIR available for public review and any public meetings or hearings that are scheduled. The Draft EIR is circulated for a minimum period of 45 days, during which time reviewers may submit comments on the document to the lead agency. The lead agency must respond to comments in writing. If significant new information, as defined in CEQA Guidelines section 15088.5, is added to an EIR after public notice of availability is given, but before certification of the EIR, the revised EIR or affected chapters must be recirculated for an additional public review period with related comments and responses.

A Final EIR will be prepared, containing public comments on the Draft EIR and written responses to those comments, as well as a list of changes to the Draft EIR text necessitated by public comments, as warranted. Before approving a project, the lead agency shall certify that the EIR (consisting of the Draft EIR and Final EIR) has been completed in compliance with CEQA, and that the EIR has been presented to the decision-making body of the lead agency, which has reviewed and considered the EIR. The lead agency shall also certify that the EIR reflects the lead agency's independent judgment and analysis.

The findings prepared by the lead agency must be based on substantial evidence in the administrative record and must include an explanation that bridges the gap between evidence in the record and the conclusions required by CEQA. If the decision-making body elects to proceed with a project that would have unavoidable significant impacts, then a Statement of Overriding Considerations explaining the decision to balance the benefits of the project against unavoidable environmental impacts must be prepared.

1.5 NOP AND SCOPING

In accordance with CEQA Guidelines Section 15082, an NOP (see Appendix B) for the proposed project, as well as a detailed Initial Study (see Appendix D), was prepared and circulated to the public, local, State, and federal agencies, and other known interested parties from October 18, 2017 to November 16, 2017. Notice of the project was also published in the Sacramento Bee on October 18, 2017. The purpose of the NOP was to provide notification that an EIR for the proposed project was being prepared and to solicit public input on the scope and content of the document.

Pursuant to CEQA Guidelines Section 15082, Placer County held an NOP scoping meeting for the EIR during the 30-day review period, on November 1, 2017, for the purpose of receiving comments on the scope of the environmental analysis to be prepared for the proposed project. Agencies and members of the public were invited to attend and provide input on the scope of the EIR. Several comment letters were received during the 30-day review period and are provided as Appendix C to this EIR. All comments were taken into consideration during the preparation of this EIR. See Section 1.10 below for a list of comment letters received on the NOP and Section 1.12 for a summary of all of the comments received on the project to date.

1.6 PROJECT CHANGES SINCE PUBLICATION OF THE NOP

Since the NOP was published, changes were made to the proposed Zoning Text Amendment. The main change is that by-right development of production-only small wineries, which are wineries with an annual production of less than 20,000 cases, in the County's Resort (RES) zone district is no longer allowed. The Zoning Text Amendment has been revised to require an Administrative Review Permit for new small wineries (production-only) in a RES zone. An Administrative Review Permit allows County staff to review the proposed use in comparison with all applicable policies, standards, and regulations.

The NOP and Initial Study prepared for the proposed project considered the by-right development of production-only small wineries in RES zones. Because such development would no longer be allowed by right per the proposed Zoning Text Amendment, the analysis of such and all comments received during the NOP public comment period related to such, are no longer relevant. Similarly, an analysis of such development is not included in this EIR.

1.7 SCOPE OF THE EIR

The CEQA Guidelines, Section 15126.2(a) states, in pertinent part:

An EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced.

The Initial Study prepared for the proposed project (see Appendix D) that was attached to and distributed for public review with the NOP includes a detailed environmental checklist addressing a range of technical environmental issues pursuant to the then-current (September 2017) Appendix G, Environmental Checklist Form, of the CEQA Guidelines. For each technical environmental issue, the Initial Study identifies the level of impact for the proposed project. The Initial Study identifies the environmental effects as either "no impact," "less-than-significant," "less-than-significant with mitigation incorporated," or "potentially significant." Impacts identified for the proposed project in the Initial Study as "no impact," "less-than-significant," or "less-than-significant with mitigation incorporated" are summarized below and discussed further in Appendix D. All remaining issues identified in the Initial Study as "potentially significant" are discussed in the subsequent technical chapters of this EIR.

It is important to note that the CEQA Guidelines have been recently updated. More specifically, the updates proposed by the Office of Planning and Research (OPR) in January 2018 have been approved by the Office of Administrative Law and became effective December 28, 2018. As part of the updates, Appendix G, Environmental Checklist Form, of the CEQA Guidelines has been amended. The majority of changes represent consolidated or deleted questions to avoid redundancy, whereas a smaller subset represents additions based on current, often overlooked legal requirements (e.g., Energy), and legislation passed in recent years (e.g., Wildfire – Senate

Bill 1241).¹ The above noted additions to Appendix G – Energy and Wildfire – are topics evaluated in this EIR, as will be demonstrated below.

The newly added Energy section (IV) of the updated CEQA Guidelines Appendix G includes the following checklist questions regarding whether the project would:

- Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- Conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

These added checklist questions reflect the type of energy analysis already required under CEQA (see Pub. Resources Code, § 21100(b)(3) and Appendix F of the CEQA Guidelines). Thus, a project energy analysis has been provided in this EIR, in Section 12.3 of Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR. Please refer to Chapter 12 for a detailed energy analysis of the project.

The new Wildfire section (XX) of the updated CEQA Guidelines Appendix G has been added in response to Senate Bill 1241.² The Wildfire section includes the following checklist questions:

If located in or near state responsibility areas (SRAs) or lands classified as very high fire hazard severity zones (FHSZ), 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; or
- 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.

¹ Note: While the Transportation Section of the Appendix G Checklist has been updated consistent with Senate Bill 743, deleting reference to level of service, and instead inserting a reference to new Guidelines Section 16054.3, subdivision (b), to focus on vehicle miles traveled where appropriate, this shift in focus on vehicle miles traveled is not required until July 1, 2020.

² Senate Bill 1241 (Kehoe, 2012) required the Office of Planning and Research, the Natural Resources Agency, and CAL FIRE to develop “amendments to the initial study checklist of the [CEQA Guidelines] for the inclusion of questions related to fire hazard impacts for projects located on lands classified as state responsibility areas, as defined in section 4102, and on lands classified as very high fire hazard severity zones, as defined in subdivision (i) of section 51177 of the Government Code.” (Pub. Resources Code, § 21083.01 (emphasis added).)

Notably, the checklist questions only apply to a project located in or near a SRA or lands classified as very high FHSZs by the Board of Forestry and Fire Protection (Board). The legal definition of state responsibility area is found in the Public Resources Code Section 4125. The Board has developed detailed procedures to classify lands as SRA. Lands are removed from SRA when they become incorporated by a city, change in ownership to the federal government, become more densely populated, or are converted to intensive agriculture that minimizes the risk of wildfire. Some lands are removed from SRAs automatically; however, the Board of Forestry typically reviews changes every five years.

While the Initial Study prepared for the proposed project did not specifically include a separate checklist section regarding wildfire, impacts related to wildfire hazards were addressed in the Hazards and Hazardous Materials section (VIII) of the Initial Study, as summarized below and included in full in Appendix C to this EIR. As noted therein, all of the existing study facilities are located within SRAs. However, none of the facilities are located in an area classified as a Very High FHSZ. Rather, all of the existing study facilities are located within Moderate FHSZs. Thus, the existing study facilities are not generally subject to substantial fire hazards. In addition, the proposed Zoning Text Amendment would not include any physical development.

Future winery and farm brewery facilities developed within the County could be located within a SRA or lands classified as Very High FHSZs. However, the additional events allowable at future facilities under the proposed Zoning Text Amendment would not exacerbate fire risks for reasons discussed below. The Zoning Text Amendment would not directly induce development of new structures within fire-prone areas. In addition, future study facilities would be subject to all applicable federal, State, and local regulations related to fire hazards, including Article 9.32, Fire Prevention, of the Placer County Code.

Notwithstanding the above, it is noted that Section XX, Wildfire, of Appendix G of the newly adopted CEQA Guidelines, asks the following questions for projects in or near a SRA or lands classified as Very High FHSZs:

- a) *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?* With respect to existing and future potential winery and farm brewery projects located in a SRA or lands classified as Very High FHSZs, as discussed in Chapter 10, Transportation and Circulation, of this EIR, the proposed project would not introduce any incompatible uses to area roadways. In addition, existing and future study facilities would continue to be required to comply with all applicable County standards related to roadway design and provision of adequate access for emergency vehicles. Thus, the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan.
- b) *Would the project 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?* With respect to existing and future potential winery and farm brewery projects located in a SRA or lands classified as Very High FHSZs, the proposed project would not include development of new structures on substantial slopes or in areas with strong prevailing winds. In addition, the additional events allowable at existing and future facilities under the proposed Zoning Text

Amendment would occur within established event areas and would not exacerbate wildfire risks. Therefore, the proposed project would not exacerbate wildfire risks, and thus, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

- c) *Would the project 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?* With respect to existing and future potential winery and farm brewery projects located in a SRA or lands classified as Very High FHSZs, the proposed Zoning Text Amendment would not include the installation or maintenance of associated infrastructure such as roads, fuel breaks, emergency water sources, power lines, or other utilities at existing or future study facilities that may exacerbate fire risk or result in temporary or ongoing impacts to the environment. Rather than including such forms of physical development, the proposed project includes amendments to the County's Winery Ordinance that would provide greater flexibility with respect to holding events by right.
- d) *Would the project 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?* With respect to the existing facilities located in a SRA, these study facilities are not located within fire-damaged areas that have created post-fire slope instability issues or drainage changes that could lead to flooding. With respect to future wineries and farm breweries, they could be developed in a SRA or lands classified as Very High FHSZs. The proposed Zoning Text Amendment would result in the ability for future facilities to host a greater number of events, compared to the currently adopted ordinance; thus, potentially bringing a greater number of people to a particular location over the course of the year. However, the locations of future facilities are unknown at this time, and the potential for these areas to be exposed to significant post-fire risks at some future date is inherently speculative at this point.

Based on the above, the project would not meet the criteria necessitating additional wildfire analysis pursuant to the updated CEQA Checklist.

- *Aesthetics (All Items):* Official scenic vistas have not been designated by Placer County. The existing wineries and farm breweries evaluated are not located in any designated scenic areas, which include river canyons, lake watersheds, scenic highway corridors, ridgelines and steep slopes. The Zoning Text Amendment would not directly induce the development of additional wineries or farm breweries, as they are already permitted by-right in certain zones, and the project is not expanding the number of zones where by-right development can occur. Thus, the analysis focuses on the potential environmental effects associated with the ability to conduct additional by-right events and new uses at future wineries/farm breweries subject to the proposed Zoning Text Amendment. The proposed project would not lead to the physical alteration of the existing wineries or farm breweries such that the visual character or quality of the sites and their surroundings could be substantially degraded. Winery and farm brewery sites will remain agricultural in nature and will maintain agricultural landscapes. The proposed revisions to Section 17.56.330 would require all lighting for new wineries to include compliance with the County's Rural Design Guidelines and be "Dark-Sky compliant." This addition will prevent

potential increases in light and glare in rural areas of the County from adversely affecting nighttime views. Consequently, the Initial Study prepared for the proposed project concluded that a *less-than-significant* impact related to aesthetics would occur.

- *Geology and Soils (All Items)*: The western portion of the County is generally characterized by low seismicity, and is not in an area at risk for severe ground shaking associated with earthquakes. Any existing on-site structures would have been designed consistent with the California Building Code (CBC), as overseen by Placer County through the building permit process, which contains provisions to safeguard against major structural failures or loss of life caused by earthquakes or other geologic and geomorphological hazards. The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. Thus, the proposed project would not be expected to result in additional on-site development at existing wineries and farm breweries within the County. Rather, the proposed amendment would allow increased activity at the existing facilities, which would not be expected to increase soil erosion. Consequently, the Initial Study determined that impacts related to geology and soils would be *less than significant*.
- *Hazards and Hazardous Materials (All Items)*: The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. However, the proposed project would allow existing facilities to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. The types of activities anticipated at such events would not involve the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials, nor reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, impacts related to hazards and hazardous materials were determined to be *less than significant*.
- *Hydrology and Water Quality (IX-1 and -3 through -12)*: The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. However, the proposed project would allow facilities to host additional events. The types of events anticipated to occur at the facilities would not be expected to result in the degradation of surface water quality, including the watershed of important surface water resources, nor increase the rate or amount of surface runoff. The anticipated events at the facilities would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map, nor place improvements which would impede or redirect flood flows within a 100-year flood hazard area. Therefore, the Initial Study concluded that a *less-than-significant* impact related to stormwater runoff and flooding issues would occur.
- *Land Use and Planning (X-1, -6, and -8)*: The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of

zones where by-right development can occur. However, the proposed project would allow facilities to host additional events. The anticipated events at the existing facilities would not physically divide an established community. The proposed changes to the adopted Winery Ordinance would not cause economic or social changes that would result in significant adverse physical changes to the environment, such as urban decay or deterioration. Therefore, the Initial Study concluded that a *less-than-significant* impact would occur.

- *Mineral Resources (XI-1 and -2)*: The proposed project would not be expected to result in the loss of availability of a known mineral resource given the limited development potential and general lack of known mineral resource sites in the subject area. Therefore, a *less-than-significant* impact related to mineral resources would occur.
- *Noise (XII-4 and -5)*: Two public airports are located within western Placer County, the influence areas of which do not overlap within any of the existing facilities. The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. Therefore, a *less-than-significant* impact would occur.
- *Population and Housing (All Items)*: The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. Thus, the proposed project would not induce substantial, permanent population growth in an area, either directly or indirectly. Therefore, a *less-than-significant* impact would occur.
- *Public Services (All Items)*: The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. However, the proposed project would allow facilities to host additional events. The types of events anticipated to occur at the existing facilities would not be expected to result in an increase in the demand for fire or law enforcement protection services, with the possible exception of additional emergency medical response calls for health related incidents, responses to noise complaints, driving while under the influence, public intoxication, etc. However, the demand would not be sufficient to require physical improvements in order to accommodate the increased response calls. The proposed project would not have the potential to increase demand on schools, parks, or other governmental facilities. Therefore, the proposed project would result in a *less-than-significant* impact.
- *Recreation (All Items)*: The proposed project would not have the potential to increase demand on recreational facilities to the extent that additional facilities would be required, the construction of which could cause physical environmental impacts. Thus, a *less-than-significant* impact would occur.
- *Transportation and Circulation (XVII-8)*: Two public airports are located within western Placer County, the influence areas of which do not overlap within any of the existing

facilities. The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. Therefore, a *less-than-significant* impact would occur.

- *Utilities and Service Systems (XIX-4)*: The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. Thus, the proposed project would not be expected to result in the construction of new stormwater drainage facilities, which could cause significant environmental effects, and a *less-than-significant* impact would occur related to such.

Pursuant to the CEQA Guidelines, the scope of this EIR addresses specific issues and concerns identified as potentially significant in the Initial Study prepared for the proposed project. The sections of the CEQA Checklist identified for study in this EIR include:

- Agricultural Resources;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Land Use and Planning;
- Noise;
- Transportation and Circulation; and
- Utilities and Service Systems.

The evaluation of effects is presented on a resource-by-resource basis in Chapters 4 through 11 of the EIR. Each chapter is divided into the following three sections: Existing Environmental Setting, Regulatory Context, and Impacts and Mitigation Measures. Impacts that are determined to be significant in Chapters 4 through 11, and for which feasible mitigation measures are not available to reduce those impacts to a less-than-significant level, are identified as *significant and unavoidable*. Chapter 12 of the EIR presents a discussion of the cumulative impacts, including impacts related to greenhouse gas emissions and global climate change, as well as a list of significant and unavoidable impacts identified in Chapters 4 through 11.

1.8 DEFINITION OF BASELINE

According to CEQA Guidelines Section 15125, an EIR must include a description of the existing physical environmental conditions in the vicinity of the project to provide the “baseline physical conditions” against which project-related changes could be compared. Normally, the baseline condition is the physical condition that exists when the Notice of Preparation (NOP) is published. The NOP for the proposed project was published on October 18, 2017. Therefore, conditions existing at that time are considered to be the baseline against which changes that would result from the proposed project are evaluated. Impacts could include both direct and indirect physical changes to the baseline condition. The baseline condition for the proposed project site is presented in Chapter 3, Project Description, of this EIR. The baseline conditions

pertaining to each resource area are described in the “Existing Environmental Setting” section of the respective chapters of this EIR.

1.9 SIGNIFICANCE CRITERIA

The CEQA Guidelines define a significant effect on the environment as “a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.” In addition, the Guidelines state, “An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.” (CEQA Guidelines Section 15382).

Pursuant to the CEQA Guidelines, this EIR relies on the following three levels of impact significance: 1) Less-than-significant impact; 2) Less-than-significant impact with implementation of mitigation; and 3) Significant impact that cannot be mitigated to a level that is less than significant.

Each environmental area of analysis uses a distinct set of significance criteria. Where measurable and explicit quantification of significance is identified, such as violation of an ambient air quality standard, this measurement is used to assess the level of significance of a particular impact in this EIR. If criteria for determining significance relative to a specific environmental resource impact are not identified in the CEQA Guidelines, criteria were developed for this Draft EIR.

The significance criteria are identified at the beginning of the Impacts and Mitigation Measures section in each of the technical chapters of this EIR. Although significance criteria are necessarily different for each resource considered, the provided significance levels ensure consistent evaluation of impacts for all alternatives considered.

1.10 COMMENTS RECEIVED ON THE NOP

During the NOP public review period from October 18, 2017 to November 16, 2017, Placer County received seventeen (17) comment letters. A copy of each letter is provided in Appendix C of this EIR. In addition, a public scoping meeting was held on November 1, 2017, and a summary of the verbal comments that were made at the scoping meeting are included in Appendix C of this EIR. The comment letters were authored by the following representatives of State and local agencies, as well as other interested parties.

Agencies

- Central Valley Regional Water Quality Control Board – Scott Armstrong
- Native American Heritage Commission – Sharaya Souza
- Placer County Air Pollution District – Ann Hobbs

Groups

- Protecting Earth & Animals with Compassion & Education (PEACE) – Randal Cleveland
- Placer County Visitors Bureau – Julie Hirota and Rebekah Evans
- Sierra Club Placer Group – Marilyn Jasper

Individuals

- Carol Rubin (2)
- Ellie Mulloy
- Steve Cook
- Diana Boswell
- Mike Carson
- Nadine Hubbard
- Lorrie Lewis
- Alan Bodtker
- Mike Giles
- Carol Prince

Verbal Comments from Scoping Meeting

- Carol Rubin
- Marilyn Jasper
- Lorrie Lewis
- Gary Beebe
- Bob Lund
- Don Dupont
- Alan Bodtker
- Heidi Hanson
- Susan Ames
- Dianna Boswell
- Frank Myers
- Jeff Evans
- Teena Wilkins
- Carol Prince
- Richard Lewis

1.11 COMMENTS RECEIVED ON THE PREVIOUSLY PREPARED IS/ND

As mentioned above, County staff previously prepared a draft Zoning Text Amendment and an associated IS/ND to review the potential environmental effects associated with implementation of the changes proposed at that time. The IS/ND was circulated for a 30-day public review period beginning on July 11, 2015 and closing on August 10, 2015. During the public review

period, the County received five comment letters. The comment letters were authored by the following groups and other interested parties.

Groups

- Sierra Club Placer Group – Marilyn Jasper
- Shute, Mihaly & Weinberger LLP, on behalf of the Public Interest Coalition and the Placer Group Sierra Club – Carmen Borg

Individuals

- Susan Ames
- Lorrie Lewis
- Jeff Evans

1.12 SUMMARY OF COMMENTS RECEIVED ON THE NOP AND PREVIOUSLY PREPARED IS/ND

The following list is a summary of concerns taken from verbal comments made at the NOP scoping meeting, comment letters received prior to the close of the 30-day NOP comment period, and comment letters received on the previous IS/ND. Many of the comments received on the previous IS/ND address the need to prepare an EIR; such comments are not included in the summary below, as they are not relevant to this document.

<u>Project Description</u> (c.f. Chapter 3)	Comments/concerns related to: <ul style="list-style-type: none"> • Minimum parcel size standards. • Hours of operation. • By-right winery development in RES zone. • Unlimited Agricultural Promotional Events.
<u>Agricultural Resources</u> (c.f. Chapter 4)	Comments/concerns related to: <ul style="list-style-type: none"> • Protection of the agricultural character or production in the area. • Large events on Farmland in perpetuity without permits. • Conversion of agricultural land for parking areas. • Induced agricultural conversion on surrounding lands.
<u>Air Quality</u> (c.f. Chapter 5)	Comments/concerns related to: <ul style="list-style-type: none"> • Increased air quality impacts associated with increased attendance. • Impacts related to dust.
<u>Biological Resources</u> (c.f. Chapter 6)	Comments/concerns related to: <ul style="list-style-type: none"> • Removal of on-site oak trees. • Events in sensitive resource areas. • Impacts to oak woodlands, native grasslands, and wetlands. • Noise effects on wildlife.
<u>Cultural Resources</u>	Comments/concerns related to: <ul style="list-style-type: none"> • Impacts to cultural, historical, and tribal resources.

<u>(c.f. Chapter 7)</u> <u>Land Use and Planning</u> (c.f. Chapter 8)	Comments/concerns related to: <ul style="list-style-type: none"> • Incompatibility of land uses and land use conflict, particularly related to properties zoned Residential Agricultural • Need for code enforcement. • Private events versus general public events.
<u>Noise</u> (c.f. Chapter 9)	Comments/concerns related to: <ul style="list-style-type: none"> • Increased noise associated with increased attendance at events. • Limiting nighttime noise associated with events. • Number of events that will have amplified music.
<u>Transportation and Circulation</u> (c.f. Chapter 10)	Comments/concerns related to: <ul style="list-style-type: none"> • Increased traffic on existing surrounding roadways associated with increased attendance at events, including weekend events. • Increase of safety hazards associated with future patrons. • Potential increase in regional VMT. • Road access and the use of private roads/shared access roads.
<u>Utilities and Service Systems</u> (c.f. Chapter 11)	Comments/concerns related to: <ul style="list-style-type: none"> • Wastewater permitting. • Water discharge requirements. • On-site sewage disposal. • Compliance with Water Quality Control Board policies and permitting requirements. • Public wells. • Impacts to groundwater.
<u>Cumulative Impacts and Other CEQA Sections</u> (c.f. Chapter 12)	Comments/concerns related to: <ul style="list-style-type: none"> • Cumulative effects on the environment, particularly air quality, noise, transportation and circulation, from concurrent events at multiple facilities. • Cumulative loss of agricultural land. • Cumulative impacts related to public safety. • Cumulative impacts on biological resources.
<u>Alternatives Analysis</u> (c.f. Chapter 13)	Comments/concerns related to: <ul style="list-style-type: none"> • Analysis of a range of alternatives to the project. • Alternative venues for events. • Imposing a cap on the number of events.
<u>Initial Study</u> (see Appendix D)	Comments/concerns related to: <ul style="list-style-type: none"> • Maintaining the rural character of the area. • Increased demand for fire services. • Increased demand for police enforcement services. • Groundwater supply and the groundwater table. • Increase in solid waste from operations of the proposed project. • Compliance with Water Quality Control Board policies and permitting requirements.

All of these issues are addressed in this EIR, in the relevant sections identified in the first column.

1.13 DRAFT EIR AND PUBLIC REVIEW

This Draft EIR is being circulated for public review and comment for a period of 45 days. During this period, the general public, organizations, and agencies can submit comments to the Lead Agency on the Draft EIR's accuracy and completeness. Release of the Draft EIR marks the beginning of a 45-day public review period pursuant to CEQA Guidelines Section 15105. The public can review the Draft EIR at the County's website at:

<http://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir>

or at the following address during normal business hours:

Placer County, Community Development Resource Center
3091 County Center Drive
Auburn, CA 95603

Comments may be submitted both in written form and/or orally at the public hearing on the Draft EIR. Notice of the time and location of the hearing will be published in the local newspaper, emailed to interested parties who have requested to be placed on the project's email notification list, and posted on the County's website.

All comments or questions regarding the Draft EIR should be addressed to:

Placer County, Community Development Resource Agency
Environmental Coordination Services
3091 County Center Drive, Suite 190
Auburn, CA 95603
(530) 745-3132
fax (530) 745-3080
cdraecs@placer.ca.gov

1.14 ORGANIZATION OF THE DRAFT EIR

The proposed project EIR is organized into the following sections:

Chapter 1 – Introduction

Provides an introduction and overview describing the intended use of the Draft EIR and the review and certification process, as well as summaries of the chapters included in the Draft EIR and summaries of the issues and concerns received from the public and public agencies during the NOP review period.

Chapter 2 – Executive Summary

Summarizes the elements of the project and the environmental impacts that would result from implementation of the proposed project, describes proposed mitigation measures, and indicates the level of significance of impacts after mitigation. Provides a summary of the project alternatives that would reduce or avoid significant impacts.

Chapter 3 – Project Description

Provides a detailed description of the proposed project, including the project's location, background information, major objectives, and technical characteristics.

Chapter 4 – Agricultural Resources

The Agricultural Resources chapter of the EIR will focus on the existing wineries and farm breweries and the potential for increased by-right events, allowable under the proposed project, to induce conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Any conflicts with existing zoning for agricultural use or Right-to-Farm ordinances will also be identified.

Chapter 5 – Air Quality

The Air Quality chapter of the EIR describes the impacts of by-right events on local and regional air quality. The chapter describes existing air quality, direct and indirect emissions associated with the proposed project, the impacts of these emissions on both the local and regional scale, and mitigation measures warranted to reduce or eliminate any identified significant impacts.

Chapter 6 – Biological Resources

The Biological Resources chapter of the EIR evaluates the biological resources known to occur or potentially occur within the proposed project area. This chapter describes potential impacts to those resources and identifies measures to eliminate or substantially reduce those impacts to less-than-significant levels.

Chapter 7 – Cultural Resources

The Cultural Resources chapter of the EIR addresses prehistoric and historic resources in the vicinity of the existing medium and large winery and farm brewery sites within the County. In addition, the potential for paleontological resources and/or Tribal Cultural Resources to occur within existing winery and farm brewery sites is addressed in the chapter. The chapter summarizes the existing setting with respect to cultural and paleontological resources, identifies thresholds of significance, and potential impacts to such resources resulting from implementation of the proposed project.

Chapter 8 – Land Use and Planning

The Land Use and Planning chapter will evaluate the consistency of the proposed project with the County of Placer's adopted plans and policies, and discuss any land use compatibility issues resulting from increased by-right events allowable under the proposed project.

Chapter 9 – Noise

The Noise chapter of the EIR describes the existing noise environment in the project vicinity and identifies potential impacts and mitigation measures related to operation of the proposed project.

The method by which the potential impacts are analyzed is discussed, followed by the identification of potential impacts and the recommended mitigation measures designed to reduce significant impacts to the maximum extent feasible.

Chapter 10 – Transportation and Circulation

The Transportation and Circulation chapter of the EIR discusses the existing transportation and circulation facilities within the project area, as well as applicable policies and guidelines used to evaluate operation of such facilities. The chapter analyzes the potential for additional by-right events enabled by the proposed project to generate additional vehicle trips on area roadways.

Chapter 11 – Utilities and Service Systems

The Utilities and Service Systems chapter of the EIR summarizes the setting information and identifies potential new water supply, wastewater, and solid waste disposal demands that could occur at existing wineries and farm breweries in Placer County with implementation of the proposed project.

Chapter 12 – Cumulative Impacts and Other CEQA Sections

The Cumulative Impacts and Other CEQA Sections chapter of the EIR includes discussions regarding those topics that are required to be included in an EIR, pursuant to the CEQA Guidelines Section 15126.2. The majority of Chapter 12 is devoted to the cumulative impacts analysis required by Section 15130 of the CEQA Guidelines. Given its cumulative nature, greenhouse gases and climate change are discussed within Chapter 12. Considering that the proposed Zoning Text Amendment would not directly induce development of additional wineries/farm breweries and would instead result in greater flexibility regarding events at such facilities, the cumulative analysis focuses on the potential for greater event flexibility at future and existing facilities to result in environmental impacts. The chapter also evaluates growth-inducing impacts, and includes lists of significant irreversible environmental changes and significant and unavoidable impacts that would be caused by the proposed project. Chapter 12 also includes a separate section for energy, in accordance with Appendix F of the CEQA Guidelines.

Chapter 13 – Alternative Analysis

The Alternatives Analysis chapter of the EIR describes and evaluates the alternatives to the proposed project.

Chapter 14 – References

The References chapter of the EIR provides bibliographic information for all references and resources cited.

Chapter 15 – EIR Authors and Persons Consulted

The EIR Authors and Persons Consulted chapter of the EIR lists EIR and technical report authors who provided technical assistance in the preparation and review of the Draft EIR.

Appendices

The Appendices include the proposed text amendments, NOP, comments received during the NOP comment period, the Initial Study, and all technical reports prepared for the proposed project.

1.15 TECHNICAL CHAPTER FORMAT

Each technical chapter addressing a specific environmental issue begins with an **introduction** describing the purpose of the section. The introduction is followed by a description of the project's **existing environmental setting** as the setting pertains to that particular issue. The setting description is followed by the **regulatory context** and the **impacts and mitigation measures** discussion, which contains the **standards of significance**, followed by the **method of analysis**. The **impact and mitigation measures** discussion includes impact statements prefaced by a number in bold-faced type (for both project-level and cumulative analyses). An explanation of each impact and an analysis of the impact's significance follow each impact statement. All mitigation measures pertinent to each individual impact follow directly after the impact statement (see below). The degree of relief provided by identified mitigation measures is also evaluated. An example of the format is shown below:

X-1 Statement of Impact

Discussion of impact for the proposed project in paragraph format.

Statement of *level of significance* of impact prior to mitigation is included at the end of each impact discussion. The following levels of significance are used in the EIR: less than significant or significant. If an impact is determined to be significant, mitigation will be included in order to reduce the specific impact to the maximum extent feasible.

Mitigation Measure(s)

Statement of *level of significance* after the mitigation is included immediately preceding mitigation measures. If reduction of the specific impact to a less-than-significant level is not feasible, the impact is considered significant and unavoidable.

X-1(a) Required mitigation measure(s) presented in italics and numbered in consecutive order.

X-1(b) Required additional mitigation measure, if necessary.

2. EXECUTIVE SUMMARY

2

EXECUTIVE SUMMARY

2.1 INTRODUCTION

The Executive Summary chapter of the Environmental Impact Report (EIR) provides an overview of the Winery and Farm Brewery Zoning Text Amendment Project (proposed project) (See Chapter 3, Project Description, for further detail) and provides a table summary of the conclusions of the environmental analysis provided in Chapters 4 through 12. This chapter also summarizes the alternatives to the proposed project that are described in Chapter 13, Alternatives Analysis. Table 2-1 contains the potential environmental impacts associated with the proposed project, the significance of the impacts, the proposed mitigation measures for the impacts, and the significance of the impacts after implementation of the mitigation measures.

2.2 SUMMARY DESCRIPTION OF THE PROPOSED PROJECT

The proposed project includes the amendment of the existing Winery Ordinance that regulates wineries in the unincorporated portions of Placer County. All of the existing wineries, as well as current and pending farm breweries, are located in the western-central portion of the County. While the Winery Ordinance applies to all unincorporated portions of Placer County, the geographic study area of this EIR is appropriately focused on the areas of western Placer County where wineries and farm breweries are currently concentrated. The policy focus of the proposed Zoning Text Amendment is to preserve and protect farmland while supporting the tenets of agri-tourism. The existing Winery Ordinance consists of Section 17.56.330 (Wineries) and Section 17.04.030 (Definitions) of the Placer County Code. Generally, the proposed amendments include the following substantive changes: redefine the term Events; define the term Farm Brewery; modify the minimum parcel size; create a table outlining special event allowances and maximum capacity at certain types of events; clarify the hours of operation; update the standards for potable water and waste disposal; and update the standards for access. A detailed project description can be found in Chapter 3, Project Description, of this EIR.

2.3 ENVIRONMENTAL IMPACTS AND PROPOSED AND RECOMMENDED MITIGATION

Under the California Environmental Quality Act (CEQA), a significant effect on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, mineral, flora, fauna, ambient noise, and objects of historic or aesthetic significance. Although the proposed project would not result in direct development of new wineries or farm breweries, implementation of the proposed project could cause significant impacts related to the ability to hold events by right, as further discussed in the Project Description chapter of this EIR. If an impact is determined to be significant, applicable mitigation measures are identified, as appropriate. This EIR requires mitigation measures to be implemented as part of the proposed project to reduce potential adverse impacts to a less-than-significant level. Such mitigation measures are noted in this EIR and are

found in the following technical chapters: Biological Resources; Cultural Resources; and Noise. These mitigation measures are also summarized in Table 2-1 at the end of this chapter. The mitigation measures presented in the EIR will form the basis of the Mitigation Monitoring and Reporting Program. An impact that remains significant after implementation of mitigation measures is considered a significant and unavoidable impact.

2.4 SUMMARY OF PROJECT ALTERNATIVES

This section presents a summary of the evaluation and alternatives considered for the proposed project, which include the following:

- No Project Alternative;
- Wedding CUP Requirement Alternative; and
- Reduced Intensity Alternative.

The following summary provides brief descriptions of the three alternatives to the proposed project that are evaluated in this EIR. For a more thorough discussion of project alternatives, please refer to Chapter 13, Alternatives Analysis.

No Project Alternative

The County has decided to evaluate a No Project Alternative, which assumes that the County would not approve the proposed Zoning Text Amendment and the currently adopted Winery Ordinance would not be altered. The adopted Winery Ordinance would continue to apply to existing and future wineries within Placer County, but would not explicitly address farm breweries.

A total of six promotional events per year would continue to be permitted at the existing facilities with an Administrative Review Permit (ARP). An ARP requires review by Planning Department staff and the Zoning Administrator, who must be able to make the findings set forth in Section 17.58.140(A) of the County Code of Ordinances. In addition, the minimum parcel size for establishment of a winery in the Residential (RA and RF) and Agricultural and Resource (AE, F, FOR) zoning districts would continue to be 4.6 acres. Large production wineries (20,000+ cases annually) would not require a 10-acre minimum parcel size. Furthermore, because the Winery Ordinance would not be updated to include clarified hours of operation, existing and future wineries within the County would continue to operate with unrestricted hours.

Because the No Project Alternative would not increase the minimum requirement of on-site planted vineyards from one acre to two acres for future wineries, future wineries developed within the County would not be required to provide the same focus on production of agricultural goods as would be required under the proposed Zoning Text Amendment. In addition, because the No Project Alternative would not require a 10-acre minimum parcel size for by-right development of new wineries within the Residential and Agricultural and Resource zoning districts, potential incompatibilities with existing agricultural operations could continue to occur. Thus, the No Project Alternative would not meet the project objectives.

Wedding CUP Requirement Alternative

Under the Wedding CUP Requirement Alternative, all of the changes included in the proposed Zoning Text Amendment would still apply, with the exception of the inclusion of weddings as a category of Special Event. Weddings would not be permitted by-right at wineries/farm breweries within the County. Rather, each facility would be required to obtain discretionary approval of a Conditional Use Permit (CUP) by the Placer County Planning Commission, which would ensure site-specific review of the facility. For facilities which are granted a CUP to conduct weddings, such weddings would still be subject to all applicable restrictions included in the proposed Zoning Text Amendment.

Although weddings hosted at wineries and farm breweries would help to support agri-tourism within the County, the Wedding CUP Requirement Alternative would require additional approvals prior to hosting weddings. Thus, the Alternative would be less supportive of agri-tourism and the needs of winery/farm brewery owners within the County. However, generally, the project objectives would be met under the Wedding CUP Requirement Alternative.

Reduced Intensity Alternative

The Reduced Intensity Alternative is tied to the State's public water system requirements. Pursuant to Section 116275 of the California Health and Safety Code, a public water system is required if a facility serves more than 24 people daily, 60 days or more per year. Such standards currently apply to all wineries and farm breweries within Placer County. The type of public water system required is a Transient-Noncommunity (TNC) water system, which includes restaurants, campgrounds, small wineries, motels and other non-residential facilities. Consequently, existing and future study facilities seeking to host more than 24 people daily, 60 days or more per year, as a result of the proposed Zoning Text Amendment, would be required to install a public water system and obtain a permit from the State Water Resources Control Board (SWRCB). Any new public water wells would need to be constructed in accordance with the California Department of Water Resources Bulletin 74-81, "Water Well Standards, State of California."

In addition to the restrictions on the number of Special Events permitted per year under the proposed project, the Reduced Intensity Alternative would limit the total number of event days permitted at each study facility to 59 per year. The other changes included in the proposed Zoning Text Amendment would still apply. The event quota could be met with Agricultural Promotional Events only, or with a mix of Agricultural Promotional Events and Special Events. By restricting the number of event days permitted annually to 59 total, events at existing and future study facilities within the County would not necessitate the installation of new public water wells and associated improvements, and any associated environmental effects would be avoided.

Because the Reduced Intensity Alternative would substantially curtail the total number of events permitted annually at existing and future study facilities, the Alternative could conflict with the needs of winery/farm brewery owners within the County. In addition, because Agricultural Promotional Events would help to support agri-tourism and agricultural production at wineries and farm breweries within the County, limiting such events could conflict with the County's goals of

supporting agriculture. Therefore, the project objectives would be only partially met under the Reduced Intensity Alternative.

Environmentally Superior Alternative

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. Section 15126(e)(2) of the CEQA Guidelines requires that an environmentally superior alternative be designated and states, “If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” In this case, the No Project Alternative would be considered the environmentally superior alternative. As discussed in Chapter 13 of this EIR, all impacts resulting from the proposed Zoning Text Amendment would be fewer under the No Project Alternative. In addition, the significant and unavoidable cumulative traffic impact identified for the proposed Zoning Text Amendment would be avoided.

Under the Wedding CUP Alternative, impacts related to biological resources, cultural resources, and transportation and circulation would be similar to the proposed Zoning Text Amendment. Impacts related to noise would be fewer, as Mitigation Measures 9-3 and 12-8 related to weddings would not be required. Under the Reduced Intensity Alternative, impacts to biological resources, cultural resources, and noise would be similar to the proposed Zoning Text Amendment, while impacts related to transportation and circulation would be fewer as a result of the reduced number of annual events occurring at study facilities within the County. In addition, while impacts related to utilities and service systems were dismissed as less than significant in this EIR, such impacts would be fewer under the Reduced Intensity Alternative. The significant and unavoidable cumulative traffic impact identified for the proposed Zoning Text Amendment would not be avoided under either the Wedding CUP Alternative or the Reduced Intensity Alternative.

Given that the Wedding CUP Alternative and the Reduced Intensity Alternative would result in generally similar environmental impacts, neither alternative is clearly environmentally superior to the other. However, due to the fact that the Wedding CUP Alternative would result in fewer impacts such that mitigation measures identified for the proposed project related to noise would not be necessary, whereas the Reduced Intensity Alternative would still require all the same mitigation measures as the proposed project, the Wedding CUP Alternative would be considered the environmentally superior alternative.

2.5 AREAS OF CONTROVERSY

Areas of controversy that were identified in NOP comment letters, and are otherwise known for the region include the following:

- Preservation of the agricultural and rural character of the area;
- Traffic increases along smaller County roads;
- Increases in noise associated with events;
- Impacts to groundwater supply;
- Incompatible land uses;

- County enforcement of the Winery Ordinance;
- Safety hazards related to winery and brewery events;
- Cumulative effects on the environment from concurrent events at multiple facilities;
- Issues related to adequate parking for events; and
- Wastewater disposal.

2.6 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table 2-1 summarizes the impacts identified in the technical chapters of this Draft EIR. In Table 2-1, the proposed project's impacts are identified for each technical chapter (Chapters 4 through 12) in the Draft EIR. In addition, Table 2-1 includes the level of significance of each impact, any mitigation measures required for each impact and the resulting level of significance after implementation of mitigation measures for each impact.

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
4. Agricultural Resources			
4-1 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, or involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use.	LS	None required.	N/A
4-2 Conflict with General Plan or other policies regarding land use buffers for agricultural operations.	LS	None required.	N/A
4-3 Conflict with existing zoning for agricultural use, a	LS	None required.	N/A

N/A = Not Applicable; LS = Less-than-Significant; S = Significant; SU = Significant and Unavoidable

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
Williamson Act contract, or a Right-to-Farm Policy.			
4-4 Conflict with forest land or timberland zoning, affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses), or result in the loss of forest land or conversion of forest land to non-forest use.	LS	<i>None required.</i>	N/A
5. Air Quality			
5-1 Conflict with or obstruct implementation of the applicable air quality plan.	LS	<i>None required.</i>	N/A
5-2 Expose sensitive receptors to substantial pollutant concentrations.	LS	<i>None required.</i>	N/A
5-3 Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	LS	<i>None required.</i>	N/A

N/A = Not Applicable; LS = Less-than-Significant; S = Significant; SU = Significant and Unavoidable

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
6. Biological Resources			
6-1 Have a substantial adverse effect or cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number of or restrict the range of an endangered, rare, or threatened species, 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 & Wildlife, U.S. Fish & Wildlife Service or National Oceanic and Atmospheric Administration Fisheries.	S	<p><i>6-1(a) All grading activity within existing and future wineries and farm breweries not meeting the exemptions within Section 15.48.070 of the Placer County Code shall obtain a grading permit from the County prior to initiation of grading activity. Prior to approval and issuance of any grading permits for existing and future wineries and farm breweries, the County shall impose biological resource protection measures as conditions of the grading permit. Such protection measures shall specify that grading activity shall avoid any aquatic features and riparian areas. Avoidance of such features shall be insured through the placement of high visibility and silt fencing at the edge of construction/maintenance footprint if work is anticipated to occur within 50 feet of aquatic features and riparian areas.</i></p> <p><i>6-1(b) All ground-disturbing activity requiring the removal of protected trees within existing and future wineries and farm breweries shall be required to obtain a Tree Removal Permit prior to the initiation of tree removal activity, in compliance with Placer County Code Section 12.16. Prior to approval and issuance of any Tree Removal Permits for existing and future wineries and farm breweries, the County shall impose biological resource protection measures as conditions of the Tree</i></p>	LS

N/A = Not Applicable; LS = Less-than-Significant; S = Significant; SU = Significant and Unavoidable

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>Removal Permits. Such protection measures shall include, but are not necessarily limited to the following measures:</i></p> <ul style="list-style-type: none"> <i>Prior to initiation of any tree-removal activity, the owner/operator shall provide proof to the Placer County Community Development Resource Agency that nesting birds are not present within the tree or trees to be removed. Such proof shall be provided in the form of a pre-removal nesting bird survey, conducted by a qualified biologist, no more than three days prior to the proposed tree removal activity.</i> <i>If tree removal activity is proposed to occur outside of the February 1 to August 31 breeding season, a pre-removal survey for active nests shall not be required.</i> <p><i>The applicant shall also comply with the following permit condition required by the Planning Services Division for removal of protected trees: 1:1 tree replacement using five-gallon size trees or greater, or in-lieu fees, or a combination of both, in accordance with Section 12.16.080 of the Placer County Code.</i></p>	
6-2 Have a substantial adverse effect on riparian habitat or other sensitive natural	S	6-2 Implement Mitigation Measure 6-1(a).	LS

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
community, or federal or State protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.) or as defined by State statute, through direct removal, filling, hydrological interruption, or other means.			
6-3 Have a substantial adverse effect on the environment through the conversion of oak woodlands, or conflict with local policies or ordinances related to the protection of biological resources, including oak woodlands.	S	6-3 Implement Mitigation Measure 6-1(b).	LS
6-4 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.	LS	None required.	N/A

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact		Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
6-5	Conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or State habitat conservation plan.	LS	<i>None required.</i>	N/A
7. Cultural Resources				
7-1	Cause a substantial adverse change in the significance of a historical or unique archeological resource as defined in CEQA Guidelines, Section 15064.5, and/or a Tribal Cultural Resource as defined in Public Resources Code, Section 21074.	S	<p>7-1(a) <i>All grading activity within existing and future wineries and farm breweries not meeting the exemptions within Section 15.48.070 of the Placer County Code shall obtain a grading permit from the County prior to initiation of grading activity. Prior to approval and issuance of any grading permits for existing and future wineries and farm breweries, the County shall impose cultural resource protection measures as conditions of the grading permit. Such protection measures shall include, but are not limited to the following measures:</i></p> <ol style="list-style-type: none"> <i>If potential archaeological resources, cultural resources, articulated, or disarticulated human remains are discovered during ground-disturbing activities associated with the proposed project, all work within 100 feet of the find shall cease, the Placer County Community Development Resource Agency shall be notified, and the applicant shall retain an archaeologist meeting the Secretary of the Interior's Professional</i> 	LS

N/A = Not Applicable; LS = Less-than-Significant; S = Significant; SU = Significant and Unavoidable

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>Qualifications Standards in prehistoric or historical archaeology, as appropriate, to evaluate the finds. Native American Representatives from culturally affiliated Native American Tribes shall also be notified. If the resource is determined to be eligible for inclusion in the California Register Historical Resources and project impacts cannot be avoided, data recovery shall be undertaken. Data recovery efforts could range from rapid photographic documentation to extensive excavation depending upon the physical nature of the resource. The degree of effort shall be determined at the discretion of a qualified archaeologist and shall be sufficient to recover data considered important to the area's history and/or prehistory. The language of this mitigation measure shall be included on any future grading plans approved by the Placer County Engineering and Surveying Division for the proposed project; and</i></p> <p>2. <i>During construction activities, if any vertebrate bones or teeth are found, all work shall be halted in the immediate vicinity of the discovery, and the owner/operator shall notify the Placer County Community Development Resource Agency and retain a qualified paleontologist to inspect the discovery. If deemed significant with respect to</i></p>	

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>authenticity, completeness, preservation, and identification, the resource(s) shall then be salvaged and deposited in an accredited and permanent scientific institution (e.g., University of California Museum of Paleontology (UCMP) or Sierra College), where the discovery would be properly curated and preserved for the benefit of current and future generations. The language of this mitigation measure shall be included on any future grading plans approved by the Placer County Engineering and Surveying Division for future grading within existing or future wineries and farm breweries in the County, where excavation work would be required.</i></p> <p>3. <i>If any bones, teeth, or other remains found during construction activity are determined to be human in origin, such remains on non-federal lands must be handled in compliance with all relevant State regulations. As mandated by Health and Safety Code §7050.5, PRC §5097.98 and the California Code of Regulations (CCR) §15064.5(e) (CEQA), should human remains be encountered, during ground disturbing activity in any existing or future wineries or farm breweries within the County, all work in the immediate vicinity of the burial must cease, and any necessary steps to ensure the integrity of the immediate area must be taken. The</i></p>	

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>Placer County Coroner shall be immediately notified. If the Coroner determines the remains are of Native American origin, the Coroner has 24 hours to notify the NAHC, which shall determine and notify a Most Likely Descendent (MLD). Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner of the winery or farm brewery where such remains are discovered shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner of the winery or farm brewery where such remains are discovered does not accept the MLD's recommendations, the owner of the winery or farm brewery where such remains are discovered or the descendent may request mediation by the NAHC.</i></p> <p>7-1(b) <i>The County shall prepare a notice containing information that summarizes the proper methodology for identifying and protecting historic, paleontological, archeological, cultural, and tribal cultural resources. Furthermore, the notice shall inform the reader of the reader's</i></p>	

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<i>responsibility to protect such resources and notify the Placer County Community Development Resource Agency of the existence of such resources. Once prepared, the notice shall be distributed to the owners of all existing wineries and farm breweries within the County. In addition to the distribution of such notices to the owners of existing facilities, the County shall also distribute such notices to owners of any future wineries or farm breweries receiving approvals from the County.</i>	
7-2 Disturb any human remains, including those interred outside dedicated cemeteries.	S	7-2 <i>Implement Mitigation Measure 7-1(a).</i>	LS
8. Land Use and Planning			
8-1 Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect.	LS	<i>None required.</i>	N/A
8-2 Result in the development of incompatible uses and/or the creation of land use conflicts, or result in a substantial alteration of the present or planned land use of an area.	LS	<i>None required.</i>	N/A

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TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
9. Noise			
9-1 Exposure of persons to or generation of off-site traffic noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies, or result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.	LS	<i>None required.</i>	N/A
9-2 Exposure of persons to or generation of on-site traffic noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies, or result in a substantial permanent increase in ambient noise levels in the project	LS	<i>None required.</i>	N/A

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
vicinity above levels existing without the project.			
9-3 Exposure of persons to or generation of non-transportation noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies.	S	<p>9-3 <i>The Zoning Text Amendment shall be revised to state that prior to hosting any weddings under the Special Event allowances set forth in Table 3 of the Winery and Farm Brewery Ordinance, the owner/operator shall submit a site plan of the existing facility to the Placer County Community Development Resource Agency. The Site Plan shall identify the proposed outdoor location of the wedding reception and distance(s) to nearest residential receptors. The County shall review the Site Plan and compare the appropriate Table 9-11 setback requirements for wedding receptions to the actual distance(s) between the proposed sound source location and nearest sensitive receptor property line(s). If the actual setback distances are greater than those identified in Table 9-11, then additional acoustical analysis shall not be required. If, however, the actual distances between the proposed sound source location and nearest sensitive receptor locations are less than those shown in Table 9-11, a site-specific noise analysis shall be required to evaluate compliance with the County's noise standards.</i></p> <p><i>The distances to the noise contours shown in Table 9-11 do not include any attenuation of sound caused by intervening structures, vegetation, or topography. In addition, the Table 9-11 contours do not take into account</i></p>	LS

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>the directionality of amplified sound system speakers, which can be 10 to 15 dB lower behind the speaker than in front of the speaker. As a result, the Table 9-11 data should be considered worst-case. Therefore, it is likely that in most cases, the actual distances to the noise contours will be considerably less than those shown in Table 9-11. It shall be the function of the site-specific noise analysis to quantify the additional sound attenuation which would result from natural features, such as intervening topography (i.e. hills), structures, or vegetation, which are specific to the location for which the event permit is being processed. Specific information which shall be included in project-specific noise analyses is as follows:</i></p> <p><i>1. <u>Shielding by Barriers, Structures, or Topography</u></i></p> <p><i>Shielding of noise sources, which results in reduced sound levels at locations affected by such shielding, can result from intervening noise barriers, structures or topography. Site specific noise studies should include an evaluation of such shielding. If needed for compliance with the County's noise standards, additional shielding of sound sources can be obtained by placing walls or other structures between the</i></p>	

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>noise source and the receiver. The effectiveness of a barrier depends upon blocking line-of-sight between the source and receiver, and is improved with increasing the distance the sound must travel to pass over the barrier as compared to a straight line from source to receiver. The difference between the distance over a barrier and a straight line between source and receiver is called the "path length difference," and is the basis for calculating barrier noise reduction.</i></p> <p><i>Barrier effectiveness depends upon the relative heights of the source, barrier and receiver. In general, barriers are most effective when placed close to either the receiver or the source. An intermediate barrier location yields a smaller path-length-difference for a given increase in barrier height than does a location closer to either source or receiver.</i></p> <p><i>As a rule of thumb, sound barriers located relatively close to the source or sensitive receptor generally provide an initial noise reduction of 5 dB once line of sight between the noise source and receiver has been interrupted by the barrier, and an additional noise reduction</i></p>	

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>of approximately 1 dB per foot of barrier height after the barrier intercepts line of sight.</i></p> <p>2. <u><i>Shielding and Absorption Provided by Vegetation</i></u></p> <p><i>Trees and other vegetation are often thought to provide significant noise attenuation. However, approximately 50 to 100 feet of dense foliage (so that no visual path extends through the foliage) is typically required to achieve a 5 dB attenuation of noise. Thus the use of vegetation as a noise barrier is, therefore, frequently an impractical method of noise control unless large tracts of dense foliage are part of the existing landscape. However, in cases where such vegetation exists between the proposed events and nearby sensitive receptors, an evaluation of the sound attenuation provided by such vegetation should be included in the project-specific noise analysis.</i></p> <p><i>Vegetation can be used to acoustically "soften" intervening ground between a noise source and receiver, increasing ground absorption of sound and thus increasing the attenuation of sound with distance. Planting of trees and shrubs is also of aesthetic and psychological value, and may reduce adverse public reaction to a noise source</i></p>	

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>by removing the source from view, even though noise levels will be largely unaffected.</i></p> <p><i>In summary, the effects of vegetation upon noise transmission are minor unless there is considerable intervening vegetation between the source and receptor. Where the amount of intervening vegetation is not substantial, the benefits may be limited to some increased absorption of high frequency sounds and in reducing adverse public reaction to the noise by providing aesthetic benefits.</i></p> <p>3. <u>Direction of Sound Travel</u></p> <p><i>Sound propagation is not affected by gravity. As a result, sound travels uphill similar to sound traveling downhill, provided all other variables are equal. In cases where sensitive receptors are located above or below a noise source with no intervening structures, topography, or substantial vegetation, no additional shielding offsets should be applied for these features.</i></p> <p>4. <u>Other Sound Mitigation Options</u></p> <p><i>Other options for sound attenuation which should</i></p>	

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>be considered when evaluating permit applications for winery and farm brewery events include the following:</i></p> <ul style="list-style-type: none"> • <i>Locating the events or loudest components of those events indoors.</i> • <i>Orienting speakers in directions away from the nearest sensitive receptors.</i> • <i>Locating speakers in positions which provide the maximum distances to the nearest noise-sensitive receptors.</i> • <i>Using a larger number of speakers with lower individual output arranged in such a manner as to focus the sound at the desired locations rather than fewer speakers with higher sound output.</i> • <i>Setting limits on the sound level output of the amplified speech or music equipment.</i> • <i>Restricting sound amplification equipment entirely.</i> 	
10. Transportation and Circulation			
10-1 Study roadway segments under the Existing Plus Project Condition.	LS	<i>None required.</i>	N/A

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
10-2 Study intersections under the Existing Plus Project Condition.	LS	<i>None required.</i>	N/A
10-3 Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), or result in inadequate emergency access or access to nearby uses.	LS	<i>None required.</i>	N/A
10-4 Insufficient parking capacity on-site or off-site.	LS	<i>None required.</i>	N/A
10-5 Hazards or barriers for pedestrians or bicyclists or conflict with adopted policies, plans, or programs supporting alternative transportation (i.e. bus turnouts, bicycle lanes, bicycle racks, public transit, pedestrian facilities, etc.) or otherwise decrease the performance or safety of such facilities.	LS	<i>None required.</i>	N/A

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
11. Utilities and Service Systems			
11-1 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.	LS	None required.	N/A
11-2 Require or result in the relocation or construction of new or expanded water or wastewater delivery, collection or treatment facilities, the construction or relocation of which could cause significant environmental effects, or require or result in the construction of new on-site sewage systems.	LS	None required.	N/A
11-3 Have sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry and multiple dry years; or substantially decrease	LS	None required.	N/A

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.			
11-4 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, or fail to comply with federal, state, and local management and reduction statutes and regulations related to solid waste.	LS	None required.	N/A
12. Cumulative Impacts and Other CEQA Sections			
12-1 Involve changes in the existing environment which, due to their location or nature, could cumulatively result in loss of Farmland to non-agricultural use.	LS	None required.	N/A

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
12-2 Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard.	LS	None required.	N/A
12-3 Cumulative loss of habitat in the Placer County area for special-status species.	LS	None required.	N/A
12-4 Cumulative loss of cultural resources.	LS	None required.	N/A
12-5 Generation of GHG emissions that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.	LS	None required.	N/A
12-6 Cumulative land use and planning incompatibilities.	LS	None required.	N/A
12-7 Result in exposure of persons to or generation of traffic noise	LS	None required.	N/A

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**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies, or a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.			
12-8 Result in exposure of persons to or generation of non-transportation noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies, or a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.	S	<i>12-8 The Zoning Text Amendment shall be revised to state that when reviewing applications for new winery and/or farm brewery building permits, Placer County should compare the appropriate Table 12-12 setback requirements to the actual distances between the proposed sound source location and nearest sensitive receptor property line(s). If the actual setback distances are greater than those identified in Table 12-12 for the proposed type of sound source(s), then no additional acoustical analysis would typically be required. If, however, the actual distances between the proposed sound source locations and nearest sensitive receptor location(s) are less than those shown in Table 12-12, then a site-specific noise analysis should be required to evaluate compliance with the County's noise standards.</i>	LS

N/A = Not Applicable; LS = Less-than-Significant; S = Significant; SU = Significant and Unavoidable

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>The distances to the noise contours shown in Table 12-12 do not include any attenuation of sound caused by intervening structures, vegetation, or topography. In addition, the Table 12-12 contours do not take into account the directionality of amplified sound system speakers, which can be 10 to 15 dB lower behind the speaker than in front of the speaker. As a result, the Table 12-12 data should be considered worst-case. Therefore, it is likely that in most cases, the actual distances to the noise contours will be considerably less than those shown in Table 12-12. It shall be the function of the site-specific noise analysis to quantify the additional sound attenuation that would result from natural features, such as intervening topography (i.e. hills), structures, or vegetation, which are specific to the location for which the event permit is being processed. Specific information, which shall be included in project-specific noise analyses, is as follows:</i></p> <p><i>1. <u>Shielding by Barriers, Structures, or Topography</u></i></p> <p><i>Shielding of noise sources, which results in reduced sound levels at locations affected by such shielding, can result from intervening noise barriers, structures or topography. Site specific noise studies should include an evaluation of such shielding. If needed for compliance with the</i></p>	

N/A = Not Applicable; LS = Less-than-Significant; S = Significant; SU = Significant and Unavoidable

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>County's noise standards, additional shielding of sound sources can be obtained by placing walls or other structures between the noise source and the receiver. The effectiveness of a barrier depends upon blocking line-of-sight between the source and receiver, and is improved with increasing the distance the sound must travel to pass over the barrier as compared to a straight line from source to receiver. The difference between the distance over a barrier and a straight line between source and receiver is called the "path length difference," and is the basis for calculating barrier noise reduction.</i></p> <p><i>Barrier effectiveness depends upon the relative heights of the source, barrier and receiver. In general, barriers are most effective when placed close to either the receiver or the source. An intermediate barrier location yields a smaller path-length-difference for a given increase in barrier height than does a location closer to either source or receiver.</i></p> <p><i>As a rule of thumb, sound barriers located relatively close to the source or sensitive receptor generally provide an initial noise reduction of 5 dB once line of sight between the noise source and</i></p>	

N/A = Not Applicable; LS = Less-than-Significant; S = Significant; SU = Significant and Unavoidable

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>receiver has been interrupted by the barrier, and an additional noise reduction of approximately 1 dB per foot of barrier height after the barrier intercepts line of sight.</i></p> <p>2. <u><i>Shielding and Absorption Provided by Vegetation</i></u></p> <p><i>Trees and other vegetation are often thought to provide significant noise attenuation. However, approximately 50 to 100 feet of dense foliage (so that no visual path extends through the foliage) is typically required to achieve a 5 dB attenuation of noise. Thus the use of vegetation as a noise barrier is, therefore, frequently an impractical method of noise control unless large tracts of dense foliage are part of the existing landscape. However, in cases where such vegetation exists between the proposed events and nearby sensitive receptors, an evaluation of the sound attenuation provided by such vegetation should be included in the project-specific noise analysis.</i></p> <p><i>Vegetation can be used to acoustically "soften" intervening ground between a noise source and receiver, increasing ground absorption of sound and thus increasing the attenuation of sound with distance. Planting of trees and shrubs is also of</i></p>	

N/A = Not Applicable; LS = Less-than-Significant; S = Significant; SU = Significant and Unavoidable

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p><i>aesthetic and psychological value, and may reduce adverse public reaction to a noise source by removing the source from view, even though noise levels will be largely unaffected.</i></p> <p><i>In summary, the effects of vegetation upon noise transmission are minor unless there is considerable intervening vegetation between the source and receptor. Where the amount of intervening vegetation is not substantial, the benefits may be limited to some increased absorption of high frequency sounds and in reducing adverse public reaction to the noise by providing aesthetic benefits.</i></p> <p>3. <u>Direction of Sound Travel</u></p> <p><i>Sound propagation is not affected by gravity. As a result, sound travels uphill similar to sound traveling downhill, provided all other variables are equal. In cases where sensitive receptors are located above or below a noise source with no intervening structures, topography, or substantial vegetation, no additional shielding offsets should be applied for these features.</i></p>	

N/A = Not Applicable; LS = Less-than-Significant; S = Significant; SU = Significant and Unavoidable

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
		<p>4. <u>Other Sound Mitigation Options</u></p> <p><i>Other options for sound attenuation which should be considered when evaluating permit applications for winery and farm brewery events include the following:</i></p> <ul style="list-style-type: none"> • <i>Locating the events or loudest components of those events indoors.</i> • <i>Orienting speakers in directions away from the nearest sensitive receptors.</i> • <i>Locating speakers in positions which provide the maximum distances to the nearest noise-sensitive receptors.</i> • <i>Using a larger number of speakers with lower individual output arranged in such a manner as to focus the sound at the desired locations rather than fewer speakers with higher sound output.</i> • <i>Setting limits on the sound level output of the amplified speech or music equipment.</i> • <i>Restricting sound amplification equipment entirely.</i> 	
12-9 Study roadway segments under the Cumulative Plus Project Condition.	LS	None required.	N/A

N/A = Not Applicable; LS = Less-than-Significant; S = Significant; SU = Significant and Unavoidable

**TABLE 2-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance prior to Mitigation	Mitigation Measures	Level of Significance after Mitigation
12-10 Study intersections under Cumulative Plus Project Conditions. Based on the analysis below, impacts to all study intersections under Cumulative Plus Project Conditions would be less than significant, with the exception of the SR 49/Cramer Road intersection.	S	<p><i>12-10 Prior to issuance of any Building Permits, future wineries and farm breweries shall be subject to the payment of traffic impact fees that are in effect in the area of development, pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) shall be required and shall be paid to Placer County DPWF:</i></p> <p style="margin-left: 40px;"><i>A. County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code</i></p> <p style="margin-left: 40px;"><i>B. South Placer Regional Transportation Authority (SPRTA)</i></p> <p style="margin-left: 40px;"><i>The fees to be paid shall be based on the fee program in effect at the time that the application is deemed complete. (ESD)</i></p>	SU
12-11 Increase demand on utilities and service systems.	LS	<i>None required.</i>	N/A

N/A = Not Applicable; LS = Less-than-Significant; S = Significant; SU = Significant and Unavoidable

3. PROJECT DESCRIPTION

3

PROJECT DESCRIPTION

3.1 INTRODUCTION AND BACKGROUND

Introduction

The Project Description chapter of the EIR provides a comprehensive description of the proposed Winery and Farm Brewery Zoning Text Amendment Project (proposed project) in accordance with CEQA Guidelines. The proposed project includes several text amendments to the County’s 2008 Winery Ordinance, which regulates wineries in the unincorporated portions of Placer County. The proposed text amendments are intended to preserve and protect farmland while also enhancing the economic viability of Placer County’s agricultural operations and supporting the tenets of agri-tourism.

This chapter provides all of the information required for a project description in accordance with CEQA Guidelines Section 15124, including location, list of objectives, general description of the project’s characteristics, and intended uses of the EIR. In addition, due to the complexity of the project, this chapter includes a section entitled, “Framework of the EIR Analysis.” In general, this section describes the methodology used to estimate additional activity at existing and future winery and farm brewery facilities as a result of the proposed project.

Please note that this chapter provides an overall general description of the existing environmental conditions; however, detailed discussions of the existing setting in compliance with CEQA Guidelines Section 15125, as it relates to each given potential impact area, is included in each technical chapter of this EIR. Per CEQA Guidelines Section 15125, the description of the environmental setting shall not be longer than necessary to understand the potential significant effects of the project.

Background

In the years since the County of Placer’s 2008 Winery Ordinance was approved, wine industry concerns regarding the County’s existing Winery Ordinance have been raised, specifically citing a lack of promotional events allowed without a use permit. Under the existing Ordinance, wineries are required to apply for an Administrative Review Permit (ARP) in order to hold promotional events such as winemaker dinners. This ARP allows for a maximum of six promotional events per year. Based upon trends within the industry to afford events by right and the desires of the community to continue regulation of events, staff determined that it was appropriate to re-examine the existing Winery Ordinance.

The Placer County Planning Commission held a series of workshops between December 2013 and February 2015 in relation to the review and adoption of a Winery Ordinance Zoning Text Amendment. The workshops introduced and analyzed a variety of potential changes to the

Ordinance. Public comments provided by the Planning Commission, Placer County Vintners Association, Placer County Agricultural Commission, the applicable Municipal Advisory Councils, and community members were taken into account in order to address the diversity of ideas on the subject. Subsequent to the February 26, 2015 workshop, County staff prepared a draft Zoning Text Amendment and Initial Study/Negative Declaration (IS/ND) to review the potential environmental effects associated with implementation of the changes. The IS/ND was circulated for a 30-day public review period beginning on July 11, 2015 and closing on August 10, 2015. During the public review period, the County received comments from one legal firm, one public interest group, and three individuals on the adequacy of the proposed IS/ND. As a result of public comment, County staff brought the Zoning Text Amendment to the Planning Commission as an information item during a regularly scheduled public hearing on January 14, 2016. During this public hearing, County staff informed the Planning Commission that the County's Environmental Review Committee had determined that in light of the comments received on the IS/ND, an Environmental Impact Report must be prepared.

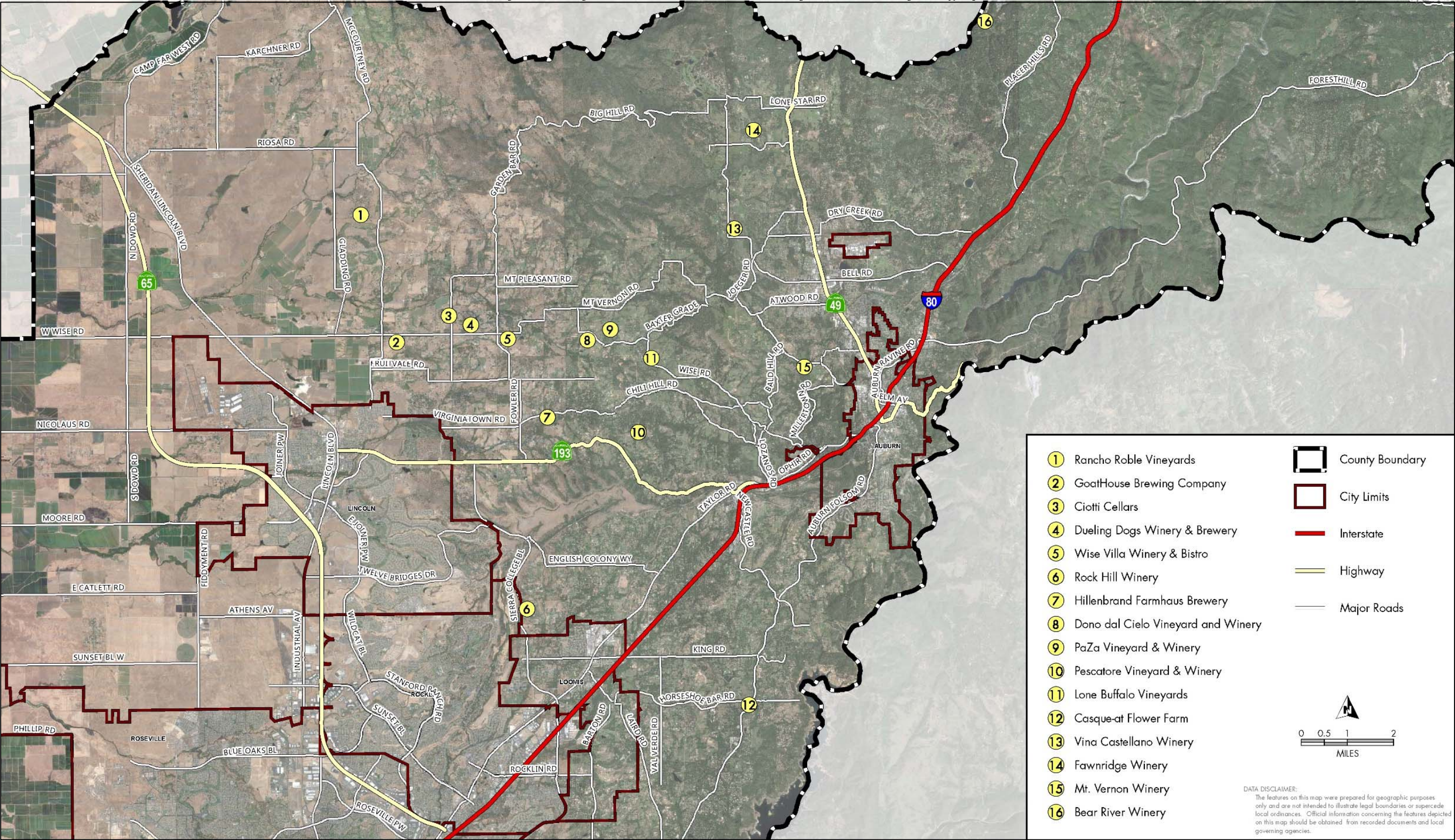
Subsequent to the January 2016 public hearing, a task force of internal staff members was formed in order to improve the Zoning Text Amendment. The task force included staff members from various disciplines within the Community Development Resource Agency, Department of Public Works and Facilities, Environmental Health Services, Economic Development, and Agricultural Commissioner's office. In early 2017, the task force determined that some modifications should be made to the Ordinance. Based on input received from agencies and members of the public, the team proposed eight modifications to the January 14, 2016 version of the draft Winery Ordinance. The changes were presented before the Planning Commission on June 8, 2017 at a final public workshop in order to discuss the merits of the new proposal and for County staff to receive comments and direction from the Commission. The currently proposed Zoning Text Amendment is the proposed project that will be evaluated in this EIR and is attached hereto as Appendix A.

Additionally, the Zoning Text Amendment is now referred to as the Winery and Farm Brewery Zoning Text Amendment in order to regulate farm breweries. Similar to wineries, these facilities produce adequate agriculture necessary to create a value-added agricultural product (i.e. craft beer).

3.2 PROJECT LOCATION

The proposed project would amend the existing Winery Ordinance, which regulates wineries in the unincorporated portions of Placer County. All of the existing wineries and current and pending farm breweries are located in the western-central portion of the County (see Figure 3-1). While the Winery Ordinance applies to all unincorporated portions of Placer County, the geographic study area of this EIR is appropriately focused on the areas of western Placer County where wineries and farm breweries are currently concentrated. Detailed justification for this approach is provided in the "Framework of Analysis" section of this chapter.

Figure 3-1
Placer County Boundary in Relation to Current Winery/Farm Brewery Geographic Area



3.3 PROJECT OBJECTIVES

The policy focus of the proposed Zoning Text Amendment is to preserve and protect farmland while also enhancing the economic viability of Placer County’s agricultural operations and supporting the tenants of agri-tourism, which is a type of tourism that brings visitors directly to a farm or ranch. The Zoning Text Amendment is intended to balance the needs of various stakeholder groups and support the core principle that the primary use of the property is to cultivate and process agriculture in order to make a locally grown and value-added product.

3.4 PROJECT COMPONENTS

Project Overview

The existing Winery Ordinance (the Winery Ordinance) was adopted on August 26, 2008 and consists of Section 17.56.330 (Wineries) and Section 17.04.030 (Definitions) of the Placer County Code. The draft language of the Winery and Farm Brewery Ordinance Zoning Text Amendment (Appendix A) contains County staff’s proposed changes based on public comment received during the above-discussed outreach efforts.

Summary of Proposed Ordinance Changes

The draft Winery and Farm Brewery Ordinance language includes the following substantive changes to the current Winery Ordinance:

- Add definition of “Farm Brewery” to the Ordinance
- Amend “Winery” definition to reference appropriate California Alcohol Beverage Control (ABC) license
- Add definition of “Tasting Room” to the Ordinance
- Modify definition of “Event” in the Ordinance
- Define new 10-acre minimum parcel size requirements for Production-only Facilities and Tasting Rooms
- Create table outlining “Event” allowances, maximum capacity, and use permit requirement
- Clarify hours of operation of all facilities
- Update the potable water standards for facility water systems
- Update the wastewater disposal standards for all facilities
- Update the standards for facility access roadways
- Add “Accessory Use - Restaurant” as allowable land use subject to CUP

Please refer to Appendix A for the full draft language of the proposed Winery and Farm Brewery Zoning Text Amendment. The following section will discuss certain, proposed text changes in further detail.

Add Definition of “Farm Brewery”

In recent years, the Placer County Community Development Resource Agency has been asked to make a determination that farm breweries are the functional equivalent of wineries. From a land use perspective, these facilities operate very similarly. For example, the agricultural product is grown or sourced locally and then processed on-site, the public may come to the site to sample and drink the product, and the venue may host promotional events to sell their product. It has been determined that farm breweries should be required to meet the same development standards as a winery, including agricultural planting minimums, parking, access, hours of operation, noise regulation, lighting, food facilities, tasting facilities, provision of water, and waste disposal. Under the Zoning Text Amendment, events would be regulated under the same standards and guided under similar General Plan policy to promote agricultural operations and permit a wide variety of promotional and marketing activities for County-grown products in agricultural zone districts. For the purposes of acknowledging this niche within the growing craft beer industry, the following definition is proposed to be added to the Ordinance.

“Farm Brewery” is a facility, for the brewing and bottling of beer that produces less than 1,500 barrels of product per year and grows hops and agricultural products necessary for making the beverage on-site. A farm brewery is bonded through the Alcohol, Tobacco Tax and Trade Bureau and has a current California Alcohol Beverage Control (ABC) License Type 23 Small Beer Manufacturer License.”

The definition of a “Farm Brewery” would be added to Section B. Definitions, within Section 17.56.330. The intent of limiting the definition to this section is to acknowledge a regulatory framework needed for a Farm Brewery and distinguish this use from other brewery-type uses that are allowed in other zone districts under the “Restaurants and Bars” and “Food Products” land uses.¹

Amend “Winery” definition to reference appropriate California Alcohol Beverage Control (ABC) license

The current winery definition cites the types of activities that occur at a winery, which is the agricultural processing facility for grapes and other fruit juices that are converted to wine. According to the State of California Alcohol Beverage Control (ABC), products such as wine, mead, and cider are regulated under the Type 02 license. As such, a reference to the license is now included in the winery definition. Agricultural minimums for those product types (e.g., mead and cider) would still be a required under the development standards noted in Section D.1.a. of the ordinance.

Add Definition of “Tasting Room”

A “Tasting Room” definition has been added to the Ordinance to make it clear that a tasting room is only allowed in Residential² and Agriculture and Resource³ zone districts if production takes place on-site. A tasting room without on-site production may be allowed in Commercial and Industrial zone

¹ Note that the County is also proposing to add a definition for “Brewery” in the general Definitions section of Chapter 17, Planning and Zoning (Section 17.04.030).

² Residential Agriculture (RA) and Residential Forest (RF).

³ Agricultural Exclusive (AE), Farm (F), and Forest (FOR).

districts subject to the permit requirements specified in Table 1 of Section C of the proposed Ordinance. This will be referred to as a stand-alone tasting room. Further, Agricultural Promotional and Special Events, as defined in the proposed Zoning Text Amendment (see below), shall only be allowed as an accessory use to a tasting room.

The proposed tasting room definition is as follows:

“Tasting Room” is accessory to a winery or farm brewery, typically located on the premises of a winery or farm brewery’s production facilities, at which guests may sample the winery or brewery’s products. A tasting room is only allowed in Residential, Agriculture and Resource zone districts if production takes place on-site. (See also “stand alone tasting room.”)

Modify “Event” Definition

The County has determined that it is critical to establish a clearer definition of “Event” for two main reasons: 1) General Plan policy cites promotion of agricultural operation and the marketing of County-grown products as key components to enhancing the economic viability of Placer County agricultural operations, as well as the preservation and protection of agricultural lands; and 2) several comments regarding the inadequacy of the “Event” definition were made during the IS/ND comment period for the 2016 draft Ordinance.

Vintners expressed that a small part of their business model is to hold private events where the consumer is required to purchase a certain amount of wine per attendee as a requirement of utilizing the facility. The proposed definition clarifies that these events, with fewer than 50 people at one time, and where only the winemaker’s wine is sold, could be considered promotional in nature. The redefinition of “Event” under the proposed amendments now distinguishes between Agricultural Promotional Events and Special Events, as follows:

An “Agricultural Promotional Event” is directly related to the education and marketing of wine and craft beer to consumers including but not limited to winemaker/brewmaster dinners, pick-up parties, release parties, and membership club parties. An Agricultural Promotional Event accommodates 50 people or less at one time (excluding staff). If greater than 50 people are in attendance at one time, those events shall be regulated in the same manner as a Special Event. See Table 1.

A “Special Event” is an event of greater than 50 people where the agricultural-related component is subordinate to the primary purpose of the event. Included in this definition are events such as private parties, fundraisers, social or educational gatherings where outside alcohol may be allowed, and events where the property owner is compensated in exchange for the use of the site and facility (referred to as a facility rental). Special Events do not include industry-wide events, the normal patronage of a tasting room, and private gatherings of the owner where the general public does not attend.

It is important to emphasize that Agricultural Promotional Events and Special Events can only be held at production facilities that have tasting rooms and where grapes, hops, or other agriculture products contributing to beverage production are grown on-site. Whereas the currently adopted Ordinance

restricts the number of promotional events at each facility to six per year, subject to first securing an ARP, the proposed project redefines “event” to distinguish between Agricultural Promotional Events and Special Events. As described in greater detail below, Special Event would continue to be limited in number, similar to the current Ordinance. Agricultural Promotional Events, on the other hand, would not be limited in number, though each event must not exceed 50 attendees at any given time.

With respect to existing facilities, the proposed by-right allowances for Agricultural Promotional Events and Special Events apply only to production facilities with tasting rooms on parcels 10 acres and greater; see the next section for more detail. However, this does not mean to imply that wine production facilities with tasting rooms on parcels smaller than 10 acres cannot conduct events.⁴ Under the proposed Zoning Text Amendment these facilities could do so subject to conditions of approval and separate environmental review under a conditional use permit (CUP) (RA and RF) or MUP (AE, E, FOR). Under the current Ordinance, existing wineries on parcels 4.6 to less than 10 acres would be allowed to conduct up to six promotional events per year with an ARP. If ARP or other permit has not been obtained that allows the event activity, any proposal for events after the adoption date of the proposed Ordinance would constitute an expansion of operation and require compliance with the new regulation (e.g., the facility would need to obtain a MUP). Given that wine production facilities with tasting rooms on 4.6 to less than 10 acres are already allowed six events under the currently adopted Ordinance (with an ARP), a net change to the operations of these facilities on 4.6- to less than 10-acre parcels would not occur as a result of the Zoning Text Amendment. Thus, wine production facilities, with tasting rooms on 4.6- to less than 10-acre parcels, are not being evaluated in this EIR because further environmental review would be conducted with any future use permit application.

With respect to private parties, the County interprets private use at a winery or farm brewery to mean that said facilities could be used for a social gathering for friends or relatives provided there is no compensation for the function. However, a private party for which the winemaker or brewer is compensated for the product made on the property or rental of the facility is regulated under Section 17.56.330 (Wineries). Under the Agricultural Promotional Event definition, private parties, for which compensation is provided, are limited to a maximum of 50 people at any given time. Private parties are also encompassed in the proposed Special Event definition, in which case they are not only limited in attendees, but number of occurrences per year, as will be further discussed below.

Additionally, many operators live on the same premise as their tasting room, and if a winery or farm brewery were to hold a private event/party without compensation (e.g.; dinner with friends or their own child’s birthday party), the County would not be prohibited from proceeding, under law, to abate a public nuisance (Ord. 5625-B § 1, 2010; Ord. 5126-B, 2001) or enforce the County’s Noise Ordinance (Ord. 5280-B, 2004).

Define New 10-Acre Minimum Parcel Size

According to Section E.1. of the current Winery Ordinance, the minimum parcel size for establishment of a winery in the Residential (RA and RF) and Agricultural and Resource (AE, F, FOR) zoning districts is 4.6 acres. There is no parcel size minimum for the other zoning districts

⁴ Farm breweries are not included here as farm breweries do not currently exist on any small-sized parcels.

where wineries are currently allowed. The proposed Zoning Text Amendment proposes two sets of minimum parcel size requirements, as they relate to production facilities and tasting rooms.

Production-only Facilities (see Table 1 of Section C)

- The 4.6-acre minimum parcel size remains the same for the Residential and Agricultural and Resource zoning districts for wine and farm brewery production.
- **Net change:** A 10-acre minimum parcel size is now proposed for large winery production (20,000+ cases annually), whereas the existing Ordinance has no minimum for large winery production facilities.

Tasting Rooms – (see Table 2 in Section D.3.)

- The minimum parcel sizes for establishment of a tasting facility in the AE, F, FOR, and RA and RF zone districts are set forth in Table 3-1 below.
- **Net change:** For the AE, F, and FOR zoning districts, the minimum parcel size has increased from 4.6 acres to 10 acres for any new production facility with a tasting room to be established without a use permit.⁵

Table 3-1 Permit Requirements for Wine and Beer Tasting Facilities in Residential and Agricultural Resource Zone Districts					
Parcel Size (Acres)	Residential		Agriculture and Resource		
	RA	RF	AE	F	FOR
4.6 to Less than 10	CUP	CUP	MUP	MUP	MUP
10+	MUP	MUP	C	C	C
Notes: C = Zoning Clearance (Placer County Code Section 17.06.050) CUP = Conditional Use Permit (Placer County Code Section 17.06.050) MUP = Minor Use Permit (Placer County Code Section 17.06.050)					

The intent of increasing the minimum parcel size from a 4.6-acre minimum to 10-acre minimum in these zone districts is to reduce potential for conflict between neighboring residential land uses and commercial agricultural operations. Agricultural and some rural residential land uses are afforded the right to farm in accordance with Placer County Code Section 5.24.040. At the same time, noise- and traffic-generating promotional events, such as wine club events, have the potential to negatively affect adjacent land uses. The County has identified that a greater parcel size could alleviate these adverse effects for two main reasons. First, larger parcel sizes can enable the use of increased buffer widths from the property line and the proposed event location. Second, the shift to allow these operations by right on parcels 10 acres or greater is consistent with counties around the state.

⁵ Wineries in RA and RF zones are currently subject to an ARP; and under the proposed project, wineries and farm breweries in these residential zones would be subject to a MUP. As wineries in these two residential zones would continue not to be permitted by right; they are not discussed further.

Create Table Outlining Special Event Allowances, Maximum Capacity, and Use Permit Requirement

Under the proposed project, maximum attendance at winery and farm brewery special events is now limited based upon parcel size (see Table 3-2). The number of Agricultural Promotional Events with attendance greater than 50 is also limited based upon parcel size. As shown in the table, parcel sizes for wineries and farm breweries are characterized as either small (4.6 to less than 10 acres), medium (10 to less than 20 acres), or large (20 acres or larger).

Table 3-2 Maximum Special Events Allowed Per Year¹			
Parcel Size (Acre)	Max Attendees at One Time (Excluding Staff)	Max Special Events / Year	Use Permit Requirement
4.6 to Less than 10 (small)	As determined by use permit	6	MUP ²
10 to Less than 20 (medium)	100	6	C
20+ (large)	200	12	C
Notes: ¹ Agricultural Promotional Events with attendance greater than 50 at one time are limited per this Table. ² A MUP is required for a winery or farm brewery for parcels 4.6 to less than 10 acres in size in Zone Districts where allowed by the Land Use and Permit Table (Section 17.06.050). This use permit will consider conditions for events as limited by this table. C = Zoning Clearance (Placer County Code Section 17.06.050) CUP = Conditional Use Permit (Placer County Code Section 17.06.050) MUP = Minor Use Permit (Placer County Code Section 17.06.050)			

Clarify Hours of Operation

The currently adopted Winery Ordinance does not specify allowable hours of operation. Typical tasting hours at wineries in operation today are between 10:00 AM and 6:00 PM, while special extended tasting hours or other events continue into the evening and end by 8:00 PM Sunday-Thursday and 10:00 PM Friday through Saturday. Codifying tasting hours is one way to regulate that the facilities are for sampling the product and typically would not operate into the evening. The Winery and Farm Brewery Zoning Text Amendment proposes the following:

All facilities shall be allowed to conduct normal tasting from 10:00 AM to 6:00 PM. Events shall be allowed from 10:00 AM to 10:00 PM on Friday and Saturday and from 10:00 AM to 8:00 PM Sunday through Thursday. If a winery or farm brewery is required to have a Minor Use Permit or Conditional Use Permit by this Ordinance or has an existing permit and is lawfully operating, limits on hours of operation will be in accordance with the conditions placed on those entitlements.

Update Potable Water and Waste Disposal Sections

Potable Water

The currently adopted Ordinance requires the facility owner to provide bottled water for consumption if more than 24 people per day over a 60-day period are served, unless otherwise approved by the County Environmental Health Division.

The Zoning Text Amendment proposes to clarify potable water standards in accordance with State regulations. For example, if a facility serves more than 24 people daily, 60 days or more per year, then a public water system shall be required. The type of public water system would be a Transient-Non-community water system, which includes restaurants, campgrounds, small wineries, motels and other non-residential facilities. Such a public water system requires a permit from the State Water Resources Control Board, Division of Drinking Water.

Wastewater Disposal

The Zoning Text Amendment clarifies that winery or farm brewery process wastewater is prohibited from being discharged to a septic system. Process wastewater is water used in the wine or beer making process, which is high in organic material. A Waste Discharge Permit or Waiver of Waste Discharge issued by the Regional Water Quality Control Board (RWQCB) is required prior to building permit issuance if the wastewater will not be discharged into a community sewer system, but rather an alternative form of discharge would be used, such as land application. With land application systems, process wastewater is applied to a vegetated land surface, and the applied wastewater is treated as it flows through the plant and soil matrix. Land application of process wastewater from wineries and farm breweries already occurs within the County, under the RWQCB's Waiver of Waste Discharge Requirements for Small Food Processors, Wineries, and Related Agricultural Processors, and would not change under the proposed Zoning Text Amendment.

Additionally, the Zoning Text Amendment clarifies that a separate septic system needs to be provided if a winery or farm brewery has buildings with plumbing.

Update Access Standards Section

The Zoning Text Amendment requires facilities open to the public and having access from a County-maintained road to construct a paved commercial encroachment standard per the County Land Development Manual (LDM) engineering design plates.

For facilities that are accessed by non-County maintained roads, the owner would be required to obtain an encroachment permit from the County to update ingress, egress, and sight-distance per the County LDM engineering design standards and serving Fire District requirements where the non-County maintained road connects to a County-maintained road, if existing conditions do not already meet County standards.

In addition, if a winery or farm brewery has public tasting and is accessed by a private road, the applicant shall provide proof of access rights as determined by the County and an affirmative written

statement of the legal right to access and use said road for the purposes of the requested facility. The owner must also obtain written approval of the governing board of the applicable road maintenance association or homeowners association. If a governing body or association does not exist, written approval from a majority of the individuals who have access rights to the road shall be required. The owner shall include with said statement the proposal for road maintenance or provide evidence of an existing road maintenance agreement. The owner shall be required to indemnify the County for any claims resulting from said road access.

Add Winery Production (Zero to 20,000 cases) as Allowable Use in Resort Zone District with an Administrative Review Permit

The current Winery Ordinance allows wholesale and retail sales of wine and grape products, as well as wine tasting in the Resort (RES) Zone District. This zone district accommodates commercial land uses and is typically found in mountainous areas, water-oriented areas, or other areas with commercial recreation potential. The Zoning Text Amendment proposes to allow production of wine (0-20,000 cases) in RES-zoned properties subject to an ARP.

Add “Accessory Use - Restaurant” as Allowable Land Use with CUP

Restaurants are described as a land use in the Section 17.04.030 – Definitions of the Placer County Zoning Ordinance. According to Section 17.06.050 – Land Use and Permit Tables, Restaurants are not currently allowed in Agricultural, Resource, or Open Space land uses. Specifically, the proposed change refers to the Agricultural Exclusive, Farm, and Forest zone districts. The project proposes that an “Accessory Use - Restaurant” would be allowed in the Agricultural Exclusive, Farm, and Forest zone districts as long as the food preparation and service is subordinate to the primary use on a property as a winery or farm brewery, and subject to a Conditional Use Permit.

Framework of EIR Analysis

The changes proposed to the existing adopted Winery Ordinance help inform what would be the appropriate framework of the environmental analysis contained in this EIR. The framework of the environmental analysis would be as follows:

1. Increase in Event Activity. The EIR will focus on the potential physical environmental impacts associated with the ability to conduct additional by-right events and new uses under the proposed Zoning Text Amendment.
 - a. Agricultural Promotional Events. While not limited in number, an assumption for this EIR that wineries and farm breweries will host back-to-back events all day, every day is unrealistic. Several factors exist that limit a particular facility’s ability to host events, including number of staff, budget, parking capacity, overlap with regular tasting room hours, etc. In an effort to conduct a reasonable analysis in this EIR, based upon reasonable forecasts, the County solicited input from a variety of facilities currently

operating in the County.⁶ Though the facilities that are the subject of the analysis throughout this EIR vary in size, the general agreement is that hosting Agricultural Promotional Events is difficult, as the facilities in western Placer County are relatively small, and as such, have limited resources.⁷ In contrast to larger-scale operations in prominent wine regions such as Napa and Sonoma counties, the facilities in western Placer County have limited staff and monetary resources. Consequently, the organization/logistics of hosting multiple events over the course of a short period of time are very difficult.

Further, the general consensus is that, with the exception of those facilities having a use permit to operate like an event center, hosting events is secondary to the primary intent of the business, which is to grow grapes/hops and produce wine/beer. Events are a mechanism by which the operator can generate income to help support their primary business. Another factor to be considered is that Agricultural Promotional Events are currently often scheduled outside of normal tasting room hours, and this trend is expected to continue. The reason that promotional events are often scheduled outside of normal tasting room hours is that most facilities do not have sufficient parking to support normal patronage of the tasting room, in addition to the attendees of a promotional event. Such is supported by the fact that temporary overflow parking cannot be used for Agricultural Promotional Events (only Special Events and events occurring through a Temporary Outdoor Event permit - see Section 17.56.330 (E)(1)(d) of the proposed Zoning Text Amendment).

This EIR recognizes that some Agricultural Promotional Events have different attendance characteristics. While the majority of the events are anticipated to have relatively finite attendance, such as winemaker dinners and membership club parties, a smaller subset would have attendees coming and going over the course of the event, such as wine pick-up and wine release parties. These events have been termed “rolling” events in this EIR, which assumes the 50-person max occupancy at one time turns over three times for a maximum overall attendance of 150 people.⁸

- b. Special Events. The EIR will evaluate the potential environmental effects that could result from a maximum of 12 Special Events or Agricultural Promotional Events with attendance >50, at facilities on large parcels (>20 acres). While the Ordinance currently allows six Special Events, and thus the net increase for facilities on large

⁶ As stated in Kostka and Zischke, *Practice Under the California Environmental Quality Act, Second Edition, Vol 1*, Section 11.32, “When it is difficult to forecast future actions, an EIR may rest its analysis on reasonable assumptions (*State Water Resources Control Bd. Cases* (2006) 136 CA4th 674, 797.” The forecasts should be based upon substantial evidence which, according to PRC 21080(e) and Guidelines Section 15384, consists of facts, reasonable assumptions predicated on facts, and expert opinion supported by facts, but does not include argument, speculation, or unsubstantiated opinion. The information gathered from interviews with local winery and farm brewery operators constitutes substantial evidence from which the County could formulate reasonable assumptions.

⁷ Meeting Summary, Placer County CDRA Meeting with Farm Breweries and Wineries, July 14, 2017.

⁸ This total attendance estimate for “rolling” Agricultural Promotional Events generally accords well with event trip generation observed by KD Anderson (see Chapter 10, Transportation and Circulation, for more detail), and input provided by Amador Vintners Association on July 9, 2018.

parcels is only six events, this Ordinance amendment would enable facilities to host a new type of use under the Special Event category, namely weddings. Thus, the determination was made that the EIR analysis should evaluate effects, such as traffic, from all 12 potential Special Events on large parcels. The maximum attendance for a Special Event on large parcels is 200 people. While wineries and farm breweries on medium parcels would not be afforded additional Special Events, as compared to their current allowance, they would be able to host a new type of use under the Special Event category, namely weddings and similar events having amplified music. Per Table 3-2, on medium parcels, Special Events have a maximum attendance of 100 people. In order to evaluate the potential impacts of weddings and like events for medium parcels, the determination was made that the traffic analysis should also evaluate traffic from Special Events on medium parcels.

- c. Conclusion. Considering the factors in Section 1(a), this EIR reasonably assumes that each facility could host up to two additional events per day as a result of the proposed Zoning Text Amendment. However, it is not assumed that up to two events would occur each day, seven days a week. Rather, the EIR reasonably assumes a maximum of up to two additional events per day, three days a week – Friday, Saturday, and Sunday.

Starting with these general parameters, the following additional annual assumptions were formulated, based upon industry input and the proposed Zoning Text Amendment, to perform the technical analysis contained in the EIR.

- Duration of Winery/Farm Brewery Peak Season of Activity is 8 months = 35 total weeks⁹
- Up to two events per day occur three days per week (Fri, Sat, Sun) = 210 total events

For additional parameters, medium- and large-parcel size facilities need to be considered separately, as follows:

Medium Winery/Farm Brewery (Annual)

- 6 – 100 person Special Events
- 196 – 50 person Agricultural Promotional Events
- 8 – Rolling Agricultural Promotional Events (no more than 50 people at one time, but assumes the event turns over three times for total attendance of 150 people)¹⁰

Large Winery/Farm Brewery (Annual)

- 12 – 200 person Special Events
- 190 – 50 person Agricultural Promotional Events

⁹ Duration of peak season based on personal communication with Amador Vintners Association, July 9, 2018.

¹⁰ Selection of eight (8) rolling Agricultural Promotional Events per year based upon personal communication with Amador Vintners Association, July 9, 2018. This generally assumes one (1) wine release party per quarter and one (1) wine/food pairing event per quarter.

- 8 – Rolling Agricultural Promotional Events (no more than 50 people at one time, but assumes the event turns over three times for total attendance of 150 people)
2. Existing Facilities studied in this EIR. The analysis throughout this EIR focuses on the existing Medium (10- to less than 20-acre) and Large (>20 acres) parcel-sized wineries/farm breweries, as Agricultural Promotional Events would be allowed by-right. This includes the following existing facilities (see Figure 3-1):
- a. Medium Parcel Size (10- to less than 20-acre)
 - 1. Wise Villa Winery and Bistro
 - 2. Lone Buffalo Vineyards
 - 3. Rancho Roble Vineyards
 - 4. Vina Castellano Winery
 - 5. Goathouse Brewery
 - 6. Hillenbrand Farmhaus Brewery
 - 7. Casque at Flower Farm
 - 8. Ciotti Cellars
 - b. Large Parcel Size (> 20 acres)
 - 1. Mt. Vernon Winery
 - 2. Dono Dal Cielo Vineyard and Winery

These 10 facilities are referred to as existing study facilities throughout this EIR.

It should be noted that Wise Villa has a CUP to operate as a Community Center. Nonetheless, Wise Villa has been included in the EIR analysis because, in addition to the allowable events specified in its current CUP, Wise Villa will be afforded additional flexibility under the proposed Zoning Text Amendment with respect to Agricultural Promotional Events. Casque at Flower Farm also has a CUP to operate as a community center, though specification on number of allowable events is not provided. Similar to Wise Villa, Casque has been included in the EIR analysis because it will be afforded additional flexibility under the proposed Zoning Text Amendment with respect to Agricultural Promotional Events.

It is also important to note that while Rock Hill Winery is located on a 14-acre parcel, and thus considered a medium winery, it is located on a RA-zoned property. Wineries in RA (and RF) zones are currently subject to an ARP; and under the proposed project, wineries and farm breweries in these residential zones would be subject to a MUP. Because Rock Hill Winery would need to obtain a MUP if they desired to increase events at the site, above their existing ARP approvals, this winery is not evaluated further in this EIR.

As discussed earlier in this chapter, wine production facilities with tasting rooms on 4.6 to less than 10 acres are already allowed six events under the currently adopted Ordinance (with an ARP), a net change to the operations of these facilities on 4.6- to less than 10-acre parcels would not occur as a result of the Zoning Text Amendment. Thus, wine production facilities, with tasting rooms on 4.6- to less than 10-acre parcels, are not being evaluated

in this EIR because further environmental review would be conducted with any future use permit application.

3. Future Winery and Farm Brewery Growth Projections. All future winery/farm brewery applications would be subject to the proposed Winery and Farm Brewery Zoning Text Amendment. Under the proposed project, future facilities on medium- and large-sized parcels would now be afforded the ability to host an unlimited number of Agricultural Promotional Events, and medium and large wineries/breweries would be afforded the ability to host a limited number of Special Events each year. As a result, Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR will evaluate the potential environmental effects associated with the ability to conduct Agricultural Promotional Events and Special Events at future wineries/farm breweries subject to the proposed project.

However, this EIR is not required to evaluate the physical environmental effects of construction of new facilities, because the Zoning Text Amendment would not result in the direct development of additional medium or large wineries/farm breweries, as they are already permitted by-right in certain zones, and the project is not expanding the number of zones where by-right development can occur.

In order to perform such an evaluation, the County conducted research of historic winery/farm brewery growth within its own jurisdictional boundaries, as well as the jurisdictions of other comparable, foothill counties, namely, El Dorado and Amador counties. The research can be summarized as follows:

- a. Placer County

Placer reviewed its historic growth rate for wineries and farm breweries between 2003-2017 and determined that the average annual growth rate for this 14-year period was 1.3 new facilities per year.

- b. El Dorado County

Based upon correspondence with El Dorado County, there were 57 wineries in 2008, and in 2017, there were a total of 71 wineries.¹¹ Thus, over this approximate 10-year period, the average annual growth in El Dorado County was approximately 1.4 new wineries per year.

- c. Amador County

Based upon correspondence with Amador County, the number of wineries at time of Winery Ordinance adoption in 1993 was 21.¹² The number of wineries in 2017 was

¹¹ Personal communication between Shawna Purvines, Principal Planner, Placer County Community Development Resource Agency, and Charlene Carveth, Agricultural Commission, El Dorado County, November 6, 2017.

¹² Personal communication between Nick Pappani, Vice President, Raney Planning and Management, Inc., and Susan Grijalva, Planning Director, Amador County, June 23, 2017.

approximately 50. Thus, over this 24-year period, the average annual growth in Amador County was approximately 1.2 wineries per year (29 total wineries/24 total years).

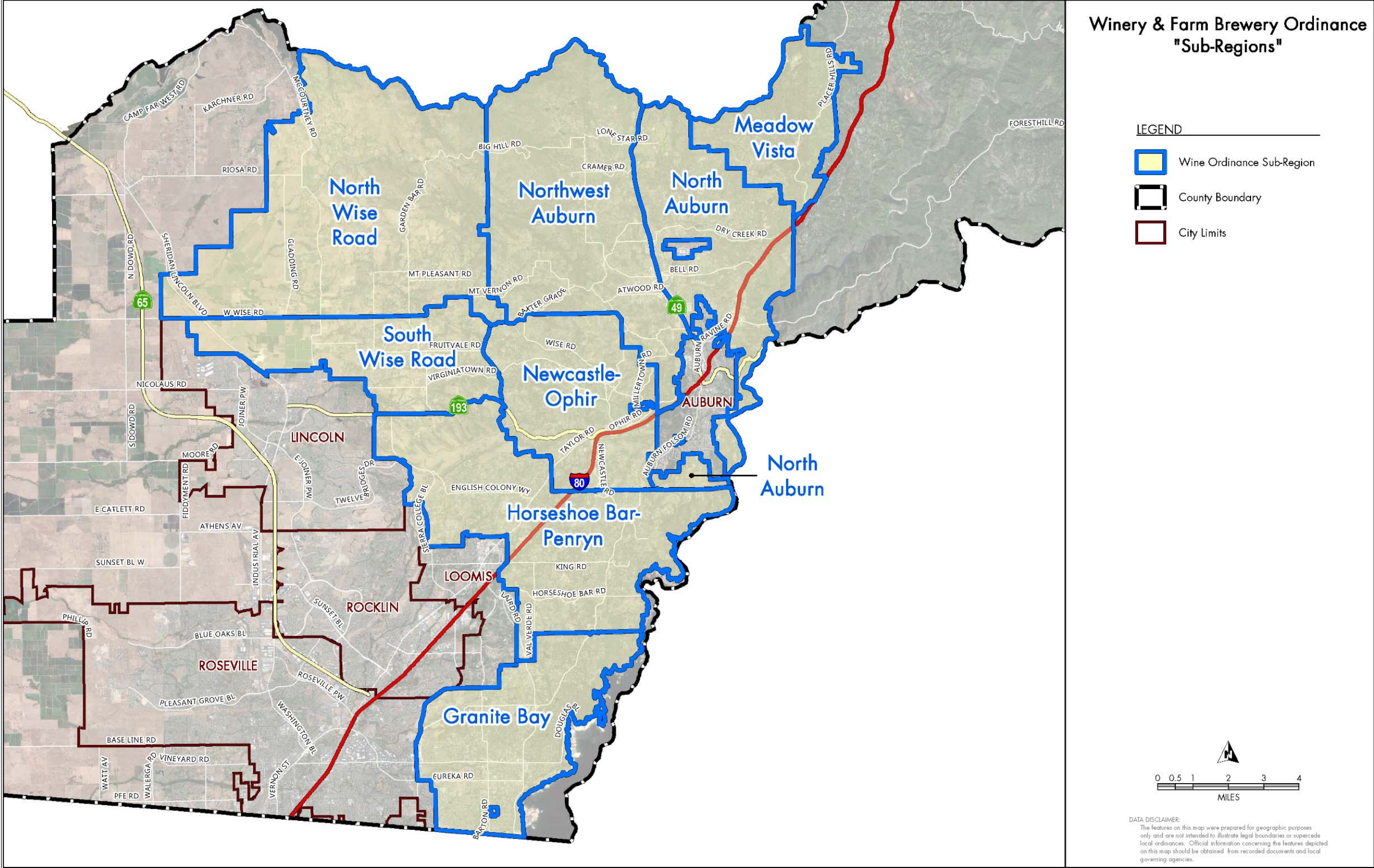
d. Summary

The above research demonstrates that the historic annual growth rates for Placer, El Dorado, and Amador counties are very similar, ranging from 1.2 to 1.4 new facilities per year. While certain years may see more growth than other years, an average annual growth rate would be a reasonable assumption for purposes of the cumulative analysis within this EIR. The County has elected to use an annual average growth rate of 1.5 new facilities per year, which is inclusive of both winery or farm brewery development. While this growth rate accounts for both wineries and farm breweries, the rate is conservative given that this EIR is only analyzing wineries and farm breweries on medium and large parcel sizes, for reasons set forth above (i.e., facilities with tasting rooms on small parcels require a use permit). Thus, the estimated growth rate in Placer County over the period evaluated, 2003 through 2017, would be much less for wineries and farm breweries located only on medium or large sized parcels. The estimated average annual growth rate would be 0.6 new facilities per year, for a total of 12 new facilities over 20 years.

Total cumulative winery/farm brewery growth estimate: consistent with industry standard practice, the cumulative study period for this EIR is 20 years. Assuming 1.5 new facilities per year, the total growth evaluated in this EIR equates to 30 new facilities.

4. Concentrated growth of Wineries and Farm Breweries within “sub-regions” of Western Placer County. In order to provide a reasonable analysis of this Zoning Text Amendment’s potential cumulative impacts, this EIR assumes that future winery/farm brewery growth will be concentrated in western Placer County, in and around the areas where current facilities are located. Figure 3-2 shows the “sub-regions” that have been defined for the purposes of the analysis of this EIR. While the sub-region boundaries generally follow the established boundaries of the County’s Municipal Advisory Councils (MACs), select adjustments have been made to better reflect the concentrations of existing wineries and follow the primary access roads to these areas. In concept and practice, concentrated growth will result in greater combined, related effects as the majority of future facilities would be nearer to one another, as well as existing facilities, thus increasing the intensity of combined effects, such as vehicle traffic, roadway noise, etc. In contrast, if the EIR were to assume that future facilities would be spread throughout the County, separate from one another, their effects would be more isolated, and thus, potentially underestimated.

Figure 3-2
Future Anticipated Winery and Farm Brewery Growth Sub-Regions



This assumption is also congruent with the geographical and climatic characteristics of western Placer County and their conduciveness to high quality wine grape production. High quality grapes are produced when vines undergo moderate stress from limited water and/or nutrients and are subjected to wide day-night temperature fluctuations. When daytime temperatures are high, there is a high rate of photosynthesis, resulting in accumulated sugars. At night, plants convert the sugars into other compounds in a process called respiration. When nighttime temperatures are low, respiration rates go down so the plants are able to stockpile more sugars and flavor components, which contribute to the intense flavor and color profiles of foothill grapes.

The foothill areas of western Placer County, generally east of Lincoln and west of Meadow Vista, have the appropriate microclimates where day/nighttime temperature fluctuations are higher than the valley areas of far western Placer County in the summer and early fall. In addition, the valley areas in western Placer County (i.e., west of Lincoln and Roseville) have higher frost risk than the foothill region during cold temperature periods because cold air can sit in the valley, whereas it drains/flows off from the foothills. These factors render the valley areas of western Placer County less suitable for high quality wine grape production. The higher elevations of Placer County are not well-suited for high quality grape growth due to their colder temperatures and shorter growing season. Areas above 2,700 feet in elevation are generally not very suitable for wine grape production.¹³

With respect to soils, in contrast to the fertile, nutrient-rich soils of the valley areas, the foothill regions are characterized predominantly by shallow soils low in nutrients and organic matter. In the lower foothill zone of decomposed granite soils, water-holding capacity may also be limited. Shallow soils, low fertility soils, and limited water-holding capacity can all cause moderate plant stress which contributes to the intensity of flavor and color of wine grapes. This causes moderate plant stress and contributes to the flavor profile of the grapes.

Given that high quality wine grape production is a driving factor for the economic viability of wineries, it is reasonable to assume that future wineries would continue to locate in the foothill region of western Placer County. Figure 3-3 and Figure 3-4 show the location of the sub-regions in relation to existing zoning (Figure 3-3) and existing parcel size (Figure 3-4), with a delineated, dashed focus area. These figures depict where zoning allowances support wine and farm beer production and tasting rooms without the need for a use permit. Additionally, the figures show where the soils and microclimates are conducive to high quality grape production.

Future Growth Projections

As a component part of the EIR winery/farm brewery growth analysis, the aforementioned “sub-regions” identify where growth is primarily anticipated to occur in western Placer County over the 20-year cumulative horizon (Figure 3-2 through Figure 3-4).

¹³ Fake, Cindy, Horticulture and Small Farms Advisor, University of California, Cooperative Extension Placer County. Personal communication with Nick Pappani, Vice President, Raney Planning and Management, Inc. March 28, 2018.

Figure 3-3
Future Anticipated Winery and Farm Brewery Growth Sub-Regions and Zoning

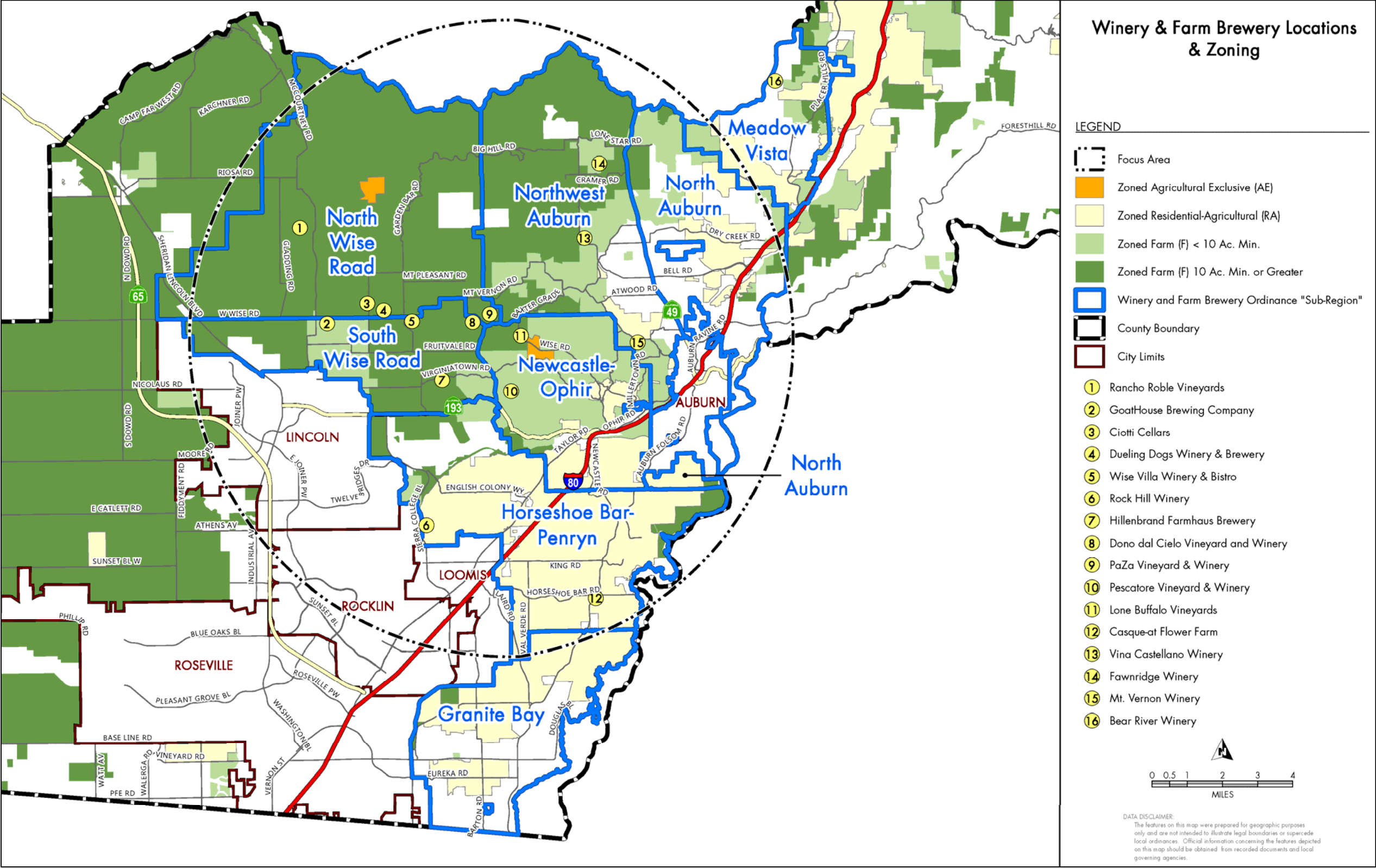
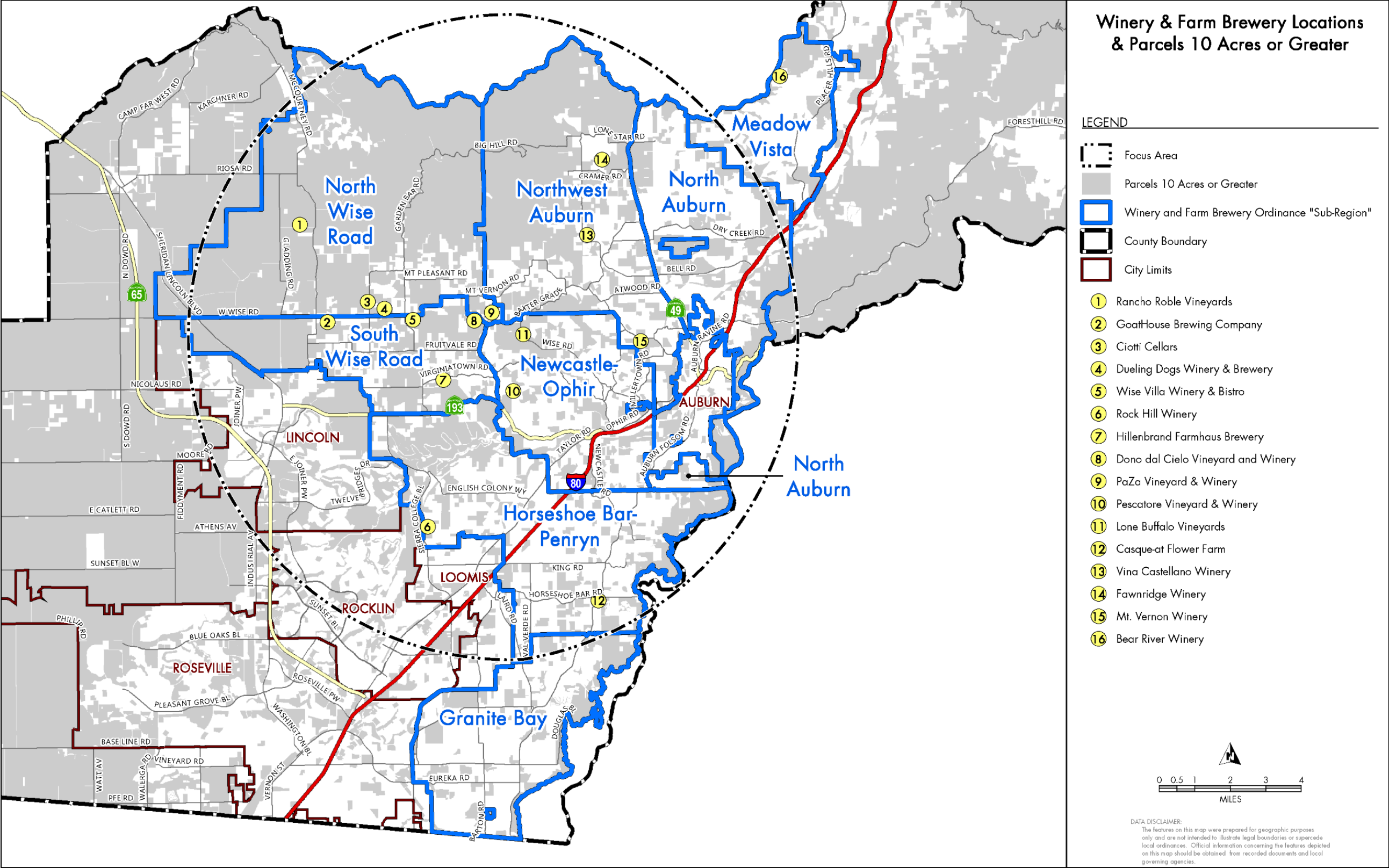


Figure 3-4
Future Anticipated Winery and Farm Brewery Growth Sub-Regions with Existing 10-Acre Parcels



The method by which the County geographically allocated the 30 projected wineries/farm breweries is illustrated in Table 3-3 (see also footnotes 1-3). In general, the percentage of existing medium/large facilities in each sub-region is used to estimate how many of the 30 new facilities would reasonably be expected to occur within each sub-region. Using this method, the following results are noteworthy:

- Future winery/farm brewery growth is concentrated in the following five sub-regions shown in Figure 3-2 through 3-4 (this is the “focus area”, illustrated with a dashed line in the figures):
 1. North Wise Road
 2. South Wise Road
 3. Newcastle/Ophir
 4. Northwest Auburn
 5. Horseshoe Bar/Penryn
- South Wise Road sub-region is allocated the greatest percentage of facilities (40% or 12 out of 30).

Table 3-3
Winery/Farm Brewery Growth by Sub-Region

Winery Sub-Region	Existing Med/Large (parcel-size) Facilities	% of Existing Med/Large Facilities per Sub-Region¹	Future Growth Allocation by Sub-Region²	Allocation of Large Facilities by Sub-Region³
North Wise Road	2	20%	6	2
South Wise Road	4	40%	12	4
Newcastle/Ophir	1	10%	3	0
Northwest Auburn	2	20%	6	2
Horseshoe Bar/Penryn	1	10%	3	0
Total	10	100%	30	8

Notes:

¹ Percentages calculated as follows: # in sub-region/total number med/large. For example: 2 (North Wise)/10 (total facilities) = 20%.

² The percentage of existing medium/large facilities in each sub-region is used to estimate how many of the 30 new facilities would reasonably be expected to occur within each sub-region. For example, the South Wise Sub-Region contains 40% of the total number of existing facilities - assuming 40% of the 30 future facilities would occur within the South Wise Sub-Region results in a total 12 additional facilities.

³ The total of eight (8) new large facilities is included in the overall total of 30 wineries/farm breweries. The methodology is as follows. Approximately 20% (2/10) of the existing med/large facilities are located on large parcel sizes – this analysis uses a slightly more conservative assumption of 25%. Assuming 25% of the 30 future facilities would occur on large parcel sizes results in a total of approximately eight (8) new large facilities. Currently, one (1) large parcel size winery is located in the North Wise Sub-Region and one (1) large parcel size winery is located in the South Wise Sub-Region. Using this data to allocate the eight (8) new large facilities would result in four (4) in North Wise and four (4) in South Wise. However, rather than allocating four (4) new large facilities to South Wise, two (2) of these were allocated to Northwest Auburn given the abundance of 20+ acre parcels in this Sub-Region, and the fact that this Sub-Region also contains 20% of the existing facilities, similar to the North Wise Sub-Region.

The County recognizes that this Zoning Text Amendment applies countywide, and thus, one or more new wineries or farm breweries could be developed outside of the above-listed sub-regions. However, the County recognizes that even if a new facility were to be established outside of these sub-regions, they would most likely occur in relatively remote locations, where additional by-right events allowable at the facility under this Zoning Text Amendment would produce isolated effects. For example, as shown in Figure 3-3, existing population centers within the unincorporated County have very few parcels with the proper zoning to accommodate by-right development and operation of future facilities. The population centers and immediate environs are dominated by Residential-Agriculture zoning, wherein any winery or farm brewery would require a MUP.

3.5 REQUIRED PUBLIC APPROVALS

The proposed project will be considered by the Planning Commission, who will make a recommendation to the Board of Supervisors regarding adoption of the revised Winery and Farm Brewery Zoning Text Amendment. If approved, the following actions will be required:

1. Certification of the EIR for the proposed project by the County Board of Supervisors
2. Adoption of the Winery and Farm Brewery Zoning Text Amendment by the County Board of Supervisors

4. AGRICULTURAL RESOURCES

4

AGRICULTURAL RESOURCES

4.1 INTRODUCTION

The purpose of the Agricultural Resources chapter of the EIR is to examine the proposed project's effects on agricultural resources located on existing medium and large parcel size wineries and farm breweries throughout unincorporated Placer County that would be subject to the proposed Zoning Text Amendment. The chapter identifies Prime/Unique Farmland or Farmland of Statewide Importance that could be indirectly disturbed as a result of the project. In addition, the chapter analyzes potential conflicts with ongoing agricultural operations on adjacent, agriculturally-zoned properties. Documents referenced to prepare this chapter include the Placer County General Plan,¹ the Placer County General Plan EIR,² the *Placer Legacy Open Space and Agricultural Conservation Program, Implementation Report*,³ the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey,⁴ and the Department of Conservation's California Important Farmland Finder.⁵

This chapter focuses on the ten existing medium (10- to 20-acre) and large (>20 acre) parcel-sized wineries and farm breweries that would be subject to the proposed Zoning Text Amendment, which are shown in Figure 3-1 of the Project Description chapter. Such facilities are referred to as *existing study facilities* throughout this EIR. Potential cumulative effects on agricultural resources associated with future wineries and farm breweries that would be subject to the proposed Zoning Text Amendment are addressed in Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR.

4.2 EXISTING ENVIRONMENTAL SETTING

The following section describes current farmland and soil productivity classification systems, as well as the extent and quality of any agricultural and forest resources present on the existing study facility sites.

Existing Agricultural Operations

Currently, each of the existing study facilities supports agricultural operations in the form of either grape crops or agricultural products used in the production of craft beer, such as hops,

¹ Placer County. *Countywide General Plan Policy Document*. August 1994 (updated May 2013).

² Placer County. *Countywide General Plan EIR*. July 1994.

³ Placer County. *Placer Legacy Open Space and Agricultural Conservation Program, Implementation Report*. June 2000.

⁴ United States Department of Agriculture, National Resources Conservation Service. *Web Soil Survey*. Available at: <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>. Accessed November 2017.

⁵ California Department of Conservation. *Placer County Important Farmland 2014*. Published April 2016.

barley, and other adjuncts. The County's existing Winery Ordinance requires that within the Residential, Resource, and Agricultural zoning districts where wineries are allowed (including all of the existing study facilities), at least one acre of on-site planted vineyard is required, unless the Agricultural Commissioner makes a determination that a functional equivalent occurs (i.e., winery is contracted to receive a substantial portion of the winery production capacity from locally-produced vineyards).

Existing Agricultural Resources

State farmland categories that apply to the existing study facility sites, as well as Williamson Act contracts identified for such areas, are discussed below.

California Department of Conservation Important Farmland Classifications

The Farmland Mapping and Monitoring Program (FMMP), part of the Division of Land Resource Protection, California Department of Conservation (DOC), uses soil agricultural productivity information from the NRCS to create maps illustrating the types of farmland present within any given area.

The FMMP was established in 1982 to continue the Important Farmland mapping efforts begun in 1975 by the USDA. The intent of the USDA was to produce agriculture maps based on soil quality and land use across the nation. As part of the nationwide agricultural land use mapping effort, the USDA developed a series of definitions known as Land Inventory and Monitoring (LIM) criteria. The LIM criteria classified the land's suitability for agricultural production, in which suitability included both the physical and chemical characteristics of soils and the actual land use. Important Farmland maps are derived from the USDA soil survey maps using the LIM criteria.

Since 1980, the State of California has assisted the USDA with completing the mapping in the State. The FMMP was created within the California DOC to carry on the mapping activity on a continuing basis, and with a greater level of detail. The California DOC applied a greater level of detail by modifying the LIM criteria for use in California. The LIM criteria in California utilize the Land Capability Classification and Storie Index Rating systems, but also consider physical conditions such as dependable water supply for agricultural production, soil temperature range, depth of the groundwater table, flooding potential, rock fragment content, and rooting depth.

The California DOC classifies lands into seven agriculture-related categories: Prime Farmland, Farmland of Statewide Importance (Statewide Farmland), Unique Farmland, Farmland of Local Importance (Local Farmland), Grazing Land, Urban and Built-up Land (Urban Land), and Other Land. The first four types listed above are collectively designated by the State as Important Farmlands. Important Farmland maps for California are compiled using the modified LIM criteria and current land use information. The minimum mapping unit is 10 acres unless otherwise specified. Units of land smaller than 10 acres are incorporated into surrounding classifications.

Each of the seven farmland types are summarized below, based on California DOC's *A Guide to the Farmland Mapping and Monitoring Program*.⁶

Prime Farmland

Prime Farmland is land with the best combination of physical and chemical features able to sustain the long-term production of agricultural crops. The land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. The land must have been used for the production of irrigated crops at some time during the two update cycles (a cycle is equivalent to two years) prior to the mapping date.

Farmland of Statewide Importance

Farmland of Statewide Importance is land similar to Prime Farmland, but with minor shortcomings, such as greater slopes or with less ability to hold and store moisture. The land must have been used for the production of irrigated crops at some time during the two update cycles prior to the mapping date.

Unique Farmland

Unique Farmland is land of lesser quality soils used for the production of the State's leading agricultural crops. The land is usually irrigated, but may include non-irrigated orchards or vineyards, as found in some climatic zones in California. The land must have been cultivated at some time during the two update cycles prior to the mapping date.

Farmland of Local Importance

Farmland of Local Importance is land of importance to the local agricultural economy, as determined by each county's Board of Supervisors and a local advisory committee. Placer County farmland of local importance includes lands which do not qualify as Prime, Statewide, or Unique designation, but are currently irrigated crops or pasture or non-irrigated crops; lands that would meet the Prime or Statewide designation and have been improved for irrigation, but are now idle; and lands that currently support confined livestock, poultry operations and aquaculture.

Grazing Land

Grazing Land is land on which the existing vegetation, whether grown naturally or through management, is suited to the grazing of livestock. The minimum mapping unit for the Grazing Land category is 40 acres.

⁶ California Department of Conservation, Division of Land Resource Protection, FMMP: *A Guide to the Farmland Mapping and Monitoring Program*. Available at: http://www.consrv.ca.gov/DLRP/fmmp/pubs/fmmp_guide_2004.pdf. Accessed April 2017.

Urban Land

Urban and Built-up Land is occupied with structures with a building density of at least one unit to one-half acre. Uses may include but are not limited to, residential, industrial, commercial, construction, institutional, public administration purposes, railroad yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment plants, water control structures, and other development purposes. Highways, railroads, and other transportation facilities are mapped as part of this unit, if they are part of a surrounding urban area.

Other Land

Other Land is land that is not included in any other mapping categories. The following uses are generally included: rural development, brush timber, government land, strip mines, borrow pits, and a variety of other rural land uses.

Farmland Classification and Zoning of Existing Study Facilities

Table 4-1 provides a summary of the existing FMMP classifications and zoning designations for each of the existing study facilities within the County.⁷ It should be noted that each of the zoning designations is defined in Chapter 8, Land Use and Planning, of this EIR.

Public Resources Code 21060.1 defines “Agricultural land” as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. As shown in the table, three of the existing study facilities (Dona dal Cielo, Wise Villa Winery & Bistro, and Casque at Flower Farm) are located on sites that contain Farmland of Statewide Importance and two of the existing study facilities (Vina Castellano Winery and Wise Villa Winery & Bistro) contain Unique Farmland. None of the sites contain Prime Farmland.

Agricultural Productivity of Soils

The USDA NRCS uses two systems to determine a soil’s agricultural productivity: the Land Capability Classification System and the Storie Index Rating System. The “prime” soil classification of both systems indicates the presence of few to no soil limitations, which, if present, would require the application of management techniques (e.g., drainage, leveling, special fertilizing practices) to enhance production.

The Land Capability Classification System takes into consideration soil limitations, the risk of damage when soils are used, and the way in which soils respond to treatment. Capability classes range from Class I soils, which have few limitations for agriculture, to Class VIII soils, which are unsuitable for agriculture. Generally, as the rating of the capability classification system increases, yields and profits are more difficult to obtain. A general description of soil classification, as defined by the NRCS, is provided in Table 4-2.

⁷ California Department of Conservation. *California Important Farmland Finder*. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed February 2018.

Table 4-1 FMMP Classification and Zoning Designation of Existing Study Facilities				
Existing Study Facilities	Parcel Size (acres)	Winery/Farm Brewery Sub-Region	FMMP Classifications	Zoning Designations
Dono dal Cielo Vineyard and Winery	30.1	South Wise Road	Farmland of Statewide Importance Farmland of Local Importance Other Land	F-B-X 10 AC. MIN.
Lone Buffalo Vineyards	12.3	Newcastle-Ophir	Farmland of Local Importance	AE
Rancho Roble Vineyards	19.0	North Wise Road	Farmland of Local Importance	F 4.6 AC. MIN.
Vina Castellano Winery	19.9	Northwest Auburn	Unique Farmland Farmland of Local Importance	F-AO 4.6 AC. MIN.
Wise Villa Winery & Bistro	10.0	South Wise Road	Farmland of Statewide Importance Unique Farmland Farmland of Local Importance	F-B-X 10 AC. MIN.
Ciotti Cellars	9.4	North Wise Road	Farmland of Local Importance	F-B-X 10 AC. MIN.
Mt. Vernon Winery	31.2	Northwest Auburn	Farmland of Local Importance	F 4.6 AC. MIN.
Casque at Flower Farm	10.0	Horseshoe Bar-Penryn	Farmland of Statewide Importance	F-B-100
Goathouse Brewery	11.3	South Wise Road	Other Land	F 4.6 AC. MIN.
Hillenbrand Farmhaus Brewery	12.9	South Wise Road	Farmland of Local Importance	F-B-X 10 AC. MIN.
Notes: F = Farm; -B = Building Site combining; AE = Agricultural Exclusive; and -AO = Aircraft Overflight combining. The -B zoning designation is followed by a number, which refers to the minimum building site established by Section 17.52.040 of the Placer County Code. For -B zoning designations followed by ‘-X’, the required setbacks and minimum lot area are specified on the County’s Zoning Map				
<i>Source: Department of Conservation, 2018.</i>				

The Storie Index Rating system ranks soil characteristics according to suitability for agriculture from Grade 1 soils (80 to 100 rating), which have few or no limitations for agricultural production, to Grade 6 soils (less than 10 rating), which are not suitable for agriculture. Under the Storie Index Rating system, soils deemed less than prime can function as prime soils when limitations such as poor drainage, slopes, or soil nutrient deficiencies are partially or entirely removed. Unlike the Land Capability Classification outlined above, the Storie Index Rating System does not distinguish between irrigated and non-irrigated soils. The six grades, ranges in index rating, and definition of the grades, as defined by the NRCS, are provided below in Table 4-3.

Table 4-2 Land Capability Classification	
Class	Definition
I	Soils have slight limitations that restrict their use.
II	Soils have moderate limitations that restrict the choice of plants or that require moderate conservation practices.
III	Soils have severe limitations that restrict the choice of plants or that require special conservation practices, or both.
IV	Soils have very severe limitations that restrict the choice of plants or that require very careful management, or both.
V	Soils are not likely to erode but have other limitations; impractical to remove that limit their use largely to pasture or range, woodland, or wildlife habitat.
VI	Soils have severe limitations that make them generally unsuited to cultivation and limit their use largely to pasture or range, woodland, or wildlife habitat.
VII	Soils have very severe limitations that make them unsuited to cultivation and that restrict their use largely to pasture or range, woodland, or wildlife habitat.
VIII	Soils and landforms have limitations that preclude their use for commercial plants and restrict their use to recreation, wildlife habitat, or water supply or to aesthetic purposes.
<i>Source: United States Department of Agriculture Natural Resources Conservation Service. Available at: http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/survey/tools/?cid=nrcs142p2_054226. Accessed October 7, 2016.</i>	

Table 4-3 Storie Index Rating System		
Grade	Index Rating	Definition
1 – Excellent	81 through 100	Few limitations that restrict their use for crops
2 – Good	61 through 80	Suitable for most crops, but have minor limitations that narrow the choice of crops and have a few special management needs
3 – Fair	41 through 60	Suited to a few crops or to special crops and require special management
4 – Poor	21 through 40	If used for crops, are severely limited and require special management
5 – Very Poor	11 through 20	Not suited for cultivated crops, but can be used for pasture and range
6 – Non-Agriculture	Less and 10	Soil and land types generally not suited to farming
<i>Source: USDA, Web Soil Survey, 2017.</i>		

According to the USDA NRCS Web Soil Survey conducted for the existing study facility sites, soils within each of the sites have Land Capability Classifications ranking from Class II to VI.⁸ Class II soils have moderate limitations that restrict the choice of plants or that require moderate conservation practices, while Class VI soils have severe limitations that make them generally

⁸ United States Department of Agriculture Natural Resources Conservation Service. *Web Soil Survey*. Available at: <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>. Accessed November 2017.

unsuited for cultivation and limit their use largely to pasture or range, woodland, or wildlife habitat. Storie Index ratings of the existing study facility soils range from Grade 3 – Fair to Grade 4 – Poor. Thus, cultivation of crops is generally limited and requires special management. As discussed in Chapter 3, Project Description, of this EIR, the shallow, low-nutrient soils found in the foothill regions of Placer County, including within the study facility sites, cause moderate plant stress. Such stress is beneficial in the development of grapes for wine production.

Williamson Act Contracts

The California 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 agricultural or related open space use. Per the Placer County Land Information Search tool, only two of the existing study facilities (Lone Buffalo Vineyards and Rancho Robles) are located on land currently under a Williamson Act Contract.⁹

Forest Resources

As shown in Table 4-1, none of the existing study facility sites within the County are currently zoned for forest land or timberland uses. In addition, none of the sites contain forest land (as defined in Public Resources Code Section 12220(g)), or timberland (as defined by Public Resources Code Section 4526).

4.3 REGULATORY CONTEXT

The following is a description of State and local environmental laws and policies that are relevant to the review of agricultural resources under CEQA.

State Regulations

The California Land Conservation Act, better known as the Williamson Act, has been the State's premier agricultural land protection program since the act's enactment in 1965. The California legislature passed the Williamson Act in 1965 to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Williamson Act creates an arrangement whereby private landowners contract with counties and cities to voluntarily restrict land to agricultural and open space uses. The vehicle for these agreements is a rolling term 10-year contract (i.e., unless either party files a "notice of non-renewal," the contract is automatically renewed annually for an additional year). In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use, rather than potential market value. As noted previously, only two of the existing study facilities (Lone Buffalo Vineyards and Rancho Robles) are located on land currently under a Williamson Act Contract.

⁹ Placer County. *Land Information Search*. Available at: <https://www.placer.ca.gov/departments/communitydevelopment/gis/online%20maps>. Accessed February 2018.

Local Regulations

The following are the local government environmental goals and policies relevant to the CEQA review process with respect to agricultural resources.

Placer Legacy Open Space and Conservation Program

The Placer Legacy Open Space and Agricultural Conservation Program (Placer Legacy Program) was adopted in June 1998 to protect and conserve open space and agricultural lands in Placer County.¹⁰ The Placer Legacy Program implements the goals, policies, and programs of the 1994 Placer County General Plan and supplements existing open space and conservation programs. The Placer Legacy Program also provides important resource information to guide and direct decisions on the preparation of environmental documents for compliance with CEQA and for discretionary land use entitlements being examined by County staff. The objectives of the Placer Legacy Program include the following:

- Maintain a viable agricultural segment of the economy;
- Conserve natural features necessary for access to a variety of outdoor recreation opportunities;
- Retain important scenic and historic areas;
- Preserve the diversity of plant and animal communities;
- Protect endangered and other special status plant and animal species;
- Separate urban areas into distinct communities; and
- Ensure public safety.

For implementation purposes, the County was divided into ten study areas based on common geographic and political boundaries. The development of the implementation measures was based on an assessment of each area's existing open space resources, development trends, stressors and conflicts, and opportunities for Placer Legacy Program involvement.

Placer County Right-to-Farm Ordinance

Placer County has adopted a Right-to-Farm Ordinance (Section 5.24.040 of the Placer County Code) to minimize loss of the County's commercial agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance. The provisions of the Right-to-Farm Ordinance are as follows:

- A. It is the declared policy of the county of Placer to preserve, protect and encourage the development and improvement of its agricultural land for the production of food and other agricultural products. When nonagricultural land uses extend into the agricultural areas, agricultural operations often become the subject of nuisance suits. As a result, agricultural operations are sometimes

¹⁰ Placer County. *Placer Legacy Open Space and Agricultural Conservation Program, Implementation Report*. June 2000.

forced to cease or are substantially curtailed. Others may be discouraged from making investments in agricultural improvements. It is the purpose of this section to reduce the loss to the county of its commercial agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance.

- B. No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than one year if it was not a nuisance at the time it began.
- C. For purpose of this section, the term “agricultural activity, operation, or facility, or appurtenances thereof” shall include, but not be limited to, the cultivation and tillage of soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity including timber, Christmas trees, viticulture, apiculture, nursery stock, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and game birds, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage, or to market, or to carriers for transportation to market.
- D. For the purpose of this section, commercial “agriculture” means those agricultural lands in designated areas, or those lands that are within the California Land Conservation Act, or within a timber preserve zone or those lands that produce a gross annual income of four thousand five hundred dollars (\$4,500.00) from the sale of agricultural products.
- E. Each prospective buyer of property in unincorporated Placer County shall be informed by the seller or his/her authorized agent of the right-to-farm ordinance. The seller or his/her authorized agent will keep on file a disclosure statement signed by the buyer with the escrow process.
- F. Whenever a building designated for residential occupancy is to be located on property in the unincorporated area of Placer County, the owners of the property, or their authorized agent, shall acknowledge receipt of the right-to-farm ordinance. (Ord. 4983-B, 1999: prior code § 5.715)

Winery Ordinance

Section 17.56.330 of the Placer County Code contains the County’s Winery Ordinance, as approved in 2008. The purpose of the Winery Ordinance is to preserve and protect farmland while also enhancing the economic viability of Placer County’s agricultural operations and supporting the tenants of agri-tourism, a type of tourism that brings visitors directly to a farm or ranch. In the Residential, Resource and Agricultural zoning districts where wineries are allowed, at least one acre of planted vineyard on site is required, unless the Agricultural Commissioner makes a determination that a functional equivalent occurs (i.e., winery is contracted to receive a substantial portion of the winery production capacity from locally produced vineyards). Chapter 3, Project Description, of this EIR provides a detailed overview of the proposed changes to the Winery Ordinance.

Placer County General Plan

The following goals and policies from the Placer County General Plan are applicable to the proposed project:

Goal 1.H: To designate adequate agricultural land and promote development of agricultural uses to support the continued viability of Placer County's agricultural economy.

Policy 1.H.4 The County shall allow the conversion of existing agricultural land to urban uses only within community plan areas and within city spheres of influence where designated for urban development on the General Plan Land Use Diagram.

Policy 1.H.5 The County shall require development within or adjacent to designated agricultural areas to incorporate design, construction, and maintenance techniques that protect agriculture and minimize conflicts with adjacent agricultural uses.

Policy 1.H.6 The County shall require new non-agricultural development immediately adjacent to agricultural lands to be designed to provide a buffer in the form of a setback of sufficient distance to avoid land use conflicts between the agricultural uses and the nonagricultural uses, except as it may be determined to be unnecessary or inappropriate within a Specific Plan as part of the Specific Plan approval. Such setback or buffer areas shall be established by recorded easement or other instrument, subject to the approval of County Counsel. A method and mechanism (e.g., a homeowners association or easement dedication to a non-profit organization or public entity) for guaranteeing the maintenance of this land in a safe and orderly manner shall be also established at the time of development approval.

Goal 7.A: To provide for the long-term conservation and use of agriculturally-designated lands.

Policy 7.A.1 The County shall protect agriculturally-designated areas from conversion to non-agricultural uses.

Policy 7.A.3 The County shall encourage continued and, where possible, increased agricultural activities on lands suited to agricultural uses.

Policy 7.A.10 The County shall facilitate agricultural production by allowing agricultural service uses (i.e., commercial and industrial uses) to locate in agriculturally-designated areas if they relate to the primary agricultural activity in the area. The County shall use the following guidelines to analyze the suitability of a proposed agricultural service use:

- a. The use will not adversely affect agricultural production in the area;
- b. The use supports local agricultural production;
- c. It is compatible with existing agricultural activities and residential uses in the area;
- d. The use will not require the extension of sewer or water lines; and
- e. It will not result in a concentration of commercial or industrial uses in the immediate area.

Policy 7.A.13 The County shall encourage multi-seasonal use of agricultural lands such as for private recreational development, in order to enhance the economic viability of agricultural operations.

Goal 7.B: To minimize existing and future conflicts between agricultural and non-agricultural uses in agriculturally-designated areas.

Policy 7.B.1 The County shall identify and maintain clear boundaries between urban/suburban and agricultural areas and require land use buffers between such uses where feasible. These buffers shall occur on the parcel for which the development permit is sought and shall favor protection of the maximum amount of farmland.

Policy 7.B.3 The County shall consider fencing subdivided lands adjoining agricultural uses as a potential mitigation measure to reduce conflicts between residential and agricultural uses. Factors to be considered in implementing such a measure include:

- a. The type of agricultural operation (i.e., livestock, orchard, timber, row crops);
- b. The size of the lots to be created;
- c. The presence or lack of fences in the area;
- d. Existing natural barriers that prevent trespass; and
- e. Passage of wildlife.

Policy 7.B.4 The County shall continue to enforce the provisions of its Right-to-Farm Ordinance and of the existing state nuisance law.

Goal 7.C:	To protect and enhance the economic viability Placer County's agricultural operations.
Policy 7.C.3	The County shall support opportunities to promote and market agricultural products grown or processed within Placer County (such as Farmers' Markets) as a part of the economic development activities of local agencies.
Policy 7.C.4	The County shall permit a wide variety of promotional and marketing activities for County-grown products in all zone districts where agricultural uses are authorized.
Policy 7.C.5	The County shall permit on-farm product handling and selling. The County shall permit stands for the sale of agricultural products in any agricultural land use designation to promote and market those agricultural products grown or processed in Placer County. Secondary and incidental sales of agricultural products grown elsewhere may be permitted subject to appropriate approvals.
Policy 7.C.6	The County shall ensure that land use regulations do not arbitrarily restrict potential agricultural-related enterprises which could provide supplemental sources of income for farm operators.

4.4 IMPACTS AND MITIGATION MEASURES

The following section describes the standards of significance and methodology utilized to analyze and determine the proposed project's potential impacts related to agricultural resources. In addition, a discussion of the project's impacts is also presented.

Standards of Significance

Consistent with Appendix G of the CEQA Guidelines and the County's Initial Study Checklist, the effects of a project are evaluated to determine if they would result in a significant adverse impact on the environment. For the purposes of this EIR, an impact is considered significant if the proposed project would:

- 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;
- Conflict with General Plan or other policies regarding land use buffers for agricultural operations;

- Conflict with existing zoning for agricultural use, a Williamson Act contract, or a Right-to-Farm policy;
- 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));
- Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses); and/or
- Involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use.

Method of Analysis

Evaluation of potential impacts of the proposed project on agricultural resources is based on the following: The Placer County General Plan, the associated EIR, the Department of Conservation's California Important Farmland Finder, and the NRCS Web Soil Survey. The standards of significance listed above are used to delineate the significance of any potential impacts.

Project Impacts and Mitigation Measures

The following discussion of impacts is based on implementation of the proposed project in comparison with the standards of significance identified above.

- 4-1 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, or involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use. Based on the analysis below, the impact is *less than significant*.**

Public Resources Code 21060.1 defines "Agricultural land" as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. As shown in Table 4-1, three of the existing study facilities (Dona dal Cielo, Wise Villa Winery & Bistro, and Casque at Flower Farm) are located on sites that contain Farmland of Statewide Importance and two of the study facility sites (Vina Castellano Winery and Wise Villa Winery & Bistro) contain Unique Farmland. None of the sites contain Prime Farmland.

The existing Winery Ordinance restricts the number of promotional events at each facility to six per year, subject to first securing an Administrative Review Permit. The proposed project would redefine "event" to distinguish between Agricultural Promotional Events and Special Events. Agricultural Promotional Events would include events with 50 attendees or less at one time and would be directly related to the education and marketing of wine and craft beer to consumers. Special Events would include events with greater than 50

attendees (excluding staff) at one time where the agricultural-related component is subordinate to the primary purpose of the event. The proposed Zoning Text Amendment would allow the existing study facilities to hold an unlimited number of Agricultural Promotional Events, whereas the eight existing, medium parcel-sized study facilities could hold up to six Special Events per year, and the two existing, large parcel-sized study facilities could hold up to 12 Special Events per year.

The proposed Zoning Text Amendment would not involve any physical alterations of the existing study facilities and would not result in any direct conversion of Farmland or other impacts to agricultural resources. Rather, the proposed project would simply allow for an increase in the number of promotional events currently allowed under the existing Winery Ordinance.

Public concerns have been raised during the Notice of Preparation (NOP) review period regarding the potential for the proposed increase in the number of allowable events to result in indirect effects to agricultural resources, such as disturbance of Farmland for overflow parking purposes. Specifically, commenters have suggested that an increase in the number of allowable events would increase the number of people driving to the existing study facilities, which could result in event organizers choosing to allow overflow parking on land that could be considered agricultural in order to accommodate the additional vehicles, thereby limiting the potential for such land to be used for agricultural purposes. The existing Winery Ordinance allows for temporary overflow parking to be used in conjunction with Temporary Outdoor Events (TOE), as described in Section 17.56.300(B)(1)(b). The proposed Zoning Text Amendment would continue to allow overflow parking for TOEs but would also allow temporary overflow parking for Special Events. Overflow parking for Agricultural Promotional Events would not be allowed; rather, the Ordinance would continue to require at least one permanent parking space for every 2.5 event attendees, and event size would be limited to the number of available on-site parking spaces (see Table 4, Minimum Parking Requirements, of the proposed Winery and Farm Brewery Zoning Text Amendment included as Attachment A to this EIR). Any attempt to allow overflow parking for Agricultural Promotional Events would be a violation of the Placer County Code and would result in code enforcement.¹¹

In summary, the proposed Zoning Text Amendment would give facility owners the ability to use temporary overflow parking for Special Events, which are limited to six per year for medium parcel-sized facilities and 12 per year for large parcel-sized facilities. Thus, on a yearly basis, the demand for overflow parking will be relatively minimal. Nevertheless, facility owners may choose to create temporary overflow parking on their properties for Special Events. Given the general agricultural nature of existing wineries and farm breweries, overflow parking may temporarily result in use of agricultural areas for overflow parking purposes, thus rendering these areas unusable for agricultural purposes. Importantly, overflow parking is temporary, and at the most, would be needed

¹¹ Overflow parking could be allowed with a TOE, six of which could be obtained per year; however, this is currently allowed under the existing Winery Ordinance, and, thus, is not required to be addressed in this EIR.

12 times a year, for Special Events on large parcel-sized facilities. Furthermore, per Section E(1)(a) of the proposed Zoning Text Amendment, overflow parking would not be permitted on active agricultural land. Thus, farmland and associated operations would not be permanently affected by temporary overflow parking. In addition, as discussed above, only half of the existing studies' facilities have Farmland considered important by Appendix G of the CEQA Guidelines.

Under the current Winery Ordinance and upon implementation of the proposed Zoning Text Amendment, existing study facilities would have the ability to expand permanent parking spaces within the facilities to accommodate tasting room guests, agricultural activities, and event attendees. Expansion of permanent parking spaces could occur on agricultural land; however, the land may not be in current commercial crop production. Section E(1)(a) of the proposed Zoning Text Amendment states, in part, that "...Parking shall not be proposed in existing agriculturally productive land." However, agricultural land not currently in commercial crop production (i.e., fallow land) could be converted for parking purposes. The County does not consider the expansion of permanent parking spaces on the existing study facility sites to constitute conversion of Farmland to non-agricultural use, as the additional parking would be intended to support agricultural uses. For example, as discussed in Chapter 8, Land Use and Planning, of this EIR, per Section 17.10.010 of the Placer County Code, the 'F' zone district, within which eight of the ten study facilities are located, is intended to "provide areas for the conduct of commercial agricultural operations that can also accommodate necessary services to support agricultural uses...". Per Section 17.08.010 of the Placer County Code, wineries are considered 'agricultural/resource/open space uses'. Events at winery/farm brewery facilities are considered 'necessary services' by the owners/operators in terms of their importance in financially supporting on-site agricultural uses. It follows that adequate parking for these events is also necessary and intended to support the viability of on-site agricultural operations.

Based on the above, the proposed project would not convert Farmland, as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural use, or involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use. Therefore, a *less-than-significant* impact would occur.

Mitigation Measure(s)

None required.

4-2 Conflict with General Plan or other policies regarding land use buffers for agricultural operations. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.

Policy 7.B.1 of the Placer County General Plan provides requirements related to land use buffers between urban/suburban areas and agricultural areas. In addition, Section 5.24.040 of the Placer County Code includes the County's Right-to-Farm Ordinance,

which is intended to minimize loss of the County's commercial agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance. The Right-to-Farm Ordinance acknowledges that when non-agricultural uses extend into agricultural areas, agricultural operations often become the subject of nuisance suits. As a result, agricultural operations are sometimes forced to cease or are substantially curtailed. The proposed Zoning Text Amendment would not result in the introduction of non-agricultural land uses adjacent to lands currently used for commercial agricultural operations, as winery uses and support services, such as events, are considered agricultural uses by the County Code, per the above discussion. Thus, the Zoning Text Amendment would not conflict with the County's Right-to-Farm Ordinance.

In addition, the County's buffer requirements, as established by General Plan Policy 1.H.6, are specific to new development occurring within the County. As noted above, the proposed project does not include a proposal for new development and would not lead to the direct physical alteration of the existing wineries and farm breweries. In addition, the buffer requirements are focused on areas with urban/suburban interfaces and agricultural/non-agricultural interfaces. The existing study facilities are all located within rural agricultural areas. Furthermore, the proposed amendments to the existing Winery Ordinance would not alter the General Plan land use or zoning designations of existing wineries and farm breweries within the County or expand the number of zones where by-right development could occur. As such, policies related to land use buffers would not apply to the proposed project.

Based on the above, the proposed project would not conflict with General Plan or other policies regarding land use buffers for agricultural operations. Therefore, a *less-than-significant* impact would occur.

Mitigation Measure(s)

None required.

4-3 Conflict with existing zoning for agricultural use, a Williamson Act contract, or a Right-to-Farm Policy. Based on the analysis below, the impact is *less than significant*.

As shown in Table 4-1, all ten of the existing study facilities within the County are located on land zoned for agricultural use. Two of the existing wineries (Lone Buffalo Vineyards and Rancho Robles) are located on land currently under a Williamson Act Contract.¹² With implementation of the proposed project, the zoning designations and Williamson Act status of the existing winery/farm brewery properties would remain unchanged.

¹² Placer County. *Land Information Search*. Available at: <https://www.placer.ca.gov/departments/communitydevelopment/gis/online%20maps>. Accessed February 2018.

As discussed in Chapter 8, Land Use and Planning, of this EIR, promotional events are currently permitted to occur at all of the existing wineries and farm breweries within the County. While the proposed Zoning Text Amendment would increase the allowable frequency of such events, the events are considered support services for the wineries/farm breweries, which are considered agricultural uses under the County's Code. Thus, increasing the frequency of events at the study facilities would not conflict with existing agricultural zoning. As noted previously, given that the proposed project would not introduce non-agricultural land uses adjacent to lands currently used for commercial agricultural operations, the proposed project would not conflict with the County's Right-to-Farm Ordinance.

Based on the above, the proposed project would not conflict with zoning for agricultural use, a Williamson Act Contract, or the County's Right-to-Farm ordinance, and a *less-than-significant* impact would occur.

Mitigation Measure(s)

None required.

- 4-4 Conflict with forest land or timberland zoning, affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses), or result in the loss of forest land or conversion of forest land to non-forest use. Based on the analysis below, *no impact* would occur.**

As noted previously, none of the existing study facility sites within unincorporated Placer County are zoned for forest land or timberland uses. Furthermore, none of the existing study facility sites are used for, or planned for, timber harvest operations. Based on the analysis presented under Impacts 4-1 through 4-3 above, the proposed project would not have a substantial adverse effect on existing agricultural operations within the County. Therefore, the proposed project would not conflict with forest land or timberland zoning, affect agricultural and timber resources or operations, or result in the loss of forest land or conversion of forest land to non-forest use, and *no impact* would occur.

Mitigation Measure(s)

None required.

5. AIR QUALITY

5

AIR QUALITY

5.1 INTRODUCTION

The Air Quality chapter of the EIR describes the potential impacts of the proposed project on local and regional air quality. The chapter describes existing air quality, direct and indirect emissions associated with the proposed project, and the potential impacts of these emissions on both the local and regional scale. This chapter is based on the Placer County General Plan,¹ the Placer County General Plan EIR,² the Placer County Air Pollution Control District (PCAPCD)'s *CEQA Air Quality Handbook*,³ PCAPCD's *Review of Land Use Projects Under CEQA*,⁴ and technical analysis performed by Raney Planning and Management, Inc.

This chapter focuses on the ten existing medium (10- to 20-acre) and large (greater than 20-acre) parcel size wineries and farm breweries that would be allowed greater flexibility with respect to events under the proposed Zoning Text Amendment. These facilities are shown in Figure 3-1, of the Project Description chapter. Such facilities are referred to as *existing study facilities* throughout this EIR. Potential effects on Air Quality associated with future wineries and farm breweries that would be subject to the proposed project are addressed in Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR.

5.2 EXISTING ENVIRONMENTAL SETTING

The following information provides an overview of the existing air quality setting in the proposed project area. In this section, the climate and topography of the region, ambient air quality standards (AAQS), attainment status for Placer County, current air quality, odors, and sensitive receptors in the vicinity of the proposed project are discussed.

Air Basin Characteristics

Placer County includes three separate air basins: the Sacramento Valley Air Basin (SVAB), the Mountain Counties Air Basin, and the Lake Tahoe Air Basin. In general, the portion of the County from the western County line to east of Auburn is located within the SVAB, while the portion of the County surrounding Lake Tahoe and encompassing the depression between the crests of the Sierra Nevada and Carson Mountain Ranges to the Nevada state line is included in the Lake Tahoe Air Basin. The remainder of the County is included in the Mountain Counties Air Basin. Although the proposed Zoning Text Amendment would apply Countywide, the existing study facilities are located in the western portion of the County, within the SVAB. Regardless of air basin, all of

¹ Placer County. *Countywide General Plan Policy Document*. August 1994 (updated May 2013).

² Placer County. *Countywide General Plan EIR*. July 1994.

³ Placer County Air Pollution Control District. *CEQA Air Quality Handbook*. October 11, 2012.

⁴ Placer County Air Pollution Control District. *Review of Land Use Projects Under CEQA*. October 13, 2016.

Placer County falls under the jurisdictional boundaries of the PCAPCD. Considering that all of the existing study facilities are located within the SVAB portion of the County, climactic conditions within the SVAB portion of the County are discussed below.

Air flows into the SVAB through the Carquinez Strait, moves across the Delta and carries pollutants from the heavily populated San Francisco Bay Area into the SVAB. The climate is characterized by hot, dry summers and cool, rainy winters. Characteristic of SVAB winter weather are periods of dense and persistent low-level fog, which are most prevalent between storms. From May to October, the region's intense heat and sunlight lead to high ozone concentrations. Prevailing winds are from the south and southwest, and as a result of prevailing winds coming generally from south to southwest, air quality in the area is heavily influenced by mobile and stationary sources of air pollution located upwind in the Sacramento Metropolitan Area.

Most precipitation in the SVAB results from air masses moving in from the Pacific Ocean during the winter months. Storms usually move through the area from the west or northwest. During the winter rainy season (November through February) over half the total annual precipitation falls while the average winter temperature is a moderate 49 degrees Fahrenheit. During the summer, daytime temperatures can exceed 100 degrees Fahrenheit. Dense fog occurs mostly in mid-winter and rarely in the summer. Daytime temperatures from April through October average between 60 and 80 degrees Fahrenheit with low humidity. The inland location and surrounding mountains shelter the valley from much of the ocean breeze that keeps the coastal regions moderate in temperature. The only breach in the mountain barrier is the Carquinez Strait, which exposes the midsection of the valley to the coastal air mass.

Air quality in Placer County is also affected by inversion layers, which occur when a layer of warm air traps a layer of cold air, preventing vertical dispersion of air contaminants. The presence of an inversion layer results in higher concentrations of pollutants near ground level. Summer inversions are strong and frequent, but are less troublesome than those that occur in the fall. Autumn inversions, formed by warm air subsiding in a region of high pressure, have accompanying light winds that do not provide adequate dispersion of air pollutants.

Air quality in the County is influenced by both local and distant emission sources. Air pollutant sources in the vicinity of existing wineries and farm breweries include emissions from vehicle traffic on Interstate 80 (I-80), State Route (SR) 65 and other nearby roadways, emissions from locomotives along railways within the County, and emissions from farm equipment. Other sources of air pollutants in the area include activities associated with commercial, residential, agricultural and industrial land uses.

Ambient Air Quality Standards

Both the U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established ambient air quality standards for common pollutants. The federal standards are divided into primary standards, which are designed to protect the public health, and secondary standards, which are designed to protect the public welfare. The ambient air quality standards for each contaminant represent safe levels that avoid specific adverse health effects. Pollutants for which air quality standards have been established are called “criteria” pollutants.

Table 5-1 identifies the major pollutants, characteristics, health effects and typical sources. The federal and California ambient air quality standards (NAAQS and CAAQS, respectively) are summarized in Table 5-2. The NAAQS and CAAQS were developed independently with differing purposes and methods. As a result, the federal and State standards differ in some cases. In general, the State of California standards are more stringent than the federal standards, particularly for ozone and particulate matter (PM).

A description of each criteria pollutant and its potential health effects is provided in the following section.

Ozone

Ozone is a reactive gas consisting of three oxygen atoms. In the troposphere, ozone is a product of the photochemical process involving the sun's energy, and is a secondary pollutant formed as a result of a complex chemical reaction between reactive organic gases (ROG) and oxides of nitrogen (NO_x) emissions in the presence of sunlight. As such, unlike other pollutants, ozone is not released directly into the atmosphere from any sources. In the stratosphere, ozone exists naturally and shields Earth from harmful incoming ultraviolet radiation. The primary source of ozone precursors is mobile sources, including cars, trucks, buses, construction equipment, and agricultural equipment.

Ground-level ozone reaches the highest level during the afternoon and early evening hours. High levels occur most often during the summer months. Ground-level ozone is a strong irritant that could cause constriction of the airways, forcing the respiratory system to work harder in order to provide oxygen. Ozone at the Earth's surface causes numerous adverse health effects and is a major component of smog. High concentrations of ground level ozone can adversely affect the human respiratory system and aggravate cardiovascular disease and many respiratory ailments.

Due to the numerous variables associated with the formation of ozone, determination of the proportion of the ground level ozone concentration at any given location attributable to any one source of emissions is difficult and requires a high-level of specified knowledge in the field and access to leading-edge technology. An industry standard methodology and/or modeling program for such an analysis does not exist at this time. Typically, health effects associated with ozone are addressed in association with the ambient level of ozone. As such, the AAQS for ozone is the level at which a health effect is expected to occur as a result of ozone in the ambient air. A specific, industry standard ratio numerically correlating specific health effects associated with varying concentrations of ground level ozone is not known at this time.

Reactive Organic Gas

ROG is a reactive chemical gas composed of hydrocarbon compounds typically found in paints and solvents that contributes to the formation of smog and ozone by involvement in atmospheric chemical reactions. A separate health standard does not exist for ROG. However, some compounds that make up ROG are toxic, such as the carcinogen benzene.

**Table 5-1
Summary of Criteria Pollutants**

Pollutant	Characteristics	Health Effects	Major Sources
Ozone	A highly reactive gas produced by the photochemical process involving a chemical reaction between the sun's energy and other pollutant emissions. Often called photochemical smog.	<ul style="list-style-type: none"> • Eye irritation • Wheezing, chest pain, dry throat, headache, or nausea • Aggravated respiratory disease such as emphysema, bronchitis, and asthma 	Combustion sources such as factories, automobiles, and evaporation of solvents and fuels.
Carbon Monoxide	An odorless, colorless, highly toxic gas that is formed by the incomplete combustion of fuels.	<ul style="list-style-type: none"> • Impairment of oxygen transport in the bloodstream • Impaired vision, reduced alertness, chest pain, and headaches • Can be fatal in the case of very high concentrations 	Automobile exhaust, combustion of fuels, and combustion of wood in woodstoves and fireplaces.
Nitrogen Dioxide	A reddish-brown gas that discolors the air and is formed during combustion of fossil fuels under high temperature and pressure.	<ul style="list-style-type: none"> • Lung irritation and damage • Increased risk of acute and chronic respiratory disease 	Automobile and diesel truck exhaust, industrial processes, and fossil-fueled power plants.
Sulfur Dioxide	A colorless, irritating gas with a rotten egg odor formed by combustion of sulfur-containing fossil fuels.	<ul style="list-style-type: none"> • Aggravation of chronic obstruction lung disease • Increased risk of acute and chronic respiratory disease 	Diesel vehicle exhaust, oil-powered power plants, and industrial processes.
Particulate Matter (PM ₁₀ and PM _{2.5})	A complex mixture of extremely small particles and liquid droplets that can easily pass through the throat and nose and enter the lungs.	<ul style="list-style-type: none"> • Aggravation of chronic respiratory disease • Heart and lung disease • Coughing • Bronchitis • Chronic respiratory disease in children • Irregular heartbeat • Nonfatal heart attacks 	Combustion sources such as automobiles, power generation, industrial processes, and wood burning. Also from unpaved roads, farming activities, and fugitive windblown dust.
Lead	A metal found naturally in the environment as well as in manufactured products.	<ul style="list-style-type: none"> • Loss of appetite, weakness, apathy, and miscarriage • Lesions of the neuromuscular system, circulatory system, brain, and gastrointestinal tract 	Industrial sources and combustion of leaded aviation gasoline.

Sources:

- California Air Resources Board. *California Ambient Air Quality Standards (CAAQS)*. Available at: <http://www.arb.ca.gov/research/aaqs/caaqs/caaqs.htm>. Accessed March 2017.
- Sacramento Metropolitan, El Dorado, Feather River, Placer, and Yolo-Solano Air Districts, *Spare the Air* website. *Air Quality Information for the Sacramento Region*. Available at: <http://www.sparetheair.com/health.cfm?page=healthoverall>. Accessed March 2017.
- California Air Resources Board. *Glossary of Air Pollution Terms*. Available at: <http://www.arb.ca.gov/html/gloss.htm>. Accessed March 2017.

Table 5-2 Ambient Air Quality Standards				
Pollutant	Averaging Time	CAAQS	NAAQS	
			Primary	Secondary
Ozone	1 Hour	0.09 ppm	-	Same as primary
	8 Hour	0.070 ppm	0.070 ppm	
Carbon Monoxide	8 Hour	9 ppm	9 ppm	-
	1 Hour	20 ppm	35 ppm	
Nitrogen Dioxide	Annual Mean	0.030 ppm	53 ppb	Same as primary
	1 Hour	0.18 ppm	100 ppb	-
Sulfur Dioxide	24 Hour	0.04 ppm	-	-
	3 Hour	-	-	0.5 ppm
	1 Hour	0.25 ppm	75 ppb	-
Respirable Particulate Matter (PM ₁₀)	Annual Mean	20 ug/m ³	-	Same as primary
	24 Hour	50 ug/m ³	150 ug/m ³	
Fine Particulate Matter (PM _{2.5})	Annual Mean	12 ug/m ³	12 ug/m ³	15 ug/m ³
	24 Hour	-	35 ug/m ³	Same as primary
Lead	30 Day Average	1.5 ug/m ³	-	-
	Calendar Quarter	-	1.5 ug/m ³	Same as primary
Sulfates	24 Hour	25 ug/m ³	-	-
Hydrogen Sulfide	1 Hour	0.03 ppm	-	-
Vinyl Chloride	24 Hour	0.010 ppm	-	-
Visibility Reducing Particles	8 Hour	see note below	-	-
ppm = parts per million ppb = parts per billion ug/m ³ = micrograms per cubic meter Note: Statewide Visibility Reducing Particle Standard (except Lake Tahoe Air Basin): Particles in sufficient amount to produce an extinction coefficient of 0.23 per kilometer when the relative humidity is less than 70 percent. This standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range. Source: California Air Resources Board. Ambient Air Quality Standards. May 4, 2016. Available at: http://www.arb.ca.gov/research/aaqs/aaqs2.pdf . Accessed March 2017.				

Oxides of Nitrogen

NO_x are a family of gaseous nitrogen compounds and are precursors to the formation of ozone and particulate matter. The major component of NO_x, nitrogen dioxide (NO₂), is a reddish-brown gas that discolors the air and is toxic at high concentrations. NO_x results primarily from the combustion of fossil fuels under high temperature and pressure. On-road and off-road motor vehicles and fuel combustion are the major sources of NO_x.

NO_x reacts with ROG to form smog, which could result in adverse impacts to human health, damage the environment, and cause poor visibility. Additionally, NO_x emissions are a major

component of acid rain. Health effects related to NO_x include lung irritation and lung damage and can cause increased risk of acute and chronic respiratory disease.

Carbon Monoxide

Carbon monoxide (CO) is a colorless, odorless, poisonous gas produced by incomplete burning of carbon-based fuels such as gasoline, oil, and wood. When CO enters the body, the CO combines with chemicals in the body, which prevents blood from carrying oxygen to cells, tissues, and organs. Symptoms of exposure to CO can include problems with vision, reduced alertness, and general reduction in mental and physical functions. Exposure to CO can result in chest pain, headaches, reduced mental alertness, and death at high concentrations.

Sulfur Dioxide

Sulfur Dioxide (SO₂) is a colorless, irritating gas with a rotten egg odor formed primarily by the combustion of sulfur-containing fossil fuels from mobile sources, such as locomotives, ships, and off-road diesel equipment. SO₂ is also emitted from several industrial processes, such as petroleum refining and metal processing. Similar to airborne NO_x, suspended sulfur oxide particles contribute to poor visibility. The sulfur oxide particles are also a component of PM₁₀.

Particulate Matter

Particulate matter, also known as particle pollution or PM, is a complex mixture of extremely small particles and liquid droplets. Particle pollution is made up of a number of components, including acids (such as nitrates and sulfates), organic chemicals, metals, and soil or dust particles. The size of particles is directly linked to their potential for causing health impacts. The USEPA is concerned about particles that are 10 micrometers in diameter or smaller (PM₁₀) because those are the particles that generally pass through the throat and nose and enter the lungs. Once inhaled, the particles could affect the heart and lungs and cause serious health effects. USEPA groups particle pollution into three categories based on their size and where they are deposited:

- "Inhalable coarse particles (PM_{2.5-10})," which are found near roadways and dusty industries, are between 2.5 and 10 micrometers in diameter. PM_{2.5-10} is deposited in the thoracic region of the lungs.
- "Fine particles (PM_{2.5})," which are found in smoke and haze, are 2.5 micrometers in diameter and smaller. PM_{2.5} particles could be directly emitted from sources such as forest fires, or could form when gases emitted from power plants, industries, and automobiles react in the air. They penetrate deeply into the thoracic and alveolar regions of the lungs.
- "Ultrafine particles (UFP)," are very, very small particles (less than 0.1 micrometers in diameter) largely resulting from the combustion of fossil fuels, meat, wood, and other hydrocarbons. While UFP mass is a small portion of PM_{2.5}, their high surface area, deep lung penetration, and transfer into the bloodstream could result in disproportionate health impacts relative to their mass. UFP is not currently regulated separately, but is analyzed as part of PM_{2.5}.

PM₁₀, PM_{2.5-10}, and UFP include primary pollutants, which are emitted directly to the atmosphere and secondary pollutants, which are formed in the atmosphere by chemical reactions among precursors. Generally speaking, PM_{2.5} and UFP are emitted by combustion sources like vehicles, power generation, industrial processes, and wood burning, while PM₁₀ sources include the same sources plus roads and farming activities. Fugitive windblown dust and other area sources also represent a source of airborne dust. Long-term PM pollution, especially fine particles, could result in significant health problems including, but not limited to, the following: increased respiratory symptoms, such as irritation of the airways, coughing or difficulty breathing; decreased lung function; aggravated asthma; development of chronic respiratory disease in children; development of chronic bronchitis or obstructive lung disease; irregular heartbeat; heart attacks; and increased blood pressure.

Lead

Lead is a relatively soft and chemically resistant metal that is a natural constituent of air, water, and the biosphere. Lead is neither created nor destroyed in the environment, and, thus, essentially persists forever. Lead forms compounds with both organic and inorganic substances. As an air pollutant, lead is present in small particles. Sources of lead emissions in California include a variety of industrial activities. Gasoline-powered automobile engines were a major source of airborne lead through the use of leaded fuels. The use of leaded fuel has been mostly phased out, with the result that ambient concentrations of lead have dropped dramatically. However, because lead was emitted in large amounts from vehicles when leaded gasoline was used, lead is present in many soils (especially urban soils) as a result of airborne dispersion and could become re-suspended into the air.

Because lead is only slowly excreted by the human body, exposures to small amounts of lead from a variety of sources could accumulate to harmful levels. Effects from inhalation of lead above the level of the ambient air quality standard may include impaired blood formation and nerve conduction. Lead can adversely affect the nervous, reproductive, digestive, immune, and blood-forming systems. Symptoms could include fatigue, anxiety, short-term memory loss, depression, weakness in the extremities, and learning disabilities in children. Lead also causes cancer.

Sulfates

Sulfates are the fully oxidized ionic form of sulfur and are colorless gases. Sulfates occur in combination with metal and/or hydrogen ions. In California, emissions of sulfur compounds occur primarily from the combustion of petroleum-derived fuels (e.g., gasoline and diesel fuel) that contain sulfur. The sulfur is oxidized to SO₂ during the combustion process and subsequently converted to sulfate compounds in the atmosphere. The conversion of SO₂ to sulfates takes place comparatively rapidly and completely in urban areas of California due to regional meteorological features.

The sulfates standard established by CARB is designed to prevent aggravation of respiratory symptoms. Effects of sulfate exposure at levels above the standard include a decrease in ventilatory function, aggravation of asthmatic symptoms, and an increased risk of cardio-pulmonary disease.

Sulfates are particularly effective in degrading visibility, and, because they are usually acidic, can harm ecosystems and damage materials and property.

Hydrogen Sulfide

Hydrogen Sulfide (H₂S) is associated with geothermal activity, oil and gas production, refining, sewage treatment plants, and confined animal feeding operations. Hydrogen sulfide is extremely hazardous in high concentrations, especially in enclosed spaces (800 ppm can cause death).

Vinyl Chloride

Vinyl Chloride (C₂H₃Cl, also known as VCM) is a colorless gas that does not occur naturally, but is formed when other substances such as trichloroethane, trichloroethylene, and tetrachloroethylene are broken down. Vinyl chloride is used to make polyvinyl chloride (PVC) which is used to make a variety of plastic products, including pipes, wire and cable coatings, and packaging materials.

Visibility Reducing Particles

Visibility Reducing Particles are a mixture of suspended particulate matter consisting of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. The standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range.

Toxic Air Contaminants

In addition to the criteria pollutants discussed above, Toxic Air Contaminants (TACs) are another category of environmental concern. TACs are present in many types of emissions with varying degrees of toxicity. Sources of TACs include industrial processes such as petroleum refining and chrome plating operations, commercial operations such as gasoline stations and dry cleaners, and motor vehicle exhaust. Car and truck exhaust contains at least 40 different TACs. In terms of health risks, the most volatile contaminants are diesel particulate matter (DPM), benzene, formaldehyde, 1,3-butadiene and acetaldehyde. Gasoline vapors contain several TACs, including benzene, toluene, and xylenes. Public exposure to TACs can result from emissions from normal operations as well as accidental releases.

Health risks from TACs are a function of both the concentration of emissions and the duration of exposure, which typically are associated with long-term exposure and the associated risk of contracting cancer. Health effects of exposure to TACs other than cancer include birth defects, neurological damage, and death. Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State, and federal level. The identification, regulation, and monitoring of TACs is relatively new compared to criteria air pollutants that have established AAQS. TACs are regulated or evaluated on the basis of risk to human health rather than comparison to an AAQS or emission-based threshold.

Naturally Occurring Asbestos

Another concern related to air quality is naturally occurring asbestos (NOA). Asbestos is a term used for several types of naturally-occurring fibrous minerals found in many parts of California. The most common type of asbestos is chrysotile, but other types are also found in California. When rock containing asbestos is broken or crushed, asbestos fibers may be released and become airborne. Exposure to asbestos fibers may result in health issues such as lung cancer, mesothelioma (a rare cancer of the thin membranes lining the lungs, chest and abdominal cavity), and asbestosis (a non-cancerous lung disease which causes scarring of the lungs). Because asbestos is a known carcinogen, NOA is considered a TAC. Sources of asbestos emissions include: unpaved roads or driveways surfaced with ultramafic rock; construction activities in ultramafic rock deposits; or rock quarrying activities where ultramafic rock is present.

NOA is typically associated with fault zones, and areas containing serpentinite or contacts between serpentinite and other types of rocks. According to the *Special Report 190: Relative Likelihood for the Presence of Naturally Occurring Asbestos in Placer County, California* prepared by the Department of Conservation, the majority of areas within the County likely to contain NOA are within the central and eastern portions of the County. All of the existing study facilities, are located in the western portion of the County, the majority of which is not considered likely to contain NOA; however, some existing wineries and farm breweries may be located in areas moderately likely to contain NOA.⁵

Attainment Status and Regional Air Quality Plans

The Federal Clean Air Act (FCAA) and the California Clean Air Act (CCAA) require all areas of California to be classified as attainment, nonattainment, or unclassified as to their status with regard to the federal and/or State AAQS. The FCAA and CCAA require that the CARB, based on air quality monitoring data, designate portions of the State where the federal or State AAQS are not met as “nonattainment areas.” Because of the differences between the national and State standards, the designation of nonattainment areas is different under the federal and State legislation. The CCAA requires local air pollution control districts to prepare air quality attainment plans. These plans must provide for district-wide emission reductions of five percent per year averaged over consecutive three-year periods or, provide for adoption of “all feasible measures on an expeditious schedule.”

As presented in Table 5-3 under the CCAA, Placer County has been designated nonattainment for the State one-hour ozone, State and federal eight-hour ozone and State PM₁₀ standards. The County is designated attainment or unclassified for all other AAQS. Due to the nonattainment designations, the PCAPCD, along with the other air districts in the SVAB region, is required to develop plans to attain the federal and State standards for ozone and particulate matter. The air quality plans include emissions inventories to measure the sources of air pollutants, to evaluate how well different control measures have worked, and show how air pollution would be reduced. In addition, the plans include the estimated future levels of pollution to ensure that the area would

⁵ Department of Conservation, California Geological Survey. *Special Report 190: Relative Likelihood for the Presence of Naturally Occurring Asbestos in Placer County, California*. Published 2006.

meet air quality goals. Each of the attainment plans currently in effect are discussed in further detail in the Regulatory Context section of this chapter.

Local Air Quality Monitoring

Air quality is monitored by CARB at various locations to determine which air quality standards are being violated, and to direct emission reduction efforts, such as developing attainment plans and rules, incentive programs, etc. Several air quality monitoring stations are maintained within Placer County.

Table 5-3 Placer County Attainment Status Designations			
Pollutant	Averaging Time	California Standards	Federal Standards
Ozone	1 Hour	Nonattainment	Revoked in 2005
	8 Hour	Nonattainment	Nonattainment
Carbon Monoxide	8 Hour	Attainment	Attainment
	1 Hour	Attainment	Attainment
Nitrogen Dioxide	Annual Mean	Attainment	Attainment
	1 Hour	Attainment	Attainment
Sulfur Dioxide	Annual Mean	Attainment	-
	24 Hour	Attainment	-
	3 Hour	Attainment	-
	1 Hour	Attainment	-
Respirable Particulate Matter (PM₁₀)	Annual Mean	Nonattainment	-
	24 Hour	Nonattainment	-
Fine Particulate Matter (PM_{2.5})	Annual Mean	Attainment	-
	24 Hour	Attainment	Attainment
Lead	30 Day Average	Attainment	Attainment
	Calendar Quarter	Attainment	Attainment
	Rolling 3-Month Average	Attainment	Attainment
Sulfates	24 Hour	Attainment	-
Hydrogen Sulfide	1 Hour	-	-
Visibility Reducing Particles	8 Hour	-	-

Source: California Air Resources Board. Area Designations Maps / State and National. Published December 2015.

Considering the location of existing wineries and farm breweries, the stations considered most representative of the ambient air quality conditions for existing wineries and farm breweries are the Lincoln-1445 1st Street Station and the Auburn-11645 Atwood Road Station. Information for the Lincoln-1445 1st Street Station is presented in Table 5-4, while information from the Auburn-11645 Atwood Road Station is presented in Table 5-5, below. Both tables present the number of days that the State and federal AAQS were exceeded for the three-year period from 2014 to 2016.

Odors

While offensive odors rarely cause physical harm, they can be unpleasant, leading to considerable annoyance and distress among the public and can generate citizen complaints to local governments

and air districts. Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, quantitative or formulaic methodologies to determine the presence of a significant odor impact do not exist. Adverse effects of odors on residential areas and other sensitive receptors warrant the closest scrutiny; but consideration should also be given to other land use types where people congregate, such as recreational facilities, worksites, and commercial areas. The potential for an odor impact is dependent on a number of variables including the nature of the odor source, distance between a receptor and an odor source, and local meteorological conditions.

Table 5-4				
Air Quality Data Summary for the Lincoln-1445 1st Street Station (2014-2016)				
Pollutant	Standard	Days Standard Was Exceeded		
		2014	2015	2016
1-Hour Ozone	State	1	2	3
	Federal	0	0	0
8-Hour Ozone	State	4	5	12
	Federal	1	2	8
24-Hour PM _{2.5} ¹	Federal	-	-	-
24-Hour PM ₁₀ ²	State	0	1	0
	Federal	0	0	0
1-Hour Nitrogen Dioxide ²	State	0	0	0
	Federal	0	0	0
¹ Insufficient data available to determine values				
² 24-Hour PM ₁₀ and 1-Hour Nitrogen Dioxide data from Roseville-N Sunrise Boulevard Station				
Source: California Air Resources Board, Aerometric Data Analysis and Management (iADAM) System, http://www.arb.ca.gov/adam/welcome.html , accessed March 2018.				

Table 5-5				
Air Quality Data Summary for the Auburn-11645 Atwood Road Station (2014-2016)				
Pollutant	Standard	Days Standard Was Exceeded		
		2014	2015	2016
1-Hour Ozone	State	0	0	0
	Federal	1	4	5
8-Hour Ozone	State	17	16	27
	Federal	6	10	15
24-Hour PM _{2.5}	Federal	4	1	0
24-Hour PM ₁₀ ¹	State	-	-	-
	Federal	-	-	-
1-Hour Nitrogen Dioxide ¹	State	-	-	-
	Federal	-	-	-
¹ 24-Hour PM ₁₀ and 1-Hour Nitrogen Dioxide not monitored at Auburn-11645 Station				
Source: California Air Resources Board, Aerometric Data Analysis and Management (iADAM) System, http://www.arb.ca.gov/adam/welcome.html , accessed March 2018.				

One of the most important factors influencing the potential for an odor impact to occur is the distance between the odor source and receptors, also referred to as a buffer zone or setback. The

greater the distance between an odor source and receptor, the less concentrated the odor emission would be when reaching the receptor.

Meteorological conditions also affect the dispersion of odor emissions, which determines the exposure concentration of odiferous compounds at receptors. The predominant wind direction in an area influences which receptors are exposed to the odiferous compounds generated by a nearby source. Receptors located upwind from a large odor source may not be affected due to the produced odiferous compounds being dispersed away from the receptors. Wind speed also influences the degree to which odor emissions are dispersed away from any area. Certain land uses such as wastewater treatment and conveyance facilities, landfills, confined animal facilities, composting operations, food manufacturing plants, refineries, and chemical plants have the potential to generate considerable odors.

Sensitive Receptors

Some land uses are considered more sensitive to air pollution than others, due to the types of population groups or activities involved. Children, pregnant women, the elderly, and those with existing health problems are especially vulnerable to the effects of air pollution. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, day care centers, playgrounds, and medical facilities. Residences are located in proximity to all existing study facilities. However, all study facilities are located on parcel sizes greater than 10 acres, and the rural nature of much of the County generally results in separation of nearby residences from property lines of parcels containing existing study facilities. The Casque at Flower Farm winery site is located in proximity to the greatest number of other residences, with low density residential developments located to the east and west of the Casque at Flower Farm winery site.

Existing Study Facilities

The operation of existing study facilities within the County results in the emission of air pollutants from various sources. For instance, during the fermentation process, the sugars in grape juice or wort are converted to alcohol (ethanol), some of which is released to the atmosphere. Ethanol is considered a VOC, and, thus, fermentation is a source of VOC emissions.⁶ Additionally, agricultural activities, such as the application of fertilizer or pesticides can result in the emission of VOCs. Land disturbance associated with various agricultural activities, including soil tilling or weed removal, can result in the emission of dust, which, once airborne, is considered PM, while the operation of agricultural machinery, such as diesel-powered tractors, is a source of DPM. Other sources of emissions are less specific to winemaking, brewing, or farming, with sources related to energy consumption, mobile emissions from vehicles traveling to and from existing study facilities, and emissions related to grounds keeping or site maintenance.

5.3 REGULATORY CONTEXT

Air quality is monitored and regulated through the efforts of various international, federal, State, and local government agencies. Agencies work jointly and individually to improve air quality

⁶ California Air Resources Board. *Food & Agriculture: Wine Fermentation*. Updated March 2005.

through legislation, regulations, planning, policy-making, education, and a variety of programs. The agencies responsible for regulating and improving the air quality within the project area are discussed below.

Federal Regulations

The most prominent federal regulation is the FCAA, which is implemented and enforced by the USEPA.

FCAA and USEPA

The FCAA requires the USEPA to set NAAQS and designate areas with air quality not meeting NAAQS as nonattainment. The USEPA is responsible for enforcement of NAAQS for atmospheric pollutants and regulates emission sources that are under the exclusive authority of the federal government including emissions of greenhouse gases (GHGs). The USEPA's air quality mandates are drawn primarily from the FCAA, which was signed into law in 1970. Congress substantially amended the FCAA in 1977 and again in 1990. The USEPA has adopted policies consistent with FCAA requirements demanding states to prepare SIPs that demonstrate attainment and maintenance of the NAAQS.

State Regulations

California has adopted a variety of regulations aimed at reducing air pollution emissions. Only the most prominent and applicable California air quality-related legislation is included below; however, an exhaustive list and extensive details of California air quality legislation can be found at the CARB website (<http://www.arb.ca.gov/html/lawsregs.htm>).

CCAA and CARB

The CARB is the agency responsible for coordination and oversight of State and local air pollution control programs in California and for implementing the CCAA. The CCAA requires that air quality plans be prepared for areas of the State that have not met the CAAQS for ozone, CO, NO_x, and SO₂. Among other requirements of the CCAA, the plans must include a wide range of implementable control measures, which often include transportation control measures and performance standards. In order to implement the transportation-related provisions of the CCAA, local air pollution control districts have been granted explicit authority to adopt and implement transportation controls. The CARB, California's air quality management agency, regulates and oversees the activities of county air pollution control districts and regional air quality management districts. The CARB regulates local air quality indirectly using State standards and vehicle emission standards, by conducting research activities, and through planning and coordinating activities. In addition, the CARB has primary responsibility in California to develop and implement air pollution control plans designed to achieve and maintain the NAAQS established by the USEPA. Furthermore, the CARB is charged with developing rules and regulations to cap and reduce GHG emissions.

Air Quality and Land Use Handbook

CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB Handbook) addresses the importance of considering health risk issues when siting sensitive land uses, including residential development, in the vicinity of intensive air pollutant emission sources including freeways or high-traffic roads, distribution centers, ports, petroleum refineries, chrome plating operations, dry cleaners, and gasoline dispensing facilities.⁷ The CARB Handbook draws upon studies evaluating the health effects of traffic traveling on major interstate highways in metropolitan California centers within Los Angeles (I-405 and I-710), the San Francisco Bay, and San Diego areas. The recommendations identified by CARB, including siting residential uses a minimum distance of 500 feet from freeways or other high-traffic roadways, are consistent with those adopted by the State of California for location of new schools. Specifically, the CARB Handbook recommends, "Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day" (CARB 2005).

Importantly, the Introduction section of the CARB Handbook clarifies that the guidelines are strictly advisory, recognizing that: "[l]and use decisions are a local government responsibility. The Air Resources Board Handbook is advisory and these recommendations do not establish regulatory standards of any kind." CARB recognizes that there may be land use objectives as well as meteorological and other site-specific conditions that need to be considered by a governmental jurisdiction relative to the general recommended setbacks, specifically stating, "[t]hese recommendations are advisory. Land use agencies have to balance other considerations, including housing and transportation needs, economic development priorities, and other quality of life issues" (CARB 2005).

Assembly Bill 1807

Assembly Bill (AB) 1807, enacted in September 1983, sets forth a procedure for the identification and control of TACs in California. CARB is responsible for the identification and control of TACs, except pesticide use, which is regulated by the California Department of Pesticide Regulation.

AB 2588

The Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588), California Health and Safety Code Section 44300 et seq., provides for the regulation of over 200 TACs, including DPM, and is the primary air contaminant legislation in California. Under the act, local air districts may request that a facility account for its TAC emissions. Local air districts then prioritize facilities on the basis of emissions, and high priority designated facilities are required to submit a health risk assessment and communicate the results to the affected public.

⁷ California Air Resources Board. *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005.

Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations

In 2002, the Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Title 17, Section 93105, of the California Code of Regulations) went into effect, which requires each air pollution control and air quality management district to implement and enforce the requirements of Section 93105 and propose their own asbestos ATCM as provided in Health and Safety Code section 39666(d).⁸

Senate Bill 656

In 2003, the Legislature passed Senate Bill (SB) 656 to reduce public exposure to PM₁₀ and PM_{2.5} above the State CAAQS. The legislation requires the CARB, in consultation with local air pollution control and air quality management districts, to adopt a list of the most readily available, feasible, and cost-effective control measures that could be implemented by air districts to reduce PM₁₀ and PM_{2.5} emissions. The CARB list is based on California rules and regulations existing as of January 1, 2004, and was adopted by CARB in November 2004. Categories addressed by SB 656 include measures for reduction of emissions associated with residential wood combustion and outdoor greenwaste burning, fugitive dust sources such as paved and unpaved roads and construction, combustion sources such as boilers, heaters, and charbroiling, solvents and coatings, and product manufacturing. Some of the measures include, but are not limited to, the following:

- Reduce or eliminate wood-burning devices allowed;
- Prohibit residential open burning;
- Permit and provide performance standards for controlled burns;
- Require water or chemical stabilizers/dust suppressants during grading activities;
- Limit visible dust emissions beyond the project boundary during construction;
- Require paving/curbing of roadway shoulder areas; and
- Require street sweeping.

Under SB 656, each air district is required to prioritize the measures identified by CARB, based on the cost effectiveness of the measures and their effect on public health, air quality, and emission reductions. Per SB 656 requirements, the PCAPCD amended their Rule 225 related to wood-burning appliances to include conditions consistent with SB 656, including such conditions as the prohibition of the installation of any new, permanently installed, indoor or outdoor, uncontrolled wood-burning appliances.

Heavy-Duty Vehicle Idling Emission Reduction Program

On July 22, 2004, CARB initially adopted an Airborne Toxic Control Measure (ATCM) to limit idling of diesel-fueled commercial motor vehicles, which was subsequently amended on October 20,

⁸ California Air Resources Board. 2002-07-29 *Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations*. June 3, 2015. Available at: <http://www.arb.ca.gov/toxics/atcm/asb2atcm.htm>. Accessed April 2017.

2005, October 19, 2009, and December 12, 2013.⁹ The regulation consists of new engine and in-use truck requirements and emission performance requirements for technologies used as alternatives to idling the truck's main engine. For example, the regulation requires 2008 and newer model year heavy-duty diesel engines to be equipped with a non-programmable engine shutdown system that automatically shuts down the engine after five minutes of idling, or optionally meet a stringent NO_x emission standard. The regulation also requires operators of both in-state and out-of-state registered sleeper berth equipped trucks to manually shut down their engine when idling more than five minutes at any location within California beginning in 2008. Emission producing alternative technologies such as diesel-fueled auxiliary power systems and fuel-fired heaters are also required to meet emission performance requirements that ensure emissions are not exceeding the emissions of a truck engine operating at idle.

In-Use Off-Road Diesel Vehicle Regulation

On July 26, 2007, CARB adopted a regulation to reduce DPM and NO_x emissions from in-use (existing), off-road, heavy-duty diesel vehicles in California.¹⁰ Such vehicles are used in construction, mining, and industrial operations. The regulation is designed to reduce harmful emissions from vehicles by subjecting fleet owners to retrofit or accelerated replacement/repower requirements, imposing idling limitations on owners, operators, renters, or lessees of off-road diesel vehicles. The idling limits require operators of applicable off-road vehicles (self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on-road) to limit idling to less than five minutes. The idling requirements are specified in Title 13 of the California Code of Regulations.

Local

The most prominent local regulations related to air quality are established by the PCAPCD and the Placer County General Plan.

PCAPCD

The PCAPCD regulates many sources of pollutants in the ambient air, and is responsible for implementing certain programs and regulations for controlling air pollutant emissions to improve air quality in order to attain federal and State AAQS.

Air Quality Attainment Plan

As a part of the SVAB federal ozone nonattainment area, the PCAPCD works with the other local air districts within the Sacramento area to develop a regional air quality management plan under the FCAA requirement. The regional air quality management plan is called the State

⁹ California Air Resources Board. *Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling*. July 7, 2016. Available at: <http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm>. Accessed November 2018.

¹⁰ California Air Resources Board. *In-Use Off-Road Diesel-Fueled Fleets Regulation*. October 18, 2018. Available at: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. Accessed November 2018.

Implementation Plan (SIP) which describes and demonstrates how Placer County, as well as the Sacramento nonattainment area, would attain the required federal ozone standard by the proposed attainment deadline. In accordance with the requirements of the FCAA, the PCAPCD, along with the other air districts in the region, prepared the *Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan* (Ozone Attainment Plan), adopted by the PCAPCD on February 19, 2009. The CARB determined that the Ozone Attainment Plan met federal Clean Air Act requirements and approved the Plan on March 26, 2009 as a revision to the SIP. Revisions to the Placer County portion of the SIP or Ozone Attainment Plan were made and adopted on August 11, 2011. In addition, an update to the plan, *2013 Revisions to the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan* (2013 Ozone Attainment Plan), has been prepared and was adopted on September 26, 2013, and approved by CARB as a revision to the SIP on November 21, 2013. The 2013 Ozone Attainment Plan was approved by the USEPA on January 9, 2015.

The 2013 Ozone Attainment Plan demonstrates how existing and new control strategies would provide the necessary future emission reductions to meet the FCAA requirements, including the NAAQS. It should be noted that in addition to strengthening the 8-hour ozone NAAQS, the USEPA also strengthened the secondary 8-hour ozone NAAQS, making the secondary standard identical to the primary standard. The SVAB remains classified as a severe nonattainment area for ozone with an attainment deadline of 2027. On October 26, 2015, the USEPA released a final implementation rule for the revised NAAQS for ozone to address the requirements for reasonable further progress, modeling and attainment demonstrations, and reasonably available control measures (RACM) and reasonably available control technology (RACT). On April 30, 2018, the USEPA published designations for areas in attainment/unclassifiable for the 2015 ozone standards. The USEPA identified the portions of Placer County within the SVAB as nonattainment for the 2015 ozone standards.¹¹ Due to the designation of the SVAB as nonattainment for the 2015 standards, the PCAPCD will work with other regional air districts to prepare a new ozone SIP for the revised 2015 standards.

Because the attainment status of the project site for the 2015 ozone standards is currently unknown, but the project site is located within the current nonattainment area for the 2008 ozone standards, the project would be subject to the requirements set forth in the 2013 Ozone Attainment Plan, as enforced by PCAPCD through rules and regulations.

PCAPCD Rules and Regulations

All projects under the jurisdiction of the PCAPCD are required to comply with all applicable PCAPCD rules and regulations. In addition, PCAPCD permit requirements apply to many commercial activities (e.g., print shops, drycleaners, gasoline stations), and other miscellaneous activities (e.g., demolition of buildings containing asbestos). The proposed project is required to comply with all applicable PCAPCD rules and regulations, which shall be noted on County-approved construction plans. The PCAPCD regulations and rules include, but are not limited to, the following:

¹¹ U.S. Environmental Protection Agency. *Nonattainment and Unclassifiable Area Designations for the 2015 Ozone Standards*. April 30, 2018.

Regulation 2 – Prohibitions

Regulation 2 is comprised of prohibitory rules that are written to achieve emission reductions from specific source categories. The rules are applicable to existing sources as well as new sources. Examples of prohibitory rules include Rule 202 related to visible emissions, Rule 217 related to asphalt paving materials, Rule 218 related to architectural coatings, Rule 228 related to fugitive dust, Rule 205 related to nuisance, and Rule 225 related to wood-burning appliances.

Rule 228 sets forth requirements necessary to comply with the Asbestos Airborne Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Title 17, Section 93105, of the California Code of Regulations), as discussed above. Rule 228 requires projects involving earth-disturbing activities to implement various dust control measures, such as minimizing track-out on to paved public roadways, limiting vehicle travel on unpaved surfaces to 15 miles per hour, and stabilization of storage piles and disturbed areas.

Regulation 5 – Permits

Regulation 5 is intended to provide an orderly procedure for the review of new sources, and modification and operation of existing sources, of air pollution through the issuance of permits. Regulation 5 primarily deals with permitting major emission sources and includes, but is not limited to, rules such as General Permit Requirements (Rule 501), New Source Review (Rule 502), Emission Statement (Rule 503), Emission Reduction Credits (Rule 504), and Toxics New Source Review (Rule 513).

Placer County General Plan

The following goals and policies related to air quality are from the Placer County General Plan:

Air Quality – General

Goal 6.F To protect and improve air quality in Placer County.

Policy 6.F.2 The County shall develop mitigation measures to minimize stationary source and area source emissions.

Policy 6.F.3 The County shall support the Placer County Air Pollution Control District (PCAPCD) in its development of improved ambient air quality monitoring capabilities and the establishment of standards, thresholds, and rules to more adequately address the air quality impacts of new development.

Policy 6.F.4 The County shall solicit and consider comments from local and regional agencies on proposed projects that may affect regional air quality.

- Policy 6.F.5 The County shall encourage project proponents to consult early in the planning process with the County regarding the applicability of Countywide indirect and areawide source programs and transportation control measures (TCM) programs. Project review shall also address energy-efficient building and site designs and proper storage, use, and disposal of hazardous materials.
- Policy 6.F.6 The County shall require project-level environment review to include identification of potential air quality impacts and designation of design and other appropriate mitigation measures or offset fees to reduce impacts. The County shall dedicate staff to work with project proponents and other agencies in identifying, ensuring the implementation of, and monitoring the success of mitigation measures.
- Policy 6.F.7 The County shall encourage development to be located and designed to minimize direct and indirect air pollutants.
- Policy 6.F.8 The County shall submit development proposals to the PCAPCD for review and comment in compliance with CEQA prior to consideration by the appropriate decision-making body.
- Policy 6.F.9 In reviewing project applications, the County shall consider alternatives or amendments that reduce emissions of air pollutants.
- Policy 6.F.10 The County may require new development projects to submit an air quality analysis for review and approval. Based on this analysis, the County shall require appropriate mitigation measures consistent with the PCAPCD's 1991 Air Quality Attainment Plan (or updated edition).
- Policy 6.F.11 The County shall apply the buffer standards described in Part I of [the General Plan] Policy Document and meteorological analyses to provide separation between possible emission/nuisance sources (such as industrial and commercial uses) and residential uses.

Air Quality – Transportation/Circulation

- Goal 6.G To integrate air quality planning with the land use and transportation planning process.
- Policy 6.G.1 The County shall require new development to be planned to result in smooth flowing traffic conditions for major roadways. This includes traffic signals and traffic signal coordination, parallel roadways, and intra- and inter-neighborhood connections where significant reductions in overall emissions can be achieved.

Policy 6.G.2 The County shall continue and, where appropriate, expand the use of synchronized traffic signals on roadways susceptible to emissions improvement through approach control.

Policy 6.G.7 The County shall require stationary-source projects that generate significant amounts of air pollutants to incorporate air quality mitigation in their design.

5.4 IMPACTS AND MITIGATION MEASURES

The standards of significance and methodology used to analyze and determine the proposed project's potential impacts related to air quality are described below. In addition, a discussion of the project's impacts is also presented.

Standards of Significance

Based on the recommendations of PCAPCD and in coordination with the County, consistent with Appendix G of the CEQA Guidelines and the County's Initial Study Checklist, the effects of a project are evaluated to determine if they would result in a significant adverse impact on the environment. For the purposes of this EIR, an impact is considered significant if the proposed project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations (including localized CO concentrations and TAC emissions); or
- Result in other emissions (such as those leading to odors) affecting a substantial number of people.

Criteria Pollutant Emissions and TAC Emissions

In order to evaluate air pollutant emissions from development projects, the PCAPCD established significance thresholds for emissions of ROG, NO_x, and PM₁₀. The significance thresholds, expressed in pounds per day (lbs/day), serve as air quality standards in the evaluation of air quality impacts associated with proposed development projects. Thus, if a proposed project's emissions exceed the PCAPCD thresholds, the project could have a significant effect on regional air quality and attainment of federal and State AAQS. The significance thresholds, expressed in pounds per day (lbs/day), listed in Table 5-6 are the PCAPCD's recommended thresholds of significance for use in the evaluation of air quality impacts associated with proposed development projects.

Table 5-6 PCAPCD Thresholds of Significance		
Pollutant	Construction Threshold (lbs/day)	Operational/Cumulative Threshold (lbs/day)
ROG	82	55
NO _x	82	55
PM ₁₀	82	82
<i>Source: Placer County Air Pollution Control District. Placer County Air Pollution Control District Policy. Review of Land Use Projects Under CEQA. October 13, 2016.</i>		

As discussed in Chapter 3, Project Description, of this EIR, and in further depth below, the proposed Zoning Text Amendment does not constitute a development project that would lead to the direct physical development of any new wineries or farm breweries, nor would the proposed Zoning Text Amendment be anticipated to result directly in the physical alteration of existing study facilities. Therefore, while the proposed project would not result in emissions related to physical development, the project would have the potential to result in increased emissions from events at existing study facilities. If emissions related to increased event activity exceed the pollutant thresholds presented in Table 5-6, the project could have a significant effect on air quality, the attainment of federal and State AAQS, and could conflict with or obstruct implementation of the applicable air quality plan.

In addition to the thresholds presented in Table 5-6, the PCAPCD has developed screening criteria for determining whether a project would cause substantial localized CO emissions at a given intersection. If the project would result in CO emissions from vehicle operations in excess of 550 lbs/day and either of the following conditions are met, the project could potentially result in substantial concentrations of localized CO and further analysis would be required:

- Degrade the peak hour level of service (LOS) on one or more streets or at one or more intersections (both signalized and non-signalized) in the project vicinity from an acceptable LOS (i.e., LOS A, B, C, or D) to an unacceptable LOS (i.e., LOS E or F); or
- Substantially worsen (i.e., increase delay by 10 seconds or more when project-generated traffic is included) an already existing unacceptable peak hour LOS on one or more streets or at one or more intersections in the project vicinity.

For TAC emissions, if a project would introduce a new source of TACs or a new sensitive receptor near an existing source of TACs that would not meet the CARB's minimum recommended setback, a detailed health risk assessment may be required. The PCAPCD considers an increase in cancer risk levels of more than 10 in one million persons or a non-cancer hazard index greater than 1.0 to be a significant impact related to TACs.

GHG Emissions

The project's incremental contribution towards a cumulative increase in criteria pollutants (i.e., the third bullet point in the list above), as well as impacts related to GHG emissions and global climate change, are addressed in Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR.

Method of Analysis

The analysis protocol and guidance provided by the PCAPCD's *CEQA Air Quality Handbook* was used to analyze the proposed project's air quality impacts, including screening criteria and pollutant thresholds of significance.

The proposed Zoning Text Amendment would not lead to the direct physical alteration of the existing study facilities within the County. Rather, the proposed Zoning Text Amendment would redefine "event" to distinguish between Agricultural Promotional Events and Special Events. Agricultural Promotional Events would include events with 50 attendees (excluding staff) or less at one time and would be directly related to the education and marketing of wine and craft beer to consumers. Special Events would include events with greater than 50 attendees (excluding staff) at one time where the agricultural-related component is subordinate to the primary purpose of the event. The proposed Zoning Text Amendment would allow the existing study facilities to hold an unlimited number of Agricultural Promotional Events, whereas the eight existing, medium parcel-sized study facilities could hold up to six Special Events per year, and the two existing, large parcel-sized study facilities could hold up to 12 Special Events per year. Such by-right allowances would not directly result in construction activity within existing wineries and farm breweries. While the proposed Zoning Text Amendment would provide greater flexibility in the number of allowable events at existing study facilities, the proposed Zoning Text Amendment would not alter other aspects of operations at existing study facilities. For instance, the allowance for production volumes of existing study facilities would remain unchanged under the proposed Zoning Text Amendment, and, thus, the proposed Zoning Text Amendment would not allow for increased production activity not already permitted for such facilities. Additionally, the operation of tasting rooms within existing study facilities would not be affected by the proposed project. Considering that production and other operational aspects of existing study facilities would remain unchanged under the proposed Zoning Text Amendment, emission of air pollutants from non-event related operations of existing study facilities is anticipated to remain unchanged following implementation of the proposed Zoning Text Amendment. Therefore, the proposed Zoning Text Amendment is not considered to involve any construction related activity or changes in non-event operational activity that could result in air quality related impacts, and only potential future emissions related to events held under the proposed Zoning Text Amendment are further analyzed below.

Emissions related to events held at existing study facilities would originate primarily from mobile sources, such as the vehicles used by event attendees to access the event locations. To a much lesser degree, events would also include emissions resulting from the consumption of energy, the preparation of food, or other such activities that directly or indirectly release small amounts of emissions. Although events would include emissions originating from non-mobile sources, such emissions during an event would be substantively similar to emissions that would occur during normal tasting room operations. For instance, both normal tasting room operations and events would require the use of lighting for indoor and outdoor spaces, heating or air conditioning, and may include food preparation. As such, whether an event is occurring at an existing study facility or the existing study facility is operating under normal conditions, such operations would result in some non-mobile sourced emissions. Although the proposed project may result in slightly increased amounts of such emissions, for instance the consumption of energy due to the use of amplified speakers for music events where such speakers may not otherwise be used, such activity

would result in relatively small changes in emissions. Consequently, the overall change in non-mobile sources emissions resulting from implementation of the proposed project would not be anticipated to be substantive. However, because the proposed Zoning Text Amendment could result in an increase in vehicle traffic to and from the existing study facilities, the proposed project could result in substantive changes to mobile sourced emissions related to operations of existing study facilities. Considering the potential for such a change in mobile sourced emissions to occur, the potential emissions related to increased event activity have been estimated and further analyzed.

Event-related mobile emissions occurring following implementation of the proposed project were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 software - a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify air quality emissions from land use projects. The model applies inherent default values for various land uses, including trip generation rates based on the ITE Manual, vehicle mix, trip length, average speed, etc. However, where project-specific data was available, such data was input into the model. For instance, the project-specific trip generation rates provided by KD Anderson & Associates, Inc. were applied to the project modeling.¹² In keeping with the methodology used in the analysis of potential impacts related to transportation and circulation, presented in Chapter 10 of this EIR, the overall weighted average trip generation rates associated with Agricultural Promotional Events and Special events enabled by the proposed Zoning Text Amendment was applied to the existing study facilities to identify vehicle trips associated with such events. As shown in Table 10-14 of Chapter 10, Transportation and Circulation, within this EIR, the total daily weighted average trip rate resulting from events at all existing study facilities would be 904 daily trips. Consequently, the CalEEMod inputs were adjusted to produce an emissions estimate representing the sum of potential emissions that would occur across all existing study facilities during an event day.

It should be noted, that consistent with the discussion of non-mobile sourced emissions above, the CalEEMod inputs were not adjusted to reflect emissions from other non-mobile operational sources of emissions, because such sources would remain largely unchanged with implementation of the proposed project. Therefore, the emissions estimates presented and analyzed within this chapter only reflect the potential mobile-sourced emissions resulting from the event-related trip rates discussed above.

The results of emissions estimations were compared to the standards of significance discussed above in order to determine the associated level of impact. All CalEEMod modeling results are included in Appendix E to this EIR.

Project-Specific Impacts and Mitigation Measures

The following discussion of impacts is based on implementation of the proposed project in comparison with the standards of significance identified above.

¹² KD Anderson & Associates, Inc. *Traffic Impact Analysis for Placer County Winery and Farm Brewery Ordinance*. September 11, 2018.

5-1 Conflict with or obstruct implementation of the applicable air quality plan. Based on the analysis below, the impact is *less than significant*.

As discussed above, due to the nonattainment designations of the area, the PCAPCD has developed plans to attain the State and federal standards for ozone and particulate matter. The currently applicable air quality plan is the 2013 Ozone Attainment Plan. Adopted PCAPCD rules and regulations, as well as the thresholds of significance, have been developed with the intent to ensure continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated nonattainment, consistent with the applicable air quality plan. Thus, if a project's operational emissions exceed the PCAPCD's mass emission thresholds, a project would be considered to conflict with or obstruct implementation of the PCAPCD's air quality planning efforts, and potentially contribute towards health effects in the region.

The proposed Zoning Text Amendment would not lead to the direct physical alteration of the existing study facilities within the County, nor would the proposed Zoning Text Amendment result in changes to production operations of study facilities in a manner not currently allowable under the existing Winery Ordinance. Rather, as discussed in the Method of Analysis section above and in further depth in Chapter 3, Project Description, of this EIR, the proposed Zoning Text Amendment would result in changes to the regulation of events at existing study facilities. Thus, while the proposed Zoning Text Amendment would not result in physical changes to existing study facilities or changes in production at such facilities, the proposed Zoning Text Amendment is anticipated to result in changes to the number of events held at existing study facilities within the County.

As discussed in the Method of Analysis section above, events at existing study facilities would primarily result in emissions of ROG, NO_x, and PM₁₀ from mobile sources. Although other activities, such as the use of space heaters, and the consumption of energy may result in direct or indirect emissions, similar emissions would occur during normal tasting room operations. Considering that emissions from non-mobile sources would occur during normal operations of existing study facilities, the proposed Zoning Text Amendment would not result in substantive changes to such emissions, and such emissions constitute a relatively small proportion of total emissions related to event and non-event operations of existing study facilities, emissions from non-mobile sources are not quantitatively analyzed in this chapter. However, given the potential for the proposed Zoning Text Amendment to result in increased event-related vehicle traffic, mobile-source emissions for events have been quantitatively analyzed.

Considering the above, mobile source emissions were estimated using CalEEMod based on the methodology discussed in the Method of Analysis section of this chapter. The resultant mobile-sourced emissions estimated for future events under the proposed Zoning Text Amendment are presented in Table 5-7.

Table 5-7		
Maximum Unmitigated Mobile Source Event Emissions (lbs/day)		
Pollutant	Estimated Event-Related Emissions	PCAPCD Significance Threshold
ROG	1.81	55
NO _x	8.86	55
PM ₁₀	2.34	82

Source: CalEEMod, October 2018 (see Appendix E).

As shown in the table, mobile source emissions resulting from event days would be below the PCAPCD thresholds of significance, and, thus, would not be considered to contribute substantially to the region's nonattainment status of, and health effects associated with, ozone or PM.

Concern regarding the potential for event vehicle traffic to result in increased dust generation has been expressed through public comment. Dust is a form of PM pollution, and would be included in the PM₁₀ emissions estimation presented in Table 5-7. As shown in Table 5-7, the proposed project would not result in PM₁₀ emissions in excess of the PCAPCD's thresholds of significance. The estimation of PM₁₀ emissions includes factors such as the percentage of roads within the County that are paved and unpaved; thus, considering that the PM₁₀ emissions would be far below the PCAPCD's thresholds and County roadway conditions have been considered, implementation of the proposed Zoning Text Amendment would not be anticipated to result in substantial dust emissions.

As discussed in the Method of Analysis section of this chapter, the emissions estimates presented in Table 5-7 are based on the trip generation forecasts presented in Tables 10-12 through 10-14 of the Transportation and Circulation chapter of this EIR. By using the trip generation forecasts presented in the Transportation and Circulation chapter of this EIR, the emissions estimates in Table 5-7 represent the anticipated average emissions during an event day where all existing study facilities are holding two events. As discussed in Chapter 10 of this EIR, the trip generation rates used to generate the emissions estimates in Table 5-7, are considered to represent a conservative scenario for analysis; however, the possibility exists that specific mixes of events held across all existing study facilities could result in a peak daily vehicle trip rate that exceeds the anticipated average event day trip rates. For instance, if all medium-sized existing study facilities held rolling agricultural promotional events and a second regular agricultural promotional event, while both large sized existing study facilities held a special event and a regular agricultural promotional event, the total daily trip rate under that specific scenario may slightly exceed the daily trip rates presented in Table 10-14 of Chapter 10. In the unlikely scenario that such an event day were to occur, the peak daily emissions may slightly exceed the emissions estimation presented in Table 5-7 above. While such a scenario may result in higher peak daily emissions, because the estimated emissions presented in Table 5-7 are far below the PCAPCD's thresholds of significance, the potential emissions on a peak day would likely fall under the PCAPCD's thresholds as well. Moreover, the specific mix of events across all existing study facilities to create such a peak day emission scenario would be unlikely to occur and, should such conditions occur at all, would occur on an infrequent basis.

Considering the low likelihood that such peak day event conditions would occur, the infrequency with which such conditions could occur, and that emissions from such peak days would be anticipated to remain below the PCAPCD's thresholds of significance, overall project operations would not be considered to contribute substantially to the region's nonattainment status of ozone or PM.

Therefore, implementation of the proposed Zoning Text Amendment would not conflict with and/or obstruct implementation of the PCAPCD's air quality planning efforts, and impacts related to long-term operational emissions of criteria air pollutants associated with development of the proposed project would be *less than significant*.

Mitigation Measure(s)

None required.

5-2 Expose sensitive receptors to substantial pollutant concentrations. Based on the analysis below, the impact is *less than significant*.

The major pollutants of concern are localized CO emissions and TAC emissions, which are addressed below. Effects of criteria pollutant emissions on sensitive receptors is also addressed below.

Localized CO Emissions

Localized concentrations of CO are related to the levels of traffic and congestion along streets and at intersections. Implementation of the proposed Zoning Text Amendment could lead to increased vehicle volumes on streets near existing study facilities. Concentrations of CO approaching the AAQS are only expected where background levels are high, and traffic volumes and congestion levels are high. The statewide CO Protocol document identifies signalized intersections operating at Level of Service (LOS) E or F, or projects that would result in the worsening of signalized intersections to LOS E or F, as having the potential to result in localized CO concentrations in excess of AAQS, as a result of large numbers of cars idling at stop lights.¹³ In accordance with the statewide CO Protocol, the PCAPCD has established screening methodology for localized CO emissions, which are intended to provide a conservative indication of whether project-generated vehicle trips would result in the generation of localized CO emissions that would contribute to an exceedance of AAQS and potentially expose sensitive receptors to substantial CO concentrations. Per the PCAPCD's screening methodology, if adoption of the proposed Zoning Text Amendment would lead to vehicle operations producing more than 550 lbs/day of CO emissions and if either of the following scenarios are true, the project could result in localized CO emissions that would violate CO standards:

- Degrade the peak hour level of service (LOS) on one or more streets or at one or more intersections (both signalized and non-signalized) in the project vicinity from

¹³ University of California, Davis. *Transportation Project-Level Carbon Monoxide Protocol*. December 1997.

- an acceptable LOS (i.e., LOS A, B, C, or D) to an unacceptable LOS (i.e., LOS E or F); or
- Substantially worsen an already existing unacceptable peak hour LOS on one or more streets or at one or more intersections in the project vicinity. “Substantially worsen” includes an increase in delay at an intersection by 10 seconds or more when project-generated traffic is included.

According to the Air Quality analysis performed for mobile emissions related to increased event activity, implementation of the proposed Zoning Text Amendment would result in maximum mobile source CO emissions of 13.81 lbs/day on days (see Appendix E). Consequently, CO emissions related to future event activity following implementation of the proposed project would be far below the 550 lbs/day screening threshold used by PCAPCD. Therefore, according to the PCAPCD’s screening methodology for localized CO emissions, implementation of the proposed Zoning Text Amendment would not be expected to generate localized CO emissions that would contribute to an exceedance of AAQS, and implementation of the proposed Zoning Text Amendment would not expose sensitive receptors to substantial concentrations of localized CO.

TAC Emissions

As stated above, if a project would introduce a new source of TACs, a detailed health risk assessment may be required. The PCAPCD considers an increase in cancer risk levels of more than 10 in one million persons or a non-cancer hazard index greater than 1.0 to be a significant impact related to TACs.

The CARB has identified DPM from diesel-fueled engines as a TAC; thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from DPM. Health risks from TACs are a function of both the concentration of emissions and the duration of exposure. Health-related risks associated with DPM in particular are primarily associated with long-term exposure and associated risk of contracting cancer. Operational-related emissions of TACs are typically associated with stationary diesel engines or land uses that involve heavy truck traffic or idling. Such land uses include facilities (distribution centers) associated with 100 or more heavy-duty diesel trucks per day as a source of substantial DPM emissions.

The proposed Zoning Text Amendment would not lead to the direct physical alteration of the existing study facilities, such that any new source of TACs would be installed within existing winery and farm brewery facilities. Rather, as discussed in the Method of Analysis section above and in further depth in Chapter 3, Project Description, of this EIR, the proposed Zoning Text Amendment would result in changes to the regulation of events at existing study facilities. Such changes in the regulation of events may result in changes to operational patterns related to events, but would not be anticipated to result in the installation of permanent sources of TACs, such as stationary generators.

Changes to the frequency of events may result in changes to vehicle travel patterns to and from the existing facilities, primarily related to event attendees. Although events operations may involve some level of heavy-duty diesel truck trips, such as the transportation of grapes, equipment, or other goods, the overall number of heavy-duty truck trips per facility would likely be low, if occurring at all, and would not be substantially altered by the proposed Zoning Text Amendment. Therefore, the proposed project would not result in operations of existing facilities exceeding 100 heavy-duty trucks per day at any of the existing study facilities. Some future patrons of Agricultural Promotional Events or Special Events may own diesel-fueled vehicles and use such vehicles to access events. However, emissions from passenger vehicles are typically less intense than from heavy-duty trucks, and events at study facilities would not be of sufficient size to attract a large enough number of diesel fueled passenger vehicles to equal 100 heavy-duty truck trips. Consequently, the proposed Zoning Text Amendment would not result in any existing study facilities within the County being considered a distribution center.

Events at existing study facilities under the proposed project would not be anticipated to include any other activities that would be considered substantial sources of TACs. Because events at existing study facilities would not result in emissions of substantial concentrations of TACs, including DPM, operation of existing study facilities following implementation of the proposed Zoning Text Amendment would not result in an increase in cancer risk levels of more than 10 in one million persons or a non-cancer hazard index greater than 1.0, and existing nearby sensitive receptors would not be exposed to substantial pollutant concentrations from mobile sources.

Naturally Occurring Asbestos

The majority of existing study facilities are located within portions of the County considered to be least likely to contain NOA. However, some of the existing study facilities located relatively farther east and north within the County may be located in areas identified as moderately likely to contain NOA.¹⁴

As discussed throughout this chapter, the proposed Zoning Text Amendment is not considered a development project and would not directly result in land disturbance within any existing study facilities. While the proposed Zoning Text Amendment would not directly result in land disturbances, following implementation of the proposed Zoning Text Amendment owners/operators of existing study facilities may choose to expand permanent on-site parking to accommodate future guests. Although such potential future expansions of parking areas are speculative at this time, such activity would include ground-disturbing activity, which, if conducted in areas moderately likely to contain NOA, could result in the disturbance of NOA. However, the PCAPCD requires that any project disturbing more than one acre of land implement standard dust control measures, and projects may be required to implement an Asbestos Dust Mitigation Plan during ground-disturbing activities, when

¹⁴ Department of Conservation, California Geological Survey. *Special Report 190: Relative Likelihood for the Presence of Naturally Occurring Asbestos in Placer County, California*. Published 2006.

NOA is suspected to be present.¹⁵ Additionally, for projects less than one acre in size, PCAPCD Rule 228 requires that general fugitive dust standards be met, which include minimization and dust control measures. The compliance with the foregoing PCAPCD Rule and with related PCAPCD guidance would ensure that any potential future grading activity related to parking, although speculative at this time, would not result in the release of NOA and subsequent exposure of sensitive receptors to such material.

Criteria Pollutants

As noted in Table 5-1, exposure to criteria air pollutants can result in adverse health effects. The AAQS presented in Table 5-2 are health-based standards designed to ensure safe levels of criteria pollutants that avoid specific adverse health effects. Because the SVAB is designated as nonattainment for State and federal eight-hour ozone and State PM₁₀ standards, the PCAPCD, along with other air districts in the SVAB region, has adopted federal and state attainment plans to demonstrate progress towards attainment of the AAQS. Full implementation of the attainment plans would ensure that the AAQS are attained and sensitive receptors within the SVAB are not exposed to excess concentrations of criteria pollutants. The PCAPCD's thresholds of significance were established with consideration given to the health-based air quality standards established by the AAQS, and are designed to aid the district in implementing the applicable attainment plans to achieve attainment of the AAQS.¹⁶ Thus, if a project's criteria pollutant emissions exceed the PCAPCD's mass emission thresholds of significance, a project would be considered to conflict with or obstruct implementation of the PCAPCD's air quality planning efforts, thereby delaying attainment of the AAQS. Because the AAQSs are representative of safe levels that avoid specific adverse health effects, a project's hinderance of attainment of the AAQS could be considered to contribute towards regional health effects associated with the existing nonattainment status of ozone and PM₁₀ standards.

However, as discussed in Impact 5-1, implementation of the proposed Zoning Text Amendment would not result in exceedance of the PCAPCD's thresholds of significance. Consequently, implementation of the proposed Zoning Text Amendment would not conflict with the PCAPCD's adopted attainment plans nor would the proposed Zoning Text Amendment inhibit attainment of regional AAQS. Therefore, implementation of the proposed Zoning Text Amendment would not contribute towards regional health effects associated with the existing nonattainment status of ozone and PM₁₀ standards.

Conclusion

In conclusion, implementation of the proposed Zoning Text Amendment would not be anticipated to result in the creation of substantial concentrations of mobile sourced DPM, fugitive NOA, other TACs, criteria pollutants, or localized CO. Therefore, the proposed

¹⁵ Placer County Air Pollution Control District. *Asbestos Dust Mitigation Plan (ADMP) Guidance For Naturally-Occurring Asbestos*. May 21, 2014.

¹⁶ Placer County Air Pollution Control District. *CEQA Air Quality Handbook* [pg. 20]. November 21, 2017.

project would not result in the exposure of sensitive receptors to substantial pollutant concentrations, and a *less-than-significant* impact would result.

Mitigation Measure(s)

None required.

5-3 Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Based on the analysis below, the impact is *less than significant*.

Emissions of pollutants have the potential to adversely affect sensitive receptors within the project area. Pollutants of principal concern include emissions leading to odors, visible emission (including dust), or emissions considered to constitute air pollutants. Air pollutants have been discussed in Impacts 5-1 through 5-2 above. Therefore, the following discussion focuses on emissions of odors and visible emissions.

Odors

Certain land uses such as wastewater treatment and conveyance facilities, landfills, confined animal facilities, composting operations, food manufacturing plants, refineries, chemical plants, quarries, and construction yards have the potential to generate emissions (such as those leading to odors or dust) that could adversely affect nearby receptors. The proposed Zoning Text Amendment would not allow any new land uses within existing study facilities in the County. Rather, the proposed Zoning Text Amendment would allow the existing facilities to hold an unlimited number of Agricultural Promotional Events, and for the two existing facilities on parcels greater than 20 acres, an additional six Special Events per year. Therefore, the proposed Zoning Text Amendment would not result in the introduction of new land uses that would have the potential to create emissions that could adversely affect nearby receptors.

Although the proposed Zoning Text Amendment would not allow for the introduction of new land uses within existing study facilities, Agricultural Promotional Events and Special Events may involve activities such as food preparation, which could result in emissions of odiferous compounds. Section 17.56.330 (E) (6) of the proposed Zoning Text Amendment includes specific regulations related to the preparation of food at existing study facilities. As articulated in Section 17.56.330 (E) (6), if food is prepared on-site as part of the operation of the existing study facility, food may only be prepared in a permitted commercial kitchen. Commercial kitchens must comply with all State and local regulations associated with cooking equipment and controls, such as grease filtration and removal systems, exhaust hood systems, and blowers to move air into the hood systems, through air cleaning equipment, and then outdoors. Such equipment would ensure that pollutants associated with smoke and exhaust from cooking surfaces would be captured and filtered, allowing only filtered air to be released into the atmosphere. Alternatively, the proposed Zoning Text Amendment would allow for other options for the provision of food at existing study facilities, such as self-contained mobile food facilities (food trucks) or off-site preparation of food by a caterer. Both the food truck and caterer would be subject to all

relevant permitting requirements of the County's Environmental Health Division, and would represent infrequent, temporary sources of on-site odors from limited food preparation. Additionally, should a Temporary Outdoor Event (TOE) be held within an existing study facility, food booths may be operated; however, TOE's are subject to regulation under Section 17.56.300 of the Placer County Code, would occur infrequently, and food prepared at such events would be required to comply with all relevant health codes including regulation by the County's Environmental Health Division. Consequently, food preparation at existing study facilities would be strictly regulated, would likely occur infrequently, and, thus, would be unlikely to result in significant impacts related to the emission of odors at existing study facilities.

It should be noted that in addition to the regulations discussed above related to food preparation, the County regulates the disposal of putrescible wastes, such as food waste, under Article 8.16 of Placer County's Code of Ordinances. Article 8.16 prohibits waste storage practices that would create unpleasant odors, and requires putrescible waste to be kept within proper designed and maintained containers that include lids to control odiferous emissions. Consequently, should food be prepared during potential future events at existing study facilities, food waste must be handled in a manner that would avoid the creation and emission of unpleasant odors.

Visible Emissions

As defined in PCAPCD Rule 202, visible emissions may be smoke, dust, or any other substance that obscures an observer's view based on standardized scales of opacity. Visible emissions may result from the use of internal combustion engines, such as smoke from diesel fueled equipment, the burning of vegetation, or the upset and release of soil as dust.

PCAPCD Rule 202 specifically prohibits any person from discharging visible emissions of any air contaminant for a period or periods aggregating to more than three minutes in any one-hour time. Operators of existing study facilities would be subject to Rule 202, and compliance with Rule 202 would ensure that operations of existing study facilities would not result in substantial visible emissions.

As discussed under Impact 5-1, the potential for event activity at existing study facilities to result in the emission of substantial amounts of dust has been considered. Dust is a form of PM pollution, and would be included in the calculated PM₁₀ emissions presented in Table 5-7. The PCACPD's thresholds for PM₁₀ are based on attainment goals for the health-based AAQS. Because implementation of the proposed project would not result in emission of PM₁₀ in excess of the PCAPCD's thresholds of significance, dust emissions resulting from implementation of the proposed Zoning Text Amendment would not be considered significant and would not be anticipated to conflict with the health-based AAQS. Consequently, implementation of the proposed Zoning Text Amendment would not result in emissions of dust adversely affecting a substantial number of people.

Conclusion

In addition to the regulations and modeling results discussed above, PCAPCD Rule 205, Nuisance, addresses the exposure of “nuisance or annoyance” air contaminant discharges, which would include odors and visible emissions, and provides enforcement of nuisance control. Rule 205 is complaint-based, where if public complaints are sufficient to cause the emission source to be considered a public nuisance, then the PCAPCD is required to investigate the identified source, as well as determine and ensure a solution for the source of the complaint, which could include operational modifications to correct the nuisance condition. Thus, although not anticipated, if air pollutant complaints are made during future Agricultural Promotional Events or Special Events, the PCAPCD would be required (per PCAPCD Rule 205) to ensure that such complaints are addressed and mitigated, as necessary.

For the aforementioned reasons, the proposed Zoning Text Amendment would not result in other emissions (such as those leading to odors) that could adversely affect a substantial number of people, and impacts would be *less than significant*.

Mitigation Measure(s)

None required.

6. BIOLOGICAL RESOURCES

6

BIOLOGICAL RESOURCES

6.1 INTRODUCTION

The purpose of the Biological Resources Chapter of the EIR is to examine the potential impacts of the Winery and Farm Brewery Zoning Text Amendment Project (proposed project) on biological resources located on existing winery and farm brewery sites throughout unincorporated Placer County. Documents referenced to prepare this chapter include the Placer County General Plan¹ and the Placer County General Plan EIR.²

This chapter focuses on the ten existing medium (10- to 20-acre) and large (>20 acre) parcel-sized wineries and farm breweries that would be subject to the proposed project, which are shown in Figure 3-1 of the Project Description chapter. Such facilities are referred to as *existing study facilities* throughout this EIR. Potential effects on biological resources associated with future wineries and farm breweries that would be subject to the proposed project are addressed in Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR.

6.2 EXISTING ENVIRONMENTAL SETTING

The following sections generally describe the biological communities occurring on existing study facilities sites throughout the County, and the special-status plant and animal species that may be present in such communities.

Biological Communities

The existing study facilities sites within the County are primarily located within the central foothills portion of the County and can be generally characterized as hosting several biological community types including, but not limited to annual grasslands, oak woodlands, riparian woodland, ponds, ruderal areas, agricultural areas, and developed areas. The following section provides an overview of each type of biological community and describes what communities are present on each existing study facility.

Annual Grasslands

In western Placer County annual grasslands are dominated by nonnative grasses. Despite the prevalence of nonnative grasses, annual grassland habitats throughout the County continue to provide habitat for native plant species, such as native bulbs, as well as early- and late-season

¹ Placer County. *Countywide General Plan Policy Document*. August 1994 (updated May 2013).

² Placer County. *Countywide General Plan EIR*. July 1994.

wildflowers. Two State-listed plants and five other special-status plant species are known to occur in annual grasslands within the County.³

Annual grassland habitats are used by approximately 100 vertebrate species, 34 of which breed in grassland areas, while 64 species are considered visitors to the annual grassland areas and do not use such areas for breeding purposes. Annual grassland habitats occur between elevations of approximately 38 and 1,850 feet above sea level.⁴

Many of the existing study facilities within the County feature areas of annual grassland habitat.

Oak Woodlands

The existing study facility sites within the County include varying oak woodland habitats of varying densities and make-up. In general, oak woodland habitats range from zones dominated by oak trees and allies such as foothill pines, to oak woodland-savanna ecosystems with canopy coverages less than 30 percent over a given area. Areas characterized by denser oak woodlands with canopy coverages exceeding 30 percent often support an assemblage of native shrubs and herbaceous plants in the understory. Meanwhile, oak woodland-savanna areas generally support a sparser shrub layer interspersed throughout annual grasses. Despite the differences in understory composition and character, both oak woodland and oak woodland-savanna ecosystems may provide habitat for approximately 14 special-status plant species. In addition to the special-status plant species, as many as 152 vertebrate species use oak woodland habitats, of which between 10 and 15 species using such habitats are considered special-status.⁵ Oak woodland habitats occur between 73 feet and 2,221 feet of elevation.

Riparian Woodland

Stands of deciduous trees near perennial or intermittent streams in western Placer County are considered riparian woodland habitats. Hydrologic conditions generally dictate the composition of plant species present in such habitats, but in general riparian woodlands are characterized by water-dependent trees and shrubs that respond to flooding frequency and summer water tables. Riparian woodland habitats are thought to support up to 193 species of vertebrates, with as many as 133 species breeding within riparian woodland habitats throughout Placer County. Riparian woodlands occur in elevations between 45 and 1,780 feet above sea level. Several existing study facilities within the County include areas considered riparian woodland.⁶

Ponds

Ponds within the existing study facility properties in the County are small habitat types that may be used for landscaping or as stock ponds for irrigation water. All of the ponds within existing

³ Placer County Planning Department. *Placer County Natural Resources Report: A Scientific Assessment of Watersheds, Ecosystems and Species of the Phase I Planning Area*. April 2004.

⁴ *Ibid.*

⁵ *Ibid.*

⁶ *Ibid.*

study facilities lack well-developed riparian vegetation. Native amphibians and invertebrates may use stock ponds, but can be impacted by nonnative fish species. Artificial ponds are attractive to waterfowl, raptors, swallows, bats, and many other types of wildlife.⁷

Ruderal Areas

Ruderal habitats are defined as areas frequently disturbed by human activity. The frequent disturbance of such areas limits the habitat value of ruderal areas, and allows for only sparse and weedy vegetation. Most plants found in ruderal areas are non-native species of grasses and forbs. The use of ruderal areas by vertebrates is likely incidental and linked more directly to the habitats surrounding ruderal areas, than the ruderal areas themselves.

Agricultural Areas

All of the existing facility sites being considered within the scope of the proposed project include areas for agricultural production such as hop farms or vineyards. Vineyards and row crops, such as hops or barley, typically provide little habitat value. Nonetheless, approximately 52 vertebrate species, may be found within such habitats, with as many as seven species using such habitats for breeding. Aside from the desired agricultural product, other plants, including special-status plants, are typically absent from such areas.⁸

Developed Areas

All of the existing facility sites being considered within the scope of the proposed project include areas that have been developed with structures, hardscapes, and other urban type uses associated with residences, winery structures, and breweries. Vegetation within developed areas is typically limited to landscaping vegetation, which may or may not include native species. However, over time, and depending on the extent of previous disturbance, landscaping and remaining vegetation within developed areas, landscaping vegetation may mature and support greater numbers of native species. Two special-status animals residing within the County are known to use developed areas for habitat.⁹

Habitats Present Within Existing Study Facilities

The habitat types that currently occur within each of the existing study facility properties are generally described below.

⁷ Placer County Planning Department. *Placer County Natural Resources Report: A Scientific Assessment of Watersheds, Ecosystems and Species of the Phase I Planning Area*. April 2004.

⁸ *Ibid.*

⁹ *Ibid.*

Casque at Flower Farm

The Casque at Flower Farm site is primarily comprised of agricultural land, with developed areas related to the winery and other site uses. Agricultural land on the site includes areas used for vine cultivation, orchard trees, as well as a plant and flower nursery. The site also contains wooded areas, which are comprised of a mix of native oaks and ornamental trees.

Ciotti Cellars

The southern portion of the Ciotti Cellars site is predominantly annual grasslands interspersed with developed areas associated with the winery uses. To the north of the developed areas are portions of the site characterized by annual grasslands and oak woodlands. A drainage feature runs diagonally across the northern portion of the Ciotti Cellars site.

Dono Dal Cielo Vineyard and Winery

The majority of the Dono Dal Cielo Vineyard and Winery site is used for grape vine cultivation and associated winery uses. Areas of the site not used for agricultural production contain annual grassland habitat and developed areas. Few scattered ornamental trees exist within the site, with a small number of native oaks in proximity to the developed winery uses.

Goathouse Brewery

The site containing Goathouse Brewery includes a variety of intermixed habitat types. While the predominant habitat type within the Goathouse Brewery site is annual grasslands, oak woodlands, developed areas, ponds, and agricultural areas also exist throughout the site. In general, developed areas are concentrated within the center of the site, with agricultural areas near the southern and northern portions of the site. An irrigation ditch, which runs east to west, bisects the northern portion of the Goathouse Brewery site. Furthermore, two ponds are located within the project site, which are both surrounded by vegetation; however, such vegetation is relatively sparse and is predominantly made up of annual grasses or ruderal vegetation.

Hillenbrand Farmhaus Brewery

The Hillenbrand Farmhaus Brewery site is predominantly annual grassland, with several other habitat types associated with the farm brewery use. Agricultural operations within the site include a hop farm within the annual grassland areas of the site. Developed areas within the site include the brewery and tasting room, along with a residential area. A pond exists within the central portion of the project site and is surrounded by sparse annual grassland and ruderal vegetation. Dutch Ravine is located adjacent to the southern boundary of the Hillenbrand Farmhaus Brewery site. Riparian woodland areas associated with Dutch Ravine extend into the southern portion of the site, and the western portion of the site contains oak woodland areas.

Lone Buffalo Vineyards

The Lone Buffalo Vineyards site contains agricultural areas, developed areas, and oak savanna areas. Existing agricultural areas include vine cultivation areas, generally restricted to the eastern half of the Lone Buffalo Vineyards site. The winery facility and other developed areas are located within the eastern portion of the site as well, with some associated landscaping. The western portion of the site is predominantly oak savanna habitat with scattered individual oaks and groupings of oaks throughout an annual grassland habitat type.

Mt. Vernon Winery

The Mt. Vernon Winery site contains large amounts of vineyard areas, open annual grasslands, and areas developed for winery and associated uses. The parcel containing Mt. Vernon Winery surrounds a portion of North Ravine, which includes streambed and riparian woodland habitats. While the Mt. Vernon Winery parcel surrounds North Ravine, North Ravine is not included in the parcel, and, thus, the Mt. Vernon Winery site does not contain riparian woodland or streambed habitat types. Scattered, mostly isolated native and landscaped trees exist throughout the Mt. Vernon Winery site. The predominant habitat types within the site include annual grassland, agricultural areas, developed areas, and ruderal areas.

Rancho Roble Vineyards

The majority of the Rancho Roble Vineyards site is comprised of oak woodland areas. The vineyard and associated winery uses are located within the southeastern portion of the site. In addition to the landscaping, agricultural, and developed uses within the southern portion of the site, a pond is located within the southern portion of the site as well. The pond is surrounded by annual grasses and does not support any riparian vegetation. A canal bisects the northern portion of the site from east to west. The canal is located within the portion of the site characterized mainly as oak woodland; however, the canal appears maintained and does not support substantial riparian type vegetation.

Vina Castellano Winery

The Vina Castellano Winery is predominantly developed with vineyard, winery, and associated uses. While the majority of the project site is used for vineyard cultivation or has been developed with roads, structures, and parking, some portions of the site remain as oak woodlands. Additionally, a stock pond exists within the site, and, although oak woodland exists in proximity to the stock pond, the area immediately surrounding the pond has been cleared and contains little vegetation other than grass and landscaping.

Wise Villa Winery and Bistro

The majority of the Wise Villa Winery and Bistro site is comprised of vineyard area. Remaining portions of the site include developed areas related to the winery and associated uses, as well as residential uses, parking, and roadways. Due to the extensive use of the site for winery-related

purposes, the site contains little vegetation other than grape vines, landscaped vegetation, and ruderal vegetation.

Wildlife

As discussed above, the various biological communities present within existing study facility sites throughout the County are generally anticipated to provide habitat for native and nonnative species. Of particular concern are special-status species that may exist within the existing study facility sites in the County.

Special-Status Species

Special-status species are species that have been listed as “threatened” or “endangered” under the Federal Endangered Species Act (FESA), California Endangered Species Act (CESA), or are of special concern to federal resource agencies, the State, or private conservation organizations. A species may be considered special-status due to declining populations, vulnerability to habitat change, or restricted distributions. A description of the criteria and laws pertaining to special-status classifications is described below.

Special-status plant species may meet one or more of the following criteria:

- Plants listed or proposed for listing as threatened or endangered under the FESA (50 CFR 17.12 for listed plants and various notices in the Federal Register for proposed species);
- Plants that are candidates for possible future listing as threatened or endangered under the FESA (64 FR 205, October 25, 1999; 57533-57547);
- Plants listed or proposed for listing by the State of California as threatened or endangered under the CESA (14 California Code of Regulations [CCR] 670.5);
- Plants that meet the definitions of rare or endangered species under the California Environmental Quality Act (CEQA) (CEQA Guidelines, Section 15380); or
- Plants considered by the California Native Plant Society (CNPS) to be “rare, threatened, or endangered” in California (Lists 1A, 1B, and 2 species in CNPS [2001]).

Special-status wildlife species may meet one or more of the following criteria:

- Wildlife listed or proposed for listing as threatened or endangered under the FESA (50 CFR 17.11 for listed wildlife and various notices in the Federal Register for proposed species);
- Wildlife listed or proposed for listing by the State of California as threatened and endangered under the CESA (14 CCR 670.5);
- Wildlife that meet the definitions of rare or endangered species under the California Environmental Quality Act (CEQA Guidelines, Section 15380);
- Wildlife species of special concern to the California Department of Fish and Wildlife (CDFW) (Remsen [1978] for birds; Williams [1986] for mammals); and/or
- Wildlife species that are fully protected in California (California Fish and Game Code, Section 3511 [birds], 4700 [mammals], and 5050 [reptiles and amphibians]).

Several species of plants and animals within the State of California have low populations, limited distributions, or both. Such species may be considered “rare” and are vulnerable to extirpation (i.e. localized removal of the entire species population) as the State’s human population grows and the habitats these species occupy are converted to agricultural and urban uses. As described below, State and federal laws have provided the CDFW and the USFWS with a mechanism for conserving and protecting the diversity of plant and animal species native to the State. A number of native plants and animals have been formally designated as threatened or endangered under State and federal endangered species legislation. Others have been designated as “candidates” for such listing. Still others have been designated as “species of special concern” by the CDFW. In addition, the CNPS has developed a set of lists of native plants considered rare, threatened, or endangered. Collectively, these plants and animals are referred to as “special-status species.”

While Placer County provides habitat for a wide variety of special-status species, to determine potentially-occurring special-status species in proximity to existing study facility locations within the County, the California Natural Diversity Database (CNDDDB) was queried and reviewed. The search provided a list of special-status species that are known to have occurred within the 7.5 minute-quadrangles containing the existing study facilities presented in Chapter 3, Project Description, of this EIR.

Table 6-1 below presents information related to each species found to occur within the study area. As shown in Table 6-1, special-status species occurring within the quadrangles containing existing study facilities include eight plant species, two invertebrate species, one fish species, one amphibian species, one reptile species, eight bird species, and one mammal species. Although the foregoing species were identified within the 7.5-minute quadrants containing the existing study facilities, only three total species were identified within a half-mile of any of the existing study facilities. In particular, steelhead were reported within one-half mile of Casque at Flower Farm and Hillenbrand Farmhaus Brewery; western pond turtles were reported within one-half mile of Ciotti Cellars, Dono Dal Cielo Vineyard and Winery, Hillenbrand Farmhaus Brewery, Lone Buffalo Vineyards, Mt. Vernon Winery, Vina Castellano Winery, and Wise Villa Winery and Bistro; and American peregrine falcon was reported within one-half mile of Vina Castellano Winery.

Table 6-1 Special-Status Wildlife Species Reported in Proximity to Existing Study Facilities		
Common and Scientific Name	Fed / State / CNPS Status^{1,2}	Habitat Requirements
Plants		
Ahart’s dwarf rush <i>Juncus leiospermus</i> var. <i>ahartii</i>	-- / -- / 1B.2	Edges of vernal pools within valley and foothill grasslands between 100- and 330-foot elevation.
Big-scale balsamroot <i>Balsamorhiza macrolepis</i>	-- / -- / 1B.2	Chaparral, Cismontane woodland, valley and foothill woodland, sometimes on serpentine soils at elevations between 115- and 4,800-foot elevation.
Bogg’s Lake hedge-hyssop <i>Gratiola heterosepalal</i>	-- / CE / 1B.2	On clay soils, usually within vernal pools, but sometimes found on margins of

(Continued on next page)

Table 6-1 Special-Status Wildlife Species Reported in Proximity to Existing Study Facilities		
Common and Scientific Name	Fed / State / CNPS Status ^{1,2}	Habitat Requirements
		freshwater marshes, and lakes between 10- and 7,900-foot elevation.
Butte County fritillary <i>Fritillaria eastwoodiae</i>	-- / -- / 3.2	Chaparral, cismontane woodland, lower montane coniferous forests upwards of 4,800- foot elevation.
Dwarf downingia <i>Downingia pusilla</i>	-- / -- / 2B.2	Vernal pools within valley and foothill grasslands between 0- and 1,600 feet elevation.
Jepson's onion <i>Allium jepsonii</i>	-- / -- / 1B.2	On serpentine soils within the Sierra foothills, usually within open areas between 1,150- and 3,700-foot elevation.
Oval-leaved viburnum <i>Viburnum ellipticum</i>	-- / -- / 2B.3	Chaparral, cismontane woodland, and lower montane coniferous forest between 700- and 4,600-foot elevation.
Pincushion navarretia <i>Navarretia myersii</i> ssp. <i>myersii</i>	-- / -- / 1B.1	Clay soils within vernal pools between 150- and 330-foot elevation.
Invertebrates		
Vernal pool fairy shrimp <i>Branchinecta lynchi</i>	FT / -- /	Vernal pools or other seasonally ponded wetlands.
Valley elderberry longhorn beetle <i>Desmocerus californicus dimorphus</i>	FT / --	Dependent upon blue elderberry plant (<i>Sambucus nigra</i> ssp. <i>caerulea</i>) as primary host species.
Fish		
Steelhead – Central Valley DPS <i>Oncorhynchus mykiss irideus</i>	FT/--	Below impassable barriers of Sacramento and San Joaquin rivers and tributaries. Locally known from the Auburn Ravine.
Amphibians		
Foothill yellow-legged frog <i>Rana boylei</i>	-- / SSC	Frequents rocky streams and rivers with rocky substrate and open, sunny banks, in forests, chaparral, and woodlands. Sometimes found in isolated pools vegetated backwaters, and deep, shaded, spring-fed pools.
Reptiles		
Western pond turtle <i>Emys marmorata</i>	-- / SSC	Ponds, rivers, streams, wetlands, and irrigation ditches with associated marsh habitat.
Birds		
American peregrine falcon <i>Falco peregrinus anatum</i>	Delisted ³ / FP	Open landscapes with cliffs or other sheer features. Nests on cliffs.
Burrowing owl <i>Athene cunicularia</i>	-- / SSC	Open, dry annual or perennial grasslands characterized by low-growing vegetation.
California black rail <i>Laterallus jamaicensis coturniculus</i>	-- / CT, CFP	Nests and forages in salt, brackish, and fresh marshes with abundant vegetative cover.

(Continued on next page)

Table 6-1 Special-Status Wildlife Species Reported in Proximity to Existing Study Facilities		
Common and Scientific Name	Fed / State / CNPS Status ^{1,2}	Habitat Requirements
Purple martin <i>Progne subis</i>	-- / SSC	Inhabits woodlands, low elevation coniferous forest of Douglas-fir, ponderosa pine, & Monterey pine.
Song sparrow (Modesto Population) <i>Melospiza melodia</i>	-- / SSC	Open habitat including marsh edges, overgrown fields, desert washes, and forest edges.
Swainson's hawk <i>Buteo swainsoni</i>	-- / CT	Great Basin grassland, riparian forest and woodlands, valley and foothill grassland. Breeds in grasslands with scattered trees, juniper-sage flats, savannahs, and agricultural or ranch lands with groves or lines of trees.
Tricolored blackbird <i>Agelaius tricolor</i>	-- / CT	Colonial nester in cattails, bulrush, or blackberries associated with marsh habitats.
White-tailed kite <i>Elanus leucurus</i>	-- / FP	Nests in riparian corridors along streams and rivers, and forages in nearby grasslands and fields.
Mammals		
Townsend's big-eared bat <i>Corynorhinus townsendii townsendii</i>	-- / SSC	Roosts in caves and cave analogues, such as abandoned mines, buildings, bridges, rock crevices and large basal hollows of coast redwoods and giant sequoias. Extremely sensitive to human disturbance.
<p>Notes:</p> <p>¹ FT = Federally Threatened; FE = Federally Endangered; FC = Federal Candidate; FD = Federally Delisted CE = California Endangered; CR = California Rare; SSC = Species of Special Concern; FP = Fully Protected; CNPS = California Native Plant Society; Rank 1B = Rare, threatened, or endangered in California and elsewhere; Rank 2 = Rare, threatened, or endangered in California, but more common elsewhere; Rank 3 = Plants which more information is needed</p> <p>CNPS Threat Rank Extensions:</p> <p>.1 = Seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat)</p> <p>.2 = Fairly endangered in California (20 to 80% of occurrences threatened)</p> <p>.3 = Not very endangered in California (less than 20% of occurrences threatened or no current threats known)</p> <p>² CNPS Status only shown for plant species.</p> <p>³ Peregrine falcons were previously listed as federally endangered; however, successful conservation efforts allowed the species to be removed from the federal endangered species list. The species remains fully protected by the CDFW.</p> <p>Source: California Department of Fish and Wildlife. California Natural Diversity Database – Version 5.2.14. October 2018.</p>		

Although the species indicated in Table 6-1 were reported within the 7.5-minute quadrangles encompassing the existing study facility locations, the existing study facility sites do not

necessarily provide habitat for all such species. For instance, the existing study facilities are not located within the elevation range for Butte County fritillary and Jepson's onion, nor do the existing study facilities include the steep cliffs required by American peregrine falcon. Considering that the existing facilities do not provide habitat for the Butte County fritillary, Jepson's onion, or American peregrine falcon, further consideration of such species is not provided in this chapter of the EIR. In addition, the two CNDDDB records for big-scale balsamroot date back to the late 1950s, and it is unlikely that this species would occur within the study facility sites due to the age of the historic records and general lack of suitable habitats (e.g., chaparral). A third occurrence is presumed to be extirpated. The three records of oval-leaved viburnum are limited to the Lake Clementine area; therefore, it is reasonable to assume their absence on any of the study facility sites to the west.

The study facilities may not include habitat required for other species listed in Table 6-1. For instance, none of the study facilities include the riverine habitat required by steelhead, sufficient riparian vegetation to support western pond turtles, and California black rail does not exist within any existing study facility. Nevertheless, to provide a worst-case analysis, potential impacts on the remaining species presented in Table 6-1 are analyzed within this chapter.

The remaining special-status species identified in Table 6-1 generally rely on either aquatic or upland habitat types. In particular, the Ahart's dwarf rush, Bogg's Lake hedge-hyssop, Dwarf downingia, pincushion navarretia, vernal pool fairy shrimp, steelhead, foothill yellow-legged frog, western pond turtle, California black rail, and tricolored blackbird rely on aquatic habitat types including ponds, rivers, and vernal pools. Species including valley elderberry longhorn beetle, burrowing owl, purple martin, song sparrow, Swainson's hawk, white-tailed kite, and Townsend's big-eared bat rely, in part, on upland habitat, principally oak woodlands, but also grassland. White-tailed kite requires grassland in association with riparian habitat. Based on the general habitat requirements of the above-listed species, the impact discussions within this chapter will focus on potential impacts to either aquatic habitats or upland habitats and the potential for disturbance of such habitats to result in impacts to specific species that rely on such habitat types. Thus, where impacts related to either aquatic habitats or upland habitats are referenced in this chapter, such references would relate to impacts to the species that rely on such habitat types.

Migratory Birds

In addition to the special-status species discussed above, certain species of migratory birds are protected under the federal Migratory Bird Treaty Act (MBTA). Protected species include, but are not limited to, hawks such as the red-shouldered hawk (*buteo lineatus*), white-tailed kite (*Elanus lecurus*) and the Cooper's hawk (*Accipiter cooperii*), as well as other common migratory birds including American crow (*Corvus brachyrhynchos*), brewer's blackbird (*Euphagus cyanocephalus*), bushtit (*Psaltiriparus minimus*), dark-eyed junco (*Junco hyemalis*), hermit thrush (*Catharus guttatus*), house finch (*Carpodacus mexicanus*), house sparrow (*Passer domesticus*), lesser goldfinch (*Carduelis psaltria*), Northern flicker (*Colaptes auratus*), Northern mockingbird (*Mimus polyglottos*), rock dove (*Columba livia*), Say's phoebe (*Sayornis saya*), scrub jay (*Aphelocoma caerulea*), turkey vulture (*Cathartes aura*), Western meadowlark (*Sturnella neglecta*), white-breasted nuthatch (*Sitta carolinensis*), and white-crowned sparrow (*Zonotrichia*

leucophrys). The above-listed birds, as well as other migratory species, have the potential to nest within oak woodland, annual grassland, riparian forest, and landscaped portions of the existing study facility sites within the County.

6.3 REGULATORY CONTEXT

A number of Federal, State, and local policies provide the regulatory framework that guides the protection of biological resources. The following discussion summarizes those laws that are most relevant to biological resources in the County.

Federal Regulations

The following are the Federal environmental laws and policies relevant to biological resources.

Federal Endangered Species Act

Under the Federal Endangered Species Act (FESA), the Secretary of the Interior and the Secretary of Commerce have joint authority to list a species as threatened or endangered (16 USC § 1533(c)). Two federal agencies oversee the FESA: the USFWS has jurisdiction over plants, wildlife, and resident fish, while the National Marine Fisheries Service (NMFS) has jurisdiction over anadromous fish and marine fish and mammals. Section 7 of the FESA mandates that federal agencies consult with the USFWS and NMFS to ensure that federal agency actions do not jeopardize the continued existence of a listed species or destroy or adversely modify critical habitat for listed species. The FESA prohibits the ‘take’ of any fish or wildlife species listed as threatened or endangered, including the destruction of habitat that could hinder species recovery. Take is defined as harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, collecting, or attempting to engage in any such conduct.

Section 10 requires the issuance of an “incidental take” permit before any public or private action may be taken that could take an endangered or threatened species. The permit requires preparation and implementation of a habitat conservation plan (HCP) that would offset the take of individuals that may occur, incidental to implementation of a proposed project, by providing for the protection of the affected species.

Pursuant to the requirements of the FESA, a federal agency reviewing a project within the jurisdiction of the agency must determine whether any federally listed threatened or endangered species may be present in the project area and whether the proposed project will have a potentially significant impact on such species. In addition, the agency is required to determine whether the proposed action is likely to jeopardize the continued existence of any species proposed to be listed under FESA or result in the destruction or adverse modification of critical habitat proposed to be designated for such species (16 USC § 1536(3), (4)).

Migratory Bird Treaty Act (MBTA)

Raptors (birds of prey), migratory birds, and other avian species are protected by a number of State and federal laws. The federal MBTA prohibits the killing, possessing, or trading of

migratory birds except in accordance with regulations prescribed by the Secretary of Interior. Section 3503.5 of the California Fish and Wildlife Code states, “It is unlawful to take, possess, or destroy any birds in the order *Falconiformes* or *Strigiformes* (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.”

Clean Water Act (CWA)

The USACE regulates discharge of dredged or fill material into waters of the United States under Section 404 of the CWA. “Discharge of fill material” is defined as the addition of fill material into Waters of the U.S., including but not limited to the following: placement of fill that is necessary for the construction of any structure, or impoundment requiring rock, sand, dirt, or other material for its construction; site-development fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; and fill for intake and outfall pipes and sub-aqueous utility lines (33 C.F.R. §328.2[f]). In addition, Section 401 of the CWA (33 U.S.C. 1341) requires any applicant for a federal license or permit to conduct any activity that may result in a discharge of a pollutant into waters of the United States to obtain a certification that the discharge will comply with the applicable effluent limitations and water quality standards.

Waters of the United States include a range of wet environments such as lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, and wet meadows. Wetlands are defined as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 C.F.R. §328.3[b]).

Furthermore, Jurisdictional Waters of the United States can be defined by exhibiting a defined bed and bank and OHWM. The OHWM is defined by the USACE as “that line on shore established by the fluctuations of water and indicated by physical character of the soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas” (33 C.F.R. §328.3[e]).

State Regulations

The following are the State environmental laws and policies relevant to biological resources.

California Department of Fish and Wildlife

CDFW administers a number of laws and programs designed to protect fish and wildlife resources under the California Fish and Game Code (FGC), such as CESA (FGC Section 2050, et seq.), Fully Protected Species (FGC Section 3511), and the Lake or Streambed Alteration Agreement Program (FGC Sections 1600 to 1616). Such regulations are summarized in the following sections.

California Endangered Species Act

The State of California enacted CESA in 1984. CESA is similar to the FESA but pertains to State-listed endangered and threatened species. CESA requires State agencies to consult with CDFW when preparing CEQA documents to ensure that the State lead agency actions do not jeopardize the existence of listed species. CESA directs agencies to consult with CDFW on projects or actions that could affect listed species, directs CDFW to determine whether jeopardy would occur, and allows CDFW to identify “reasonable and prudent alternatives” to the project consistent with conserving the species. Agencies can approve a project that affects a listed species if they determine that “overriding considerations” exist; however, the agencies are prohibited from approving projects that would result in the extinction of a listed species.

CESA prohibits the taking of State-listed endangered or threatened plant and wildlife species. CDFW exercises authority over mitigation projects involving State-listed species, including those resulting from CEQA mitigation requirements. CDFW may authorize taking if an approved habitat management plan or management agreement that avoids or compensates for possible jeopardy is implemented. CDFW requires preparation of mitigation plans in accordance with published guidelines.

Fish and Game Code Section 3505

Birds of prey are protected in California under provisions of the California FGC, Section 3503.5, (1992), which states, “it is unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “taking” by CDFW.

Lake or Streambed Alteration Program

CDFW exercises jurisdiction over wetland and riparian resources associated with rivers, streams, and lakes under California FGC Section 1600 to 1607. CDFW has the authority to regulate work that will do any one or more of the following:

- 1) Divert, obstruct, or change the natural flow of a river, stream, or lake;
- 2) Change the bed, channel, or bank of a river, stream, or lake; or
- 3) Use material from a streambed.

CDFW’s jurisdictional area along a river, stream or creek is usually bounded by the top-of-bank or the outermost edges of riparian vegetation. Typical activities regulated by CDFW under Section 1600-1616 authority include installing outfalls, stabilizing banks, implementing flood control projects, constructing river and stream crossings, diverting water, damming streams, gravel mining, and logging.

Section 1602 of the California FGC requires notification of CDFW for lake or stream alteration activities. If, after notification is complete, CDFW determines that the activity may substantially adversely affect an existing fish and wildlife resource, CDFW has authority to issue a Streambed Alteration Agreement under Section 1603 of the California FGC. Requirements to protect the integrity of biological resources and water quality are often conditions of Streambed Alteration Agreements. Such requirements may include avoidance or minimization of heavy equipment use within stream zones, limitations on work periods to avoid impacts to wildlife and fisheries resources, and measures to restore degraded sites or compensate for permanent habitat losses.

Waters of the State, including wetlands, are considered sensitive biological resources and fall under the jurisdiction of CDFW and California's Regional Water Quality Control Boards (RWQCBs).

CDFW Species of Special Concern

In addition to formal listings under FESA and CESA, plant and wildlife species receive additional consideration during the CEQA process. Species that may be considered for review are included on a list of "Species of Special Concern" developed by CDFW. Species whose numbers, reproductive success, or habitat may be threatened are tracked by CDFW in California.

Regional Water Quality Control Board

Pursuant to Section 401 of the CWA and EPA 404(b)(1) guidelines, in order for a USACE federal permit applicant to conduct any activity which may result in discharge into navigable waters, they must provide a certification from the RWQCB that such discharge will comply with the State water quality standards. The RWQCB has a policy of no-net-loss of wetlands in effect and typically requires mitigation for all impacts to wetlands before the RWQCB will issue water quality certification.

Under the Porter-Cologne Water Quality Control Act (Cal. Water Code Section 13000-14920), the RWQCB is authorized to regulate the discharge of waste that could affect the quality of the State's waters. Therefore, even if a project does not require a federal permit (i.e., a Nationwide Permit from the USACE), the project may still require review and approval of the RWQCB, in light of the approval of new NWP's on March 9, 2000 and the Supreme Court's decision in the case of the Solid Waste Agency of Northern Cook County (SWANCC) vs. USACE. The RWQCB in response to this, issued guidance for regulation of discharges to "isolated" water on June 25, 2004. The guidance states:

Discharges subject to Clean Water Act section 404 receive a level of regulatory review and protection by the USACE and are also subject to streambed alteration agreements issued by the CDFW; whereas discharges to waters of the State subject to SWANCC receive no federal oversight and usually fall out of CDFW jurisdiction. Absent of RWQCB attention, such discharges will generally go entirely unregulated. Therefore, to the extent that staffing constraints require the RWQCB to regulate some dredge and fill discharges of similar extent, severity, and permanence to federally-protected waters of similar value. Dredging, filling,

or excavation of “isolated” waters constitutes a discharge of waste to waters of the State, and prospective dischargers are required to submit a report of waste discharge to the RWQCB and comply with other requirements of Porter-Cologne.

When reviewing applications, the RWQCB focuses on ensuring that projects do not adversely affect the “beneficial uses” associated with waters of the State. Generally, the RWQCB defines beneficial uses to include all of the resources, services and qualities of aquatic ecosystems and underground aquifers that benefit the State. In most cases, the RWQCB seeks to protect these beneficial uses by requiring the integration of water quality control measures into projects that will result in discharge into waters of the State. For most construction projects, RWQCB requires the use of construction and post-construction Best Management Practices (BMPs). In many cases, proper use of BMPs, including bioengineering detention ponds, grassy swales, sand filters, modified roof techniques, drains, and other features, will speed project approval from RWQCB. Development setbacks from creeks are also requested by RWQCB as they often lead to less creek-related impacts in the future.

California Native Plant Society

CNPS maintains a list of plant species native to California that has low numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Plants of California. Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review. The following identifies the definitions of the CNPS listings:

- | | |
|----------|--|
| List 1A: | Plants believed extinct. |
| List 1B: | Plants rare, threatened, or endangered in California and elsewhere. |
| List 2: | Plants rare, threatened, or endangered in California, but more numerous elsewhere. |
| List 3: | Plants about which we need more information - a review list. |
| List 4: | Plants of limited distribution - a watch list. |

Senate Bill 1334

Effective January 1, 2005, Senate Bill 1334 established Public Resources Code Section 21083.4, the State’s first oak woodlands conservation standards under CEQA. This new law creates the following two requirements for counties: 1) Counties must determine whether or not a project that results in the conversion of oak woodlands will have a significant effect; and 2) If there may be a significant effect, counties must employ one or more of the following mitigation measures:

- Conserving oaks through the use of conservation easements;
- Planting and maintaining an appropriate number of trees either on-site or in restoration of a former oak woodlands (tree planting is limited to half the mitigation requirement);

- Contributing funds to the Oak Woodlands Conservation Fund for the purpose of purchasing land or conservation easements; or
- Other mitigation measures developed by the County.

Local Regulations

The following are the local environmental laws and policies relevant to biological resources.

Placer County General Plan

The goals and policies from the Placer County General Plan that pertain to biological resources are presented below.

Water Resources

Policy 6.A.1 The County shall require the provision of sensitive habitat buffers which shall, at a minimum, be measured as follows: 100 feet from the centerline of perennial streams, 50 feet from centerline of intermittent streams, and 50 feet from the edge of sensitive habitats to be protected, including riparian zones, wetlands, old growth woodlands, and the habitat of special status, threatened or endangered species (see discussion of sensitive habitat buffers in Part I of this Policy Document). Based on more detailed information supplied as a part of the review for a specific project or input from state or federal regulatory agency, the County may determine that such setbacks are not applicable in a particular instance or should be modified based on the new information provided. The County may, however, allow exceptions, such as in the following cases:

- a. Reasonable use of the property would otherwise be denied;
- b. The location is necessary to avoid or mitigate hazards to the public;
- c. The location is necessary for the repair of roads, bridges, trails, or similar infrastructure; or
- d. The location is necessary for the construction of new roads, bridges, trails, or similar infrastructure where the County determines there is no feasible alternative and the project has minimized environmental impacts through project design and infrastructure placement

Policy 6.A.3 The County shall require development projects proposing to encroach into a stream zone or stream setback to do one or more of the following, in descending order of desirability:

- a) Avoid the disturbance of riparian vegetation;
- b) Replace all functions of the existing riparian vegetation (on-site, in-kind);
- c) Restore another section of stream (in-kind);
- d) Restore another section of stream (in-kind); and/or

- e) Pay a mitigation fee for in-kind restoration elsewhere (e.g., mitigation banks).

Policy 6.A.4

Where stream protection is required or proposed, the County should require public and private development to:

- a) Preserve stream zones and stream setback areas through easements or dedications. Parcel lines (in the case of a subdivision) or easements (in the case of a subdivision or other development) shall be located to optimize resource protection. If a stream is proposed to be included within an open space parcel or easement, allowed uses and maintenance responsibilities within that parcel or easement should be clearly defined and conditioned prior to map or project approval;
- b) Designate such easement or dedication areas (as described in a. above) as open space;
- c) Protect stream zones and their habitat value by actions such as: 1) providing an adequate stream setback, 2) maintaining creek corridors in an essentially natural state, 3) employing stream restoration techniques where restoration is needed to achieve a natural stream zone, 4) utilizing riparian vegetation within stream zones, and where possible, within stream setback areas, 5) prohibiting the planting of invasive, non-native plants (such as *Vinca major* and eucalyptus) within stream zones or stream setbacks, and 6) avoiding tree removal within stream zones;
- d) Provide recreation and public access near streams consistent with other General Plan policies;
- e) Use design, construction, and maintenance techniques that ensure development near a creek will not cause or worsen natural hazards (such as erosion, sedimentation, flooding, or water pollution) and will include erosion and sediment control practices such as: 1) turbidity screens and other management practices, which shall be used as necessary to minimize siltation, sedimentation, and erosion, and shall be left in place until disturbed areas; and/or are stabilized with permanent vegetation that will prevent the transport of sediment off site; and 2) temporary vegetation sufficient to stabilize disturbed areas.
- f) Provide for long-term stream zone maintenance by providing a guaranteed financial commitment to the County which accounts for all anticipated maintenance activities.

Policy 6.A.5

The County shall continue to require the use of feasible and practical best management practices (BMPs) to protect streams from the adverse effects of construction activities and urban runoff and to encourage the use of BMPs for agricultural activities.

Wetland and Riparian Areas

- Policy 6.B.1 The County shall support the "no net loss" policy for wetland areas regulated by the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the California Department of Fish and Wildlife. Coordination with these agencies at all levels of project review shall continue to ensure that appropriate mitigation measures and the concerns of these agencies are adequately addressed.
- Policy 6.B.2 The County shall require new development to mitigate wetland loss in both federal jurisdictional and non-jurisdictional wetlands to achieve "no net loss" through any combination of the following, in descending order of desirability: (1) avoidance; (2) where avoidance is not possible, minimization of impacts on the resource; or (3) compensation, including use of a mitigation and conservation banking program that provides the opportunity to mitigate impacts to special status, threatened, and endangered species and/or the habitat which supports these species in wetland and riparian areas. Non-jurisdictional wetlands may include riparian areas that are not federal "waters of the United States" as defined by the Clean Water Act.
- Policy 6.B.3 The County shall discourage direct runoff of pollutants and siltation into wetland areas from outfalls serving nearby urban development. Development shall be designed in such a manner that pollutants and siltation will not significantly adversely affect the value or function of wetlands.
- Policy 6.B.4 The County shall strive to identify and conserve remaining upland habitat areas adjacent to wetlands and riparian areas that are critical to the survival and nesting of wetland and riparian species.
- Policy 6.B.5 The County shall require development that may affect a wetland to employ avoidance, minimization, and/or compensatory mitigation techniques. In evaluating the level of compensation to be required with respect to any given project, (a) on-site mitigation shall be preferred to off-site, and in-kind mitigation shall be preferred to out-of-kind; (b) functional replacement ratios may vary to the extent necessary to incorporate a margin of safety reflecting the expected degree of success associated with the mitigation plan; and (c) acreage replacement ratios may vary depending on the relative functions and values of those wetlands being lost and those being supplied, including compensation for temporal losses. The County shall continue to implement and refine criteria for determining when an alteration to a wetland is considered a less-than significant impact under CEQA.

Fish and Wildlife Habitat

- Policy 6.C.1 The County shall identify and protect significant ecological resource areas and other unique wildlife habitats critical to protecting and sustaining

wildlife populations. Significant ecological resource areas include the following:

- a) Wetland areas including vernal pools.
- b) Stream zones.
- c) Any habitat for special status, threatened, or endangered animals or plants.
- d) Critical deer winter ranges (winter and summer), migratory routes and fawning habitat.
- e) Large areas of non-fragmented natural habitat, including blue oak woodlands, valley foothill and montane riparian, valley oak woodlands, annual grasslands, and vernal pool/grassland complexes.
- f) Identifiable wildlife movement zones, including but not limited to, non-fragmented stream environment zones, avian mammalian migratory routes, and known concentration areas of waterfowl within the Pacific Flyway.
- g) Important spawning and rearing areas for anadromous fish.

- Policy 6.C.2 The County shall require development in areas known to have particular value for wildlife to be carefully planned and, where possible, located so that the reasonable value of the habitat for wildlife is maintained.
- Policy 6.C.3 The County shall encourage the control of residual pesticides to prevent potential damage to water quality, vegetation, fish, and wildlife.
- Policy 6.C.4 The County shall encourage private landowners to adopt sound fish and wildlife habitat management practices, as recommended by California Department of Fish and Wildlife officials, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the U.S. Army Corps of Engineers, and the Placer County Resource Conservation District.
- Policy 6.C.5 The County shall require mitigation for development projects where isolated segments of stream habitat are unavoidably altered. Such impacts should be mitigated on-site with in-kind habitat replacement or elsewhere in the stream system through stream or riparian habitat restoration work.
- Policy 6.C.6 The County shall support preservation of the habitats of threatened, endangered, and/or other special status species. Where County acquisition and maintenance is not practicable or feasible, federal and state agencies, as well as other resource conservation organizations, shall be encouraged to acquire and manage endangered species' habitats.
- Policy 6.C.7 The County shall support the maintenance of suitable habitats for all indigenous species of wildlife, without preference to game or non-game species, through maintenance of habitat diversity.

- Policy 6.C.9 The County shall require new private or public developments to preserve and enhance existing riparian habitat unless public safety concerns require removal of habitat for flood control or other essential public purposes (See Policy 6.A.1.). In cases where new private or public development results in modification or destruction of riparian habitat the developers shall be responsible for acquiring, restoring, and enhancing at least an equivalent amount of like habitat within or near the project area.
- Policy 6.C.10 The County will use the California Wildlife Habitat Relationships (WHR) system as a standard descriptive tool and guide for environmental assessment in the absence of a more detailed site-specific system.
- Policy 6.C.11 Prior to approval of discretionary development permits involving parcels within a significant ecological resource area, the County shall require, as part of the environmental review process, a biotic resources evaluation of the sites by a wildlife biologist, the evaluation shall be based upon field reconnaissance performed at the appropriate time of year to determine the presence or absence of special status, threatened, or endangered species of plants or animals. Such evaluation will consider the potential for significant impact on these resources, and will identify feasible measures to mitigate such impacts or indicate why mitigation is not feasible. In approving any such discretionary development permit, the decision-making body shall determine the feasibility of the identified mitigation measures. Significant ecological resource areas shall, at a minimum, include the following:
- a) Wetland areas including vernal pools.
 - b) Stream zones.
 - c) Any habitat for special status, threatened or endangered animals or plants.
 - d) Critical deer winter ranges (winter and summer), migratory routes and fawning habitat.
 - e) Large areas of non-fragmented natural habitat, including blue oak woodlands, valley foothill and montane riparian, valley oak woodlands, annual grasslands, vernal pool/grassland complexes habitat.
 - f) Identifiable wildlife movement zones, including but not limited to, non-fragmented stream environment zones, avian and mammalian migratory routes, and known concentration areas of waterfowl within the Pacific Flyway.
 - g) Important spawning and rearing areas for anadromous fish.
- Policy 6.C.12 The County shall cooperate with, encourage, and support the plans of other public agencies to acquire fee title or conservation easements to privately-owned lands in order to preserve important wildlife corridors and to provide habitat protection of California Species of Concern and state or federally listed threatened, or endangered plant and animal species, or any species listed

in an implementing agreement for a habitat conservation plan and natural communities conservation plan.

- Policy 6.C.13 The County shall support and cooperate with efforts of other local, state, and federal agencies and private entities engaged in the preservation and protection of significant biological resources from incompatible land uses and development. Significant biological resources include endangered or threatened species and their habitats, wetland habitats, wildlife migration corridors, and locally important species/communities.

Vegetation

- Policy 6.D.3 The County shall support the preservation of outstanding areas of natural vegetation, including, but not limited to, oak woodlands, riparian areas, and vernal pools.
- Policy 6.D.4 The County shall ensure that landmark trees and major groves of native trees are preserved and protected. In order to maintain these areas in perpetuity, protected areas shall also include younger vegetation with suitable space for growth and reproduction.
- Policy 6.D.5 The County shall require that new development preserve natural woodlands to the maximum extent possible.
- Policy 6.D.14 The County shall require that new development avoid, as much as possible, ecologically-fragile areas (e.g., areas of rare or endangered species of plants, riparian areas). Where feasible, these areas should be protected through public acquisition of fee title or conservation easements to ensure protection.

Placer County Conservation Plan

The First Agency Review Draft Placer County Conservation Plan (PCCP) was released in 2011, which proposes a streamlined strategy and permitting process for a range of covered activities in western Placer County for the next 50 years. The First Agency Review Draft PCCP establishes a conservation reserve area to protect and conserve special-status species and natural communities. The area covers approximately 212,000 acres, including important biological communities in western Placer County; such areas include much of the area within the County that is suitable for agricultural activities such as grape growing. The PCCP would function as both a Habitat Conservation Plan (HCP) under the FESA, and a Natural Community Conservation Plan (NCCP) under the California Natural Community Conservation Planning Act. The PCCP would be focused on a landscape-level, which would allow the creation of contiguous blocks of preserved habitat. Landscape-level planning would also help to avoid piece-meal, project-level mitigation, which can result in isolated habitat areas and disrupted broad-scale ecological processes. Conservation efforts within the PCCP would be focused both on special-status species, and on habitat types, allowing for direct impacts to special-status species as well as habitat loss associated with development. Although the PCCP will be focused on protecting habitats and

individual species, the PCCP is not anticipated to cover special-status plant species. The PCCP has not yet been adopted by the Placer County Board of Supervisors as of the date of preparation of this EIR.

Placer County Tree Preservation Ordinance

The Placer County Tree Preservation Ordinance (Section 12.16 of the Placer County Code) regulates the encroachment of construction activities into protected zones of protected trees and the removal of any protected trees. Protected trees are defined as any native tree species with a diameter at breast height (DBH) of six inches or greater (except gray pines, *Pinus sabiniana*) or multiple trunk trees with an aggregate diameter of ten inches or greater. Each protected tree has a “Protected Zone,” which is a circle equal to the largest radius of a protected tree’s dripline plus one foot. The radius is measured from the trunk at the base of the tree to the greatest extent of the tree’s dripline. The Ordinance regulates both the removal of trees and the encroachment of construction activities into protected tree zones. In addition, the Ordinance prohibits the removal of landmark trees, trees located in designated Tree Preservation Zones, and trees within riparian areas.

Placer County Interim Oak Woodland Guidelines

The County enforces the above Tree Ordinance for cases of impacts to individual, isolated native trees; however, where tree crown canopy coverage is 10 percent/acre or greater, the woodland comprises an area greater than two acres, and the dominant tree species are native California oaks, the County regulates impacts to these areas as impacts to oak woodland under the County’s 2008 *Interim Guidelines for Evaluating Development Impacts on Oak Woodland* (2008 Interim Guidelines). Under the 2008 Interim Guidelines, impacts to oak woodlands include all areas within 50 feet of the development footprint, and for every acre of oak woodland impacted, two acres of the same woodland type must be preserved off-site. In addition, any “significant trees” (generally trees greater than 24 inches in DBH or clumps of trees greater than 72 inches in circumference measured at ground level) impacted within the oak woodland must also be mitigated separately in accordance with the Tree Ordinance, above.

Winery Ordinance

Section 17.56.330 of the Placer County Code contains the County’s Winery Ordinance, as approved in 2008. The purpose of the Winery Ordinance is to provide for the orderly development of wineries, within agricultural zoning districts and certain commercial, industrial, and residential zoning districts, to encourage the economic development of the local agricultural industry, provide for the sampling and sales of value-added products, and protect the agricultural character and long-term agricultural production of agricultural lands. Chapter 3, Project Description, of this EIR provides a detailed overview of the proposed changes to the Winery Ordinance.

6.4 IMPACTS AND MITIGATION MEASURES

This section describes the standards of significance and methodology utilized to analyze and determine the proposed project's potential impacts related to biological resources.

Standards of Significance

Consistent with Appendix G of the CEQA Guidelines and the County's Initial Study Checklist, the effects of a project are evaluated to determine if they would result in a significant adverse impact on the environment. For the purposes of this EIR, an impact is considered significant if the proposed project would:

- 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 & Wildlife, U.S. Fish & Wildlife Service or National Oceanic and Atmospheric Administration Fisheries;
- 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 of or restrict the range of an endangered, rare, or threatened species;
- Have a substantial adverse effect on the environment by converting oak woodlands;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community, including oak woodlands, identified in local or regional plans, policies or regulations, or by the California Department of Fish & Game, U.S. Fish & Wildlife Service, U.S. Army Corps of Engineers or National Oceanic and Atmospheric Administration Fisheries;
- Have a substantial adverse effect on federal or State protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) or as defined by State statute, through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nesting or breeding sites;
- Conflict with any local policies or ordinances that protect biological resources, including oak woodland resources; and/or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

Method of Analysis

The information contained in this analysis is based on the current conditions at the existing study facilities within the County, and information obtained from the CNDDb.

Project-Specific Impacts and Mitigation Measures

The following discussion of impacts related to biological resources is based on implementation of the proposed project in comparison to existing conditions and the standards of significance presented above.

- 6-1 Have a substantial adverse effect or cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number of or restrict the range of an endangered, rare, or threatened species, 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 & Wildlife, U.S. Fish & Wildlife Service or National Oceanic and Atmospheric Administration Fisheries. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.**

As noted previously, the existing study facility sites within the County contain habitat that may be suitable for use by a limited number of special-status species. However, while the proposed Zoning Text Amendment would allow for greater flexibility in the number of events being held at existing study facilities, such events would be anticipated to occur within the existing event spaces at each existing study facility, and, thus, would not result in direct physical alterations to any existing study facility sites. Considering the lack of direct physical changes to the existing study facilities, the proposed Zoning Text Amendment would not be anticipated to lead to direct physical impacts to biological resources within existing study facilities. The remainder of this impact discussion will focus on whether the additional events allowable under the proposed Zoning Text Amendment would result in the use of overflow parking, or creation of more permanent parking, the indirect effects of which could include disturbance of biological resources. This discussion is provided in response to public concerns expressed during the Notice of Preparation (NOP) comment period for the proposed project.

The first part of the discussion will describe how the event allowances would change as a result of the proposed Zoning Text Amendment. The existing Winery Ordinance restricts the number of promotional events at each facility to six per year, subject to first securing an Administrative Review Permit. The proposed project would redefine “event” to distinguish between Agricultural Promotional Events and Special Events. Agricultural Promotional Events would include events with 50 attendees or less at one time and would be directly related to the education and marketing of wine and craft beer to consumers. Special Events would include events with greater than 50 attendees at one time where the agricultural-related component is subordinate to the primary purpose of the event. The proposed Zoning Text Amendment would allow the existing study facilities to hold an unlimited number of Agricultural Promotional Events, whereas the eight existing, medium parcel-sized study facilities could hold up to six Special Events per year, and the two existing, large parcel-sized study facilities could hold up to 12 Special Events per year.

Overflow Parking

Public concerns have been raised during the NOP review period regarding the potential for the proposed increase in the number of allowable events to result in indirect effects to biological resources for overflow parking purposes. Specifically, commenters have suggested that an increase in the number of allowable events would increase the number of people driving to the existing study facilities, which could result in event organizers choosing to allow overflow parking on land that could be considered biologically sensitive in order to accommodate the additional vehicles, thereby resulting in impacts to such resources. The existing Winery Ordinance allows for temporary overflow parking to be used in conjunction with Temporary Outdoor Events (TOE), as described in Section 17.56.300(B)(1)(b). The proposed Zoning Text Amendment would continue to allow overflow parking for TOEs but would also allow temporary overflow parking for Special Events. Overflow parking for Agricultural Promotional Events would not be allowed; rather, the Ordinance would continue to require at least one parking space for every 2.5 event attendees, and event size would be limited to the number of available on-site parking spaces (see Table 4, Minimum Parking Requirements, of the proposed Winery and Farm Brewery Zoning Text Amendment included as Attachment A to this EIR). Any attempt to allow overflow parking for Agricultural Promotional Events would be a violation of the Placer County Code and would result in code enforcement.¹⁰

In summary, the proposed Zoning Text Amendment would give facility owners the ability to use temporary overflow parking for Special Events, which are limited to six per year for medium parcel-sized facilities and 12 per year for large parcel-sized facilities. Thus, on a yearly basis, the demand for overflow parking will be relatively minimal. Nevertheless, facility owners may choose to designate temporary overflow parking on their properties for Special Events. The Zoning Text Amendment requires overflow parking to be limited to pre-designated areas. Because overflow parking is used to meet temporary parking demand it is reasonable to expect that facility owners would use those portions of their property that are already disturbed, in order to accommodate overflow parking needs. Given the general agricultural nature of existing wineries and farm breweries, it is common for operators to use agricultural fields to temporarily accommodate overflow parking. Thus, overflow parking would not have a substantial adverse effect on riparian habitat or other sensitive natural habitat.

Permanent Parking

Under the current Winery Ordinance and following the proposed Zoning Text Amendment, existing study facilities would have the ability to expand permanent parking spaces within their sites in order to accommodate tasting room guests, agricultural activities, and event attendees. Should such expansions of parking areas be undertaken to support events, the expansion of parking areas would be subject to all relevant County,

¹⁰ Overflow parking could be allowed with a TOE, two of which can be obtained per year; however, this is currently allowed under the existing Winery Ordinance, and thus is not required to be addressed in this EIR.

State, and federal regulations. For instance, Article 15.48 of the Placer County Code regulates all grading activity within the County, which includes grading activity associated with the establishment of parking spaces, unless such activity meets the exemptions specified in Section 15.48.070.

As shown in Section 15.48.070, grading activity related to the establishment of new parking could be exempt from County review if such activity is determined to represent a minor project or meets other specific exemption requirements. Only the exemptions related to minor projects would apply to grading related to the provision of permanent parking areas. Section 15.48.070(A) of the Placer County Code generally defines minor projects as grading projects that involve cut and fills that do not exceed four feet in vertical depth, and that meet nine additional criteria. The additional criteria include, but are not limited to, requirements related to the maximum amount of material to be moved, the maximum amount of vegetation to be removed, and prohibitions against grading within certain areas. In particular, minor projects deemed exempt from further regulation by the County would not include grading activity that would obstruct any watercourse, disturb, or negatively impact any drainage way, wetland, stream environment zone or water body. Consequently, even grading activity that may otherwise be considered as a minor project is subject to environmental standards, which would protect aquatic habitat types and the special-status species that rely on such habitat.

Non-exempt grading activity subject to Article 15.48 is required to obtain proper permitting prior to initiation of grading activity, which includes general County review of the parking design being proposed. Permitting for such grading activity includes conditions related to the safeguarding of watercourses as specified in Section 15.48.240 of the Placer County Code. Furthermore, wetlands within the County are protected by the USACE, RWQCB, and the CDFW. In addition, depending upon the size and scope of the grading activity, the County has the ability to require further environmental review prior to issuing a grading permit (Code Section 15.48.210). Thus, improper disturbance of sensitive aquatic habitat, such as wetlands, that could be used by special-status species would not occur during potential future construction of permanent parking, as wetland habitat would be protected by the foregoing ordinances, laws, and agencies.

As discussed previously, four special-status plants and seven special-status wildlife species listed in Table 6-1 use wetlands and other aquatic areas as habitats. The protections discussed above related to grading within aquatic habitat areas would act to protect such species from disturbance related to the provision of new parking areas at existing study facilities.

Special-status species in Table 6-1 not dependent upon aquatic habitats consist of several birds, valley elderberry longhorn beetle, and a special-status bat. The special-status birds and bat species could nest within suitable nesting trees located on existing study facility sites. Migratory birds protected under the Migratory Bird Treaty Act could also nest within on-site trees or grasslands (i.e., ground nesters). While grading activity associated with creating new parking spaces could result in tree removal in limited cases, tree removal is regulated by Placer County. Relevant regulations would include the Placer

County Tree Preservation Ordinance (Article 12.16 of the Placer County Municipal Code). Tree Preservation Ordinance protects individual native tree species, meeting specified size requirements. Under Section 12.16.070 of the County's Tree Preservation Ordinance, when approving a minor tree permit, the approving body may "impose such reasonable conditions of approval as necessary to protect the health of the protected tree, the public and the surrounding property or environmental features." Thus, should operation of existing study facilities under the proposed Zoning Text Amendment require the provision of additional parking that requires tree removal, Section 12.16.070 allows the County to impose specific conditions on such tree removal activity in order to protect any potential nesting birds or roosting bats.

With respect to western burrowing owl, it is important to note that this species is considered rare in Placer County,¹¹ and known breeding has not occurred recently per the CNDDDB (2018). Only five CNDDDB recorded occurrences of burrowing owl exist in Placer County, all of which are west of the area where existing wineries and farm breweries are concentrated. Given the rarity of western burrowing owl in Placer County, and the limited amount of grassland habitat at any one facility site, any minor grading associated with parking would not be expected to create adverse impacts to burrowing owl.

The CNDDDB records of valley elderberry longhorn beetle (VELB) are noticeably absent from the portion of western Placer County where the existing study facility sites are located. VELB are known to occur in the American River watershed below Auburn, in the vicinity of Folsom Lake; and the Dry Creek watershed along Secret Ravine and Miners Ravine.¹² The existing study facility sites are not located in these areas and it is not anticipated that impacts to VELB would occur as a result of minor grading activity.

Wildlife Disturbance

As further discussed in Chapter 10, Transportation and Circulation, of this EIR, events at existing study facilities would result in vehicle trips to and from the individual sites. Vehicle traffic on roadways causes increased vehicle-related noise and other effects, which have the potential to affect wildlife in surrounding areas.¹³ Additionally, as discussed in further depth in Chapter 9, Noise, of this EIR, events may include activities involving amplified sound. Studies of the effects of noise on wildlife populations have shown that while some species can be negatively affected by traffic noise and wildlife densities are generally inversely proportional to distance from roadways, many species of wildlife are unaffected by roadway noise.¹⁴ In general, wildlife species have been shown

¹¹ Placer County Planning Department. *Placer County Natural Resources Report* [pgs. 183-185]. April 2004.

¹² Placer County Planning Department. *Placer County Natural Resources Report* [pg. 110]. April 2004.

¹³ California Department of Transportation, Division of Environmental Analysis. *The Effects of Highway Noise on Birds*. September 30, 2007.

¹⁴ U.S. Department of Transportation, Federal Highway Administration. *Synthesis of Noise Effects on Wildlife Populations*. September 2004.

to acclimate to the noise environment in which the species resides,¹⁵ or to select habitat based on a range of factors including the level of disturbance.¹⁶ Current operations of the existing study facilities already include vehicle traffic and amplified sound associated with events at such facilities. Thus, wildlife species in proximity to existing study facilities would be considered acclimated to noise levels associated with such operations. While the proposed Zoning Text Amendment could increase the number of allowable events at medium and large wineries, such events would represent modest changes in noise in the area. Considering that wildlife in proximity to existing study facilities would likely be acclimated to occasional event noise from existing study facilities, a modest change in noise related to events occurring under the proposed Zoning Text Amendment would not be anticipated to substantially exceed the noise level to which nearby wildlife is already accustomed. Furthermore, noise related to events would only occur during such times as events are being held at the existing study facilities, which would be limited to certain operational hours by Section E.3.a of the proposed Zoning Text Amendment, and would be subject to all relevant County noise regulations as required by Section E.4.a and Placer County Code Article 9.36. Consequently, noise related to potentially increased event activity at existing study facilities would not be anticipated to result in adverse impacts to wildlife behavior in proximity to the existing study facilities.

Conclusion

As discussed throughout this EIR, the proposed project includes adoption of revisions to the County's existing Winery Ordinance, which would increase the allowable number of events at existing study facilities within the County. While special-status species may use the habitat present within or in proximity to existing study facilities, the proposed project would not result in direct land disturbance that could affect such species. In addition, implementation of the proposed Zoning Text Amendment is not anticipated to result in adverse effects to wildlife behavior in proximity to the existing study facilities.

As discussed above, existing study facilities have the ability to expand permanent parking spaces within the sites, and such parking expansions may be undertaken with or without implementation of the proposed Zoning Text Amendment. Due to public concerns raised during the NOP review period, the potential for temporary overflow parking and expanded parking within study facilities is analyzed above. As demonstrated above, the Placer County Code contains regulations that prohibit disturbance of sensitive aquatic habitats and protected trees during grading operations, which would serve to protect those special-status species that are dependent upon them. Nevertheless, the following mitigation measures are included to ensure that appropriate conditions are placed on tree removal permits and grading permits issued for purposes of creating additional parking.

¹⁵ Davies S, Haddad N, Ouyang JQ. *Biology Letters*, 13:20170276: "Stressful City Sounds: Glucocorticoid Responses to Experimental Traffic Noise are Environmentally Dependent." October 2017.

¹⁶ Francis, Clinton D., Ortega, Catherine P., and Cruz, Alexander. *Current Biology*, Volume 19: "Noise Pollution Changes Avian Communities and Species Interactions." July 23, 2009.

This would ensure that the proposed project would not result in a ***potentially significant*** impact.

Mitigation Measure(s)

As noted above, Article 15.48 of the Placer County Code regulates all grading activity within the County, which includes grading activity associated with the establishment of parking spaces, unless such activities meet the exemptions specified in Section 15.48.070. For grading activities at existing and future study facilities that are not exempt from Article 15.48, the mitigation measures below clarify the conditions of approval to be attached to any grading permits issued. Implementation of the following mitigation measures would reduce the above potential impact to a *less-than-significant* level.

- 6-1(a) *All grading activity within existing and future wineries and farm breweries not meeting the exemptions within Section 15.48.070 of the Placer County Code shall obtain a grading permit from the County prior to initiation of grading activity. Prior to approval and issuance of any grading permits for existing and future wineries and farm breweries, the County shall impose biological resource protection measures as conditions of the grading permit. Such protection measures shall specify that grading activity shall avoid any aquatic features and riparian areas. Avoidance of such features shall be insured through the placement of high visibility and silt fencing at the edge of construction/maintenance footprint if work is anticipated to occur within 50 feet of aquatic features and riparian areas.*
- 6-1(b) *All ground-disturbing activity requiring the removal of protected trees within existing and future wineries and farm breweries shall be required to obtain a Tree Removal Permit prior to the initiation of tree removal activity, in compliance with Placer County Code Section 12.16. Prior to approval and issuance of any Tree Removal Permits for existing and future wineries and farm breweries, the County shall impose biological resource protection measures as conditions of the Tree Removal Permits. Such protection measures shall include, but are not necessarily limited to the following measures:*
- *Prior to initiation of any tree-removal activity, the owner/operator shall provide proof to the Placer County Community Development Resource Agency that nesting birds are not present within the tree or trees to be removed. Such proof shall be provided in the form of a pre-removal nesting bird survey, conducted by a qualified biologist, no more than three days prior to the proposed tree removal activity.*
 - *If tree removal activity is proposed to occur outside of the February 1 to August 31 breeding season, a pre-removal survey for active nests shall not be required.*

The applicant shall also comply with the following permit condition required by the Planning Services Division for removal of protected trees: 1:1 tree replacement using five-gallon size trees or greater, or in-lieu fees, or a combination of both, in accordance with Section 12.16.080 of the Placer County Code.

- 6-2 Have a substantial adverse effect on riparian habitat or other sensitive natural community, or federal or State protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.) or as defined by State statute, through direct removal, filling, hydrological interruption, or other means. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.**

Several of the existing study facilities within the County contain stock ponds, drainages, or are in proximity to sensitive habitats such as riparian woodlands.

While the proposed project would alter regulations related to the type and frequency of allowable events at existing study facility locations within the County, the proposed Zoning Text Amendment would not alter the types of operation currently allowable in existing study facilities within the County. That is, the proposed Zoning Text Amendment would not result in any new agricultural activity or on-site development that is not currently allowed under the existing Winery Ordinance. Therefore, the proposed Zoning Text Amendment would not result in land disturbing activity that is otherwise prohibited under the existing Winery Ordinance.

As discussed above and in Impact 6-1 above, while the proposed Zoning Text Amendment would allow for greater flexibility in the number of events being held at existing study facilities, direct physical alterations to the existing study facility sites would not occur. Considering the lack of direct physical changes to the existing study facilities, the proposed Zoning Text Amendment would not be anticipated to lead to direct physical impacts to biological resources within existing study facilities. Nevertheless, as discussed in Impact 6-1 above, due to public concerns raised during the NOP review period, the potential for the proposed Zoning Text Amendment to result in indirect effects to biological resources from overflow parking is further analyzed below.

Overflow Parking

As discussed above, the Zoning Text Amendment would allow the use of temporary overflow parking for Special Events. However, the Zoning Text Amendment requires overflow parking to occur in designated areas. Because overflow parking is used to meet temporary parking demand it is reasonable to expect that facility owners would use those portions of their property that are already disturbed, in order to accommodate overflow parking needs. Given the general agricultural nature of existing wineries and farm breweries, it is common for operators to use agricultural fields to temporarily accommodate overflow parking. Areas used for agricultural purposes generally do not contain sensitive habitats, such as wetlands, as such areas are unsuitable for cultivation.

Additionally, vegetation within agricultural areas is typically controlled, and, as a result, those areas used for agricultural purposes typically do not contain riparian habitat or sufficient vegetation to provide habitat for most species. Thus, overflow parking would not have a substantial adverse effect on riparian habitat or other sensitive natural habitat.

Permanent Parking

Under the current Winery Ordinance and following the proposed Zoning Text Amendment, existing study facilities would have the ability to expand permanent parking spaces within their sites in order to accommodate tasting room guests, agricultural activities, and event attendees. Should such expansions of parking areas be undertaken, the expansion of parking areas would be subject to all relevant County, State, and federal regulations. For instance, Article 15.48 of the Placer County Code regulates all grading activity within the County, which includes grading activity associated with the establishment of parking spaces, unless such activity meets the exemptions specified in Section 15.48.070.

Per Section 15.48.070, grading activity related to the establishment of new parking could be exempt from County review if such activity is determined to represent a minor project and meets additional criteria. The additional criteria include, but are not limited to, requirements related to the maximum amount of material to be moved, the maximum amount of vegetation to be removed, and prohibitions against grading within certain areas. In particular, minor projects deemed exempt from further regulation by the County may not include grading activity that would obstruct any watercourse, disturb, or negatively impact any drainage way, wetland, stream environment zone or water body. Consequently, even grading activity that may otherwise be considered as a minor project is subject to state and federal environmental standards, which would protect aquatic habitat types and the special-status species that rely on such habitat.

Non-exempt grading activity subject to Article 15.48 is required to obtain proper permitting prior to initiation of grading activity, which includes general County review of the parking design being proposed. Permitting for such grading activity includes conditions related to the safeguarding of watercourses as specified in Section 15.48.240 of the Placer County Code. Furthermore, wetlands within the County are protected by the USACE, RWQCB, and the CDFW. Thus, improper disturbance of sensitive aquatic habitat, such as wetlands, would not occur during potential future construction of permanent parking, as wetland habitat would be protected by the foregoing ordinances, laws, and agencies.

Riparian vegetation is considered a sensitive natural community. Because riparian vegetation is part of the stream environment zone addressed in the County Grading Ordinance, grading would not be allowed in riparian areas. Additionally, riparian areas are expressly protected within the Placer County Tree Preservation Ordinance. In particular, Section 12.16.030 of the Placer County Code includes County-wide requirements for tree removal, including requirements for proposed tree removals in riparian zones. As noted in Section 12.16.030 (B), Riparian Zones, of the Placer County

Code, Tree Removal Permits or discretionary project approvals for activity within a riparian zone may not be approved until environmental impacts within the riparian zone are identified, an environmental determination is made, and mitigation measures identified. Furthermore, such projects may not proceed until any necessary agreements required by the CDFW are in place. The protection of aquatic resources and their immediate drainage areas contained in Article 15.48 of the Placer County Code, and the express protection of riparian zones within Article 12.16 of the Placer County Code would ensure that potential future land disturbance related to the provision of additional parking for existing study facilities would not result in the disturbance or removal of riparian habitats without proper environmental review, mitigation and permitting.

As noted previously in the section pertaining to local regulations on page 6-17, General Plan Policy 6.B.1 states, “The County shall support a ‘no net loss’ policy for wetland areas as regulated by the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the California Department of Fish and Wildlife. Coordination with these agencies at all levels of project review shall continue to ensure that appropriate mitigation measures and the concerns of these agencies are adequately addressed.” This policy stands on its own from Article 15.48 Placer County Grading Ordinance and Article 12.16 Placer County Tree Ordinance because there are procedural remedies as well as enforcement for wetland disturbance, which includes notification to wildlife agencies for review, permitting, and mitigation.

Nevertheless, the following mitigation measure is included to ensure that appropriate conditions are placed on grading permits issued for purposes of creating additional parking. This would ensure that the proposed project would not result in a *significant* impact.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above potential impact to a *less-than-significant* level.

6-2 *Implement Mitigation Measure 6-1(a).*

- 6-3 Have a substantial adverse effect on the environment through the conversion of oak woodlands, or conflict with local policies or ordinances related to the protection of biological resources, including oak woodlands. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.**

Isolated native oak trees, as well as oak woodlands, exist within several existing study facility sites in the County. Existing trees within the County are protected under Placer County’s Tree Preservation Ordinance, which regulates the removal of trees within the County, and prohibits tree removals under certain conditions. Where native oaks are removed during development within the County, the County’s Tree Preservation Ordinance requires proper mitigation such as payment of compensatory fees, purchase of off-site conservation easements, and planting of replacement trees.

As discussed in Impact 6-1 above, the proposed Zoning Text Amendment would allow for greater flexibility in the number of events being held at existing study facilities. Because such events would be anticipated to occur within existing event spaces at the existing study facility sites, direct physical alterations to existing study facilities would not occur. Considering the lack of direct physical changes to the existing study facilities, the proposed Zoning Text Amendment would not lead to direct physical impacts to any on-site oak trees or oak woodlands. Furthermore, the proposed project would not directly result in operational changes that would result in additional land disturbance or oak woodland conversion or tree removal that is otherwise prohibited under the existing Winery Ordinance.

As discussed above, existing study facilities may choose to expand the permanent parking available for future events under the proposed Zoning Text Amendment. The provision of additional parking areas would involve grading activity, which is generally subject to the requirements of Section 15.48 of the Placer County Code, and should such activity require tree removal, the regulations included in the Placer County Tree Preservation Ordinance would be applicable. Minor grading for parking would, at most, impact individual trees, and not contiguous oak woodland areas. The County's 2008 Interim Guidelines on assessing oak woodland impacts defines the threshold for significant impact as the loss of one or more acres of oak woodland due to development. This would not occur as a result of the Zoning Text Amendment.

The Placer County Tree Preservation Ordinance (Section 12.16 of the Placer County Code) regulates the encroachment of construction activities into protected zones of protected trees and the removal of any protected trees. The Placer County Tree Preservation Ordinance requires that any tree removal activity be compensated through replacement plantings or the purchase of preservation credits. Therefore, should existing study facilities choose to expand permanent parking, and such expansions require tree removals, tree removal would be compensated through the implementation of County adopted regulations.

If removal of protected trees occurs within existing study facilities, existing County regulations would require the mitigation of such tree removal through replacement plantings, purchase of preservation credits, or other mechanisms included in Section 12.16 of the Placer County Code. Nevertheless, the following mitigation measure is included to ensure that implementation of the proposed project would not have a substantial adverse effect on the environment through the conversion of oak woodlands, or the creation of a conflict with local policies or ordinances related to the protection of biological resources, including oak woodlands. Without mitigation, a *significant* impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above potential impact to a *less-than-significant* level.

6-3 Implement Mitigation Measure 6-1(b).

6-4 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. Based on the analysis below, the impact is *less than significant*.

The various habitat types located within existing study facility sites, such as annual grasslands, oak woodlands, and riparian woodlands, could provide habitat for a number of wildlife species. Many such habitats facilitate the movement of native species throughout the County. For instance, continuous stretches of riparian woodland, such as the riparian area associated with Dutch Ravine, adjacent to Hillenbrand Farmhaus Brewery, or the riparian area in proximity to Mt. Vernon Winery, could allow for the movement of species, some of which could be considered special-status. In addition to riparian woodlands, continuous areas of grassland and oak woodland habitat within Placer County allow for the movement of many types of terrestrial wildlife, while streams and rivers throughout the County facilitate the movement of fish, reptiles, and amphibians. Several existing study facility sites include grassland and oak woodland habitat.

As discussed in Impact 6-1 above, the proposed Zoning Text Amendment would allow for greater flexibility in the number of events being held at existing study facilities; such events would be anticipated to occur within the existing event spaces at each existing study facility, and, thus, would not result in direct physical alterations to any existing study facility sites. Considering the lack of direct physical changes to the existing study facilities, the proposed Zoning Text Amendment would not be anticipated to result in any physical changes that would involve the construction of substantial barriers to the movement of terrestrial or riverine wildlife or disturbance of native wildlife nursery sites.

However, events at existing study facilities would result in vehicle trips to and from existing study facilities, as further discussed in Chapter 10, Transportation and Circulation, of this EIR. Comments received on the Initial Study and NOP prepared for the proposed project noted the potential for increased traffic to result in conflicts with migrating species such as mule deer within the County. Conflicts between vehicle traffic on roadways and wildlife is a statewide issue, which often leads to wildlife mortality and human injury. Considering the high volume of vehicle traffic on Interstate 80 (I-80) within Placer County and the rural nature of the County, I-80 is a hotspot for wildlife vehicle conflicts within the State. In addition to I-80, other County roadways within the sub-region of the County where the existing study facilities are located experience wildlife vehicle conflicts due to the rural nature of the area, movement of wildlife across the landscape, and use of rural roadways.¹⁷

Vehicle conflicts with terrestrial wildlife, including mule deer, would be sporadic. Nevertheless, because the proposed Zoning Text Amendment could result in increased

¹⁷ Shilling F, Waetjen D., UC Davis Road Ecology Center. *Impact of Wildlife-Vehicle Conflict on Drivers and Animals*. 2016.

vehicle traffic on roadways in proximity to existing study facilities, the proposed Zoning Text Amendment could result in increased wildlife vehicle conflicts. Such conflicts may affect individual mule deer and other terrestrial wildlife within the County; however, vehicle conflicts with wildlife on rural roadways are not numerous enough or of sufficient frequency to result in population-wide changes in wildlife movement patterns. The overall increase in vehicle traffic on roadways in proximity to existing study facilities would be relatively minor compared to the existing volume of vehicle traffic in the region. As such, while vehicle traffic related to potential future events under the proposed Zoning Text Amendment could result in slight increases in wildlife vehicle conflicts, the increase would not be considered to substantially interfere with wildlife populations or movement on a regional level. Furthermore, for mule deer populations in particular, mule deer are not a special-status species and the population of mule deer is large within the County.¹⁸ Thus, vehicle conflicts with wildlife, including mule deer, related to a potential increase in event traffic would not be sufficient to alter movement patterns of any species or pose a substantial risk to the overall population of any particular species.

Considering the above, the proposed Zoning Text Amendment would not lead to the direct physical development of any barriers to migratory wildlife, and increased vehicle traffic would not be anticipated to substantially affect movement of wildlife populations within the County. Because the proposed project would not result in disturbance of movement corridors or nursery sites, the project would not interfere substantially with the movement of any native resident or migratory wildlife species or impede the use of migratory wildlife corridors or impede the use of native wildlife nursery sites. Therefore, a *less-than-significant* impact would occur.

Mitigation Measure(s)

None required.

6-5 Conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or State habitat conservation plan. Based on the analysis below, the project would have *no impact*.

Presently, the County does not have any approved HCP or NCCP. However, as discussed under Regulatory Setting, the draft PCCP was released in 2011. The First Agency Review Draft PCCP establishes conservation areas to protect and conserve special-status species and natural communities. The draft PCCP covers 221,000 acres, including important biological communities, in western Placer County where all of the existing study facilities are located. Although all of the existing study facilities are located within the PCCP area, because the PCCP has not been adopted by the Board of Supervisors as of the date of preparation of this EIR, the proposed project would not conflict with the provisions of the PCCP. Therefore, *no impact* would occur.

¹⁸ California Department of Fish and Wildlife. *Report to the Fish and Game Commission: An Assessment of Mule and Black-tailed Deer Habitats and Populations in California*. February 1998.

Mitigation Measure(s)

None required.

7. CULTURAL RESOURCES

7

CULTURAL RESOURCES

7.1 INTRODUCTION

The Cultural Resources chapter of this EIR addresses prehistoric and historic resources in the vicinity of the existing medium and large winery and farm brewery sites within the County. Prehistoric resources are those sites and artifacts associated with indigenous, non-Euroamerican populations, generally prior to contact with people of European descent. Historic resources include structures, features, artifacts, and sites that date from Euroamerican settlement of the region. In addition, the potential for paleontological resources and/or Tribal Cultural Resources to occur within existing winery and farm brewery sites is addressed in this chapter. The chapter summarizes the existing setting with respect to cultural and paleontological resources, identifies thresholds of significance, and potential impacts to such resources resulting from implementation of the Winery and Farm Brewery Ordinance.

Information presented in this chapter is drawn from the Placer County General Plan¹ and associated EIR,² as well as various other Placer County documents including the Granite Bay Community Plan.³

This chapter focuses on the ten existing medium (10- to 20-acre) and large (20-acre or greater) parcel size wineries and farm breweries that would be subject to the proposed project, which are shown in Figure 3-1 of the Project Description chapter. Such facilities are referred to as *existing study facilities* throughout this EIR. Potential effects on Cultural Resources associated with future wineries and farm breweries that would be subject to the proposed project are addressed in Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR.

7.2 EXISTING ENVIRONMENTAL SETTING

Placer County contains a rich cultural heritage that includes archeological, historical, and paleontological sites and resources. Given the rich heritage of the area, many archeological, historical, and paleontological sites and resources remain undiscovered. A historic/cultural overview of the western portion of the County containing the existing study facility sites that would be affected by the proposed Zoning Text Amendment is provided below.

¹ Placer County. *Countywide General Plan Policy Document*. August 1994 (updated May 2013).

² Placer County. *Countywide General Plan EIR*. July 1994.

³ Placer County, Community Development Resource Agency, Planning Services Division. *Granite Bay Community Plan*. February 2012.

Historic Overview

The following discussion provides an overview of the ethnography and history of the Western Placer County region and surrounding area.

Ethnography

Indigenous people inhabited the Sacramento Valley and Sierra Nevada region for thousands of years. The oldest known evidence of prehistoric human occupation of the Central Valley area in proximity to the project region has been found in Arcade Creek, north of Sacramento, which includes grinding tools and large, stemmed projectile points that have been dated to between 6,000 to 3,000 years B.C.E.⁴

Throughout the time period before Euroamerican contact, the ethnographic cultures present within the Sierra Nevada and the Central Valley, including the area that would become Placer County, grew and changed to include advanced tools, trading, religion, and varied food sources. Early inhabitants of the foothill and Central Valley regions of Placer County include the Nisenan, also known as the Southern Maidu Tribe. The Nisenan inhabited the areas along the American, Yuba, and Bear Rivers, as well as the lower reaches of the Feather River, and tributaries thereof. To the west, the Sacramento River bounded the Nisenan's territory, while the Nisenan territory may have extended close to Lake Tahoe in the east.⁵ The western Placer County region was within the territory of the Penutian-speaking Nisenan, which is one of three Maiduan-speaking tribelets that lived within the northeastern half of the Sacramento Valley and Sierra Nevada foothill region.⁶ The Nisenan's permanent settlements in the foothills and mountains were often located on hillsides or ridges in between parallel streams. Valley dwelling Nisenan tribes tended to occupy high ground near the major streams. Considering the location of Nisenan settlements in proximity to waterways, evidence of the Nisenan people is often found near waterways.

Similar to other California Native American groups, the Nisenan employed a variety of tools, implements, and enclosures for hunting and collecting natural resources. The bow and arrow, snares, traps, nets, and enclosures or blinds were used for hunting land mammals and birds. For fishing, they made canoes from tule, balsa, or logs, and used harpoons, hooks, nets, and basketry traps. To collect plant resources, the two groups used sharpened digging sticks, long poles for dislodging acorns and pinecones, and a variety of woven tools (seed beaters, burden baskets, and carrying nets).

Historical Context

In 1769 the Spanish arrived in the Central Valley. By 1776 the Spanish explorers had reached the territory of the Central Valley inhabited by the Miwok Native Americans, which bordered the

⁴ Placer County, Community Development Resource Agency, Planning Services Division. *Granite Bay Community Plan*. February 2012.

⁵ *Ibid.*

⁶ Placer County, Community Development Resource Agency, Planning Services Division. *Sheridan Community Plan*. January 6, 2015.

Nisenan territory to the south. While many nearby tribes were forced into residence at Spanish missions, the Nisenan may have remained within their territory.⁷

Following the Mexican Revolution, the Mexican government awarded land grants throughout the interior of California, seeking to increase the settler population of the territory away from the more settled coastal areas. Concurrently, American trappers began entering the State from the west and accessing the Central Valley by following the American and Cosumnes rivers. Much of the settlement of the area centered around land grants awarded to John Sutter, who established a trading and agricultural presence near the confluence of the Sacramento and American Rivers within what is today the City of Sacramento.

The spread of Mexican land grant settlers and American trappers led to increased conflict and the proliferation of diseases throughout native populations. Under such conditions, epidemics spread throughout the existing native populations with as much as 75 percent of the native population being killed by epidemics by 1833.⁸

After the signing of the Treaty of Guadalupe Hidalgo ended the Mexican-American War, California became a territory of the United States. The discovery of gold in 1848 near the Nisenan village of Colluma (present day Coloma in El Dorado County) brought further change and conflict to the Nisenan and initiated a period of widespread settlement of the area by Euroamericans. Thousands of miners poured into the area traditionally inhabited by the Nisenan, which led to widespread conflicts and the near destruction of the traditional Nisenan culture.⁹ In fact, within a year of the discovery of gold nearly 90,000 people had traveled to California's gold fields, further displacing native peoples from the Central Valley and Sierra Nevada foothill regions.

Communities such as Loomis, Rocklin, Newcastle, Penryn, and Auburn evolved from mining camps to become centers of activity by the mid-1850s. In addition to the initial rush for gold, resources such as low-grade coal and copper found near Lincoln, and high-quality granite from Penryn, Rocklin, and Lincoln contributed to the development of the local economy.¹⁰

As the initial mining boom subsided, many of the miners attracted to the area by the promise of gold began to transition into more traditional livelihoods, such as farming and ranching. By the 1850s, settlers had begun planting row crops, such as wheat, and fruit trees within the Western Placer County region. Concurrent to the settlement of the region, the County of Placer was organized from portions of neighboring Sutter and Yuba counties. In 1865, the Central Pacific Railroad completed track from Roseville to Auburn, and, in 1866, railroad track was laid to connect Lincoln and Wheatland.¹¹ The completion of the first transcontinental railroad contributed to the growth of the Placer County region, specifically in regard to the agricultural industry.

⁷ Placer County, Community Development Resource Agency, Planning Services Division. *Granite Bay Community Plan*. February 2012.

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ Placer County, Community Development Resource Agency, Planning Services Division. *Sheridan Community Plan*. January 6, 2015.

¹¹ *Ibid.*

Evidence of historic mining activities still present throughout the western Placer County include ditches, pits, mounds, and low terraces. Furthermore, the establishment of communities within Placer County following the mining period resulted in the creation of historic resources such as residential structures, agricultural related structures or landscapes, and railroad related developments.¹²

Paleontological Resources

Western Placer County contains a variety of geologic units. While many geologic units are either volcanic in origin and not fossiliferous, or alluvium deposited too recently to be considered fossiliferous, some areas of the County contain deposits of suitable age and composition to potentially contain fossils. For instance, the Turlock Lake Formation, found in some areas of the County, has been the source for approximately 221 vertebrate specimens within the Central Valley.¹³ Considering that the existing study facilities are scattered throughout portions of western Placer County, some of the existing study facilities may be located on geologic units considered fossiliferous, while other study facilities are located on geologic units considered of low sensitivity for the discovery of fossils.

Native American Consultation

Placer County distributed notification letters pursuant to Assembly Bill (AB) 52 on August 21, 2017. Notification letters were distributed to the Ione Band of Miwok Indians, the Wilton Rancheria of Wilton California, the Shingle Springs Band of Miwok Indians, the T'Si-Akim Maidu, the United Auburn Indian Community of the Auburn Rancheria, and the Washoe Tribe of Nevada and California. Responses to the County's request for consultation were not received from any of the contacted tribes during the AB 52 consultation period.

7.3 REGULATORY CONTEXT

Federal, State, and local governments have developed laws and regulations designed to protect significant cultural resources that may be affected by actions that they undertake or regulate. The National Historic Preservation Act (NHPA) and the California Environmental Quality Act (CEQA) are the basic federal and State laws governing preservation of historic and archaeological resources of national, regional, State, and local significance.

Federal Regulations

The following are the federal environmental laws and policies relevant to cultural resources.

¹² Placer County, Community Development Resource Agency, Planning Services Division. *Granite Bay Community Plan*. February 2012.

¹³ Kenneth L. Finger. *Paleontological Records Search for the Placer Greens Project (PLN15-00053)*. October 6, 2015.

Section 106 for the National Historical Preservation Act (NHPA) of 1966

Federal regulations for cultural resources are governed primarily by Section 106 of the NHPA of 1966. Section 106 of NHPA requires Federal agencies to take into account the effects of their undertakings on historic properties and affords the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. The Council's implementing regulations, "Protection of Historic Properties," are found in 36 Code of Federal Regulations (CFR) Part 800. The goal of the Section 106 review process is to offer a measure of protection to sites, which are determined eligible for listing on the National Register of Historic Places (NRHP). The criteria for determining NRHP eligibility are found in 36 CFR Part 60. Amendments to the Act (1986 and 1992) and subsequent revisions to the implementing regulations have, among other things, strengthened the provisions for Native American consultation and participation in the Section 106 review process. While federal agencies must follow federal regulations, most projects by private developers and landowners do not require this level of compliance. Federal regulations only come into play in the private sector if a project requires a federal permit or if it uses federal funding.

National Register of Historic Places

NRHP is the nation's master inventory of known historic resources. The NRHP includes listings of resources, including: buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, State, or local level. Resources over 50 years of age can be listed on the NRHP. However, properties under 50 years of age that are of exceptional significance or are contributors to a district can also be included on the NRHP. Four criteria are used to determine if a potential resource may be considered significant and eligible for listing on the NRHP. The criteria include resources that:

- A. Are associated with events that have made a significant contribution to the broad patterns of history; or
- B. Are associated with the lives of persons significant in our past; or
- C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded or may likely yield information important in prehistory or history.

A resource can be individually eligible for listing on the NRHP under any of the above four criteria, or it can be listed as contributing to a group of resources that are listed on the NRHP.

A resource can be considered significant in American history, architecture, archaeology, engineering, or culture. Once a resource has been identified as significant and potentially eligible for the NRHP, the resource's historic integrity must be evaluated. Integrity is a function of seven factors: location, design, setting, materials, workmanship, feeling, and association. The factors closely relate to the resource's significance and must be intact for NRHP eligibility.

State Regulations

The following are the State environmental laws and policies relevant to cultural resources.

California Environmental Quality Act

State historic preservation regulations affecting the project include the statutes and guidelines contained in CEQA (Public Resources Code [PRC] Sections 21083.2 and 21084.1 and Sections 15064.5 and 15126.4 (b) of the CEQA Guidelines). CEQA requires lead agencies to consider the potential effects of a project on historic resources and unique archaeological resources. An “historic resource” includes, but is not limited to, any object, building, structure, site, area, place, record or manuscript that is historically or archaeologically significant (PRC Section 5020.1). Under Section 15064.5 of the CEQA Guidelines, a resource is considered “historically significant” if it meets one or more of the following California Register of Historic Resources (CRHR) criteria:

1. The resource is associated with events that have made a significant contribution to the broad patterns of California history; or
2. The resource is associated with the lives of important persons from our past; or
3. The resource embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual or possesses high artistic values; or
4. The resource has yielded, or may be likely to yield, important information in prehistory or history.

CEQA requires preparation of an EIR if a proposed project would cause a “substantial adverse change” in the significance of a historical resource. A “substantial adverse change” would occur if a proposed project would result in physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired (CEQA Guidelines Section 15064.5(b)(1)).

In addition to historically significant resources, which can include archeological resources that meet the criteria listed above, CEQA also requires consideration of “unique archaeological resources.” If a site meets the definition of a unique archaeological resource, it must be treated in accordance with the provisions of PRC Section 21083.2. Under PRC Section 21083.2(g), an archaeological resource is considered “unique” if it:

1. Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information;
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person (PRC 21083.2(g)).

CEQA also includes specific guidance regarding the accidental discovery of human remains. Specifically, CEQA Guidelines Section 15064.5(e) requires that if human remains are uncovered, excavation activities must be stopped and the county coroner contacted. If the county coroner

determines that the remains are Native American, the coroner must contact the NAHC within 24 hours. The NAHC identifies the most likely descendent, and that individual or individuals can make recommendations for treatment of the human remains under the procedures set forth in Section 15064.5 of the CEQA Guidelines.

California Register of Historic Places

The State Historic Preservation Office (SHPO) maintains the CRHR. Properties that are listed on the NRHP are automatically listed on the CRHR, along with State Landmarks and Points of Interest. The CRHR can also include properties designated under local ordinances or identified through local historical resource surveys.

Assembly Bill 52

Assembly Bill (AB) 52 adds Tribal Cultural Resources to the categories of cultural resources in CEQA, which had formerly been limited to historic, archaeological, and paleontological resources. “Tribal Cultural Resources” are defined as either:

- (1) Sites, features, places, 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 (CRHR).
 - (B) Included in a local register of historical resources as defined in subdivision (k) of 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Under AB 52, a project that may cause a substantial adverse change in the significance of a Tribal Cultural Resource is defined as a project that may have a significant effect on the environment. Where a project may have a significant impact on a Tribal Cultural Resource, the lead agency’s environmental document must discuss the impact and whether feasible alternatives or mitigation measures could avoid or substantially lessen the impact. AB 52 (PRC 21080.3.1) 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(s) requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe(s). Consultation may include discussing the type of environmental review necessary, the significance of Tribal Cultural Resources, the significance of the project’s impacts on the Tribal Cultural Resources, and alternatives and mitigation measures recommended by the tribe(s).

Local Regulations

Relevant goals and policies from the Placer County General Plan are discussed below.

Placer County General Plan

The following policies from the Placer County General Plan related to cultural resources are applicable to the proposed project.

- | | |
|----------------|---|
| Policy 5.D.3 | The County shall solicit the views of the Native American Heritage Commission, State Office of Historic Preservation, North Central Information Center, and/or the local Native American community in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance. |
| Policy 5.D.4 | The County shall coordinate with the cities and municipal advisory councils in the County to promote the preservation and maintenance of Placer County's paleontological and archaeological resources. |
| Policy 5.D.6 | The County shall require that discretionary development projects identify and protect from damage, destruction, and abuse, important historical, archaeological, paleontological, and cultural sites and their contributing environment. Such assessments shall be incorporated into a countywide cultural resource data base, to be maintained by the Department of Museums. |
| Policy 5.D.7 | The County shall require that discretionary development projects are designed to avoid potential impacts to significant paleontological or cultural resources whenever possible. Unavoidable impacts, whenever possible, shall be reduced to a less than significant level and/or shall be mitigated by extracting maximum recoverable data. Determinations of impacts, significance, and mitigation shall be made by qualified archaeological (in consultation with recognized local Native American groups), historical, or paleontological consultants, depending on the type of resource in question. |
| Policy 5.D.9 | The County shall use the State Historic Building Code to encourage the preservation of historic structures. |
| Policy 5.D.11. | The County shall support the registration of cultural resources in appropriate landmark designations (i.e., National Register of Historic Places, California Historical Landmarks, Points of Historical Interest, or Local Landmark). The County shall assist private citizens seeking these designations for their property. |
| Policy 5.D.12 | The County shall consider acquisition programs (i.e. Placer Legacy Open Space and Agricultural Conservation Program) as a means of preserving significant cultural resources that are not suitable for private development. Organizations that could provide assistance in this area include, but are not limited to, the |

Archaeological Conservancy, the Native American community, and local land trusts.

7.4 IMPACTS AND MITIGATION MEASURES

This section describes the standards of significance and methodology used to analyze and determine the proposed project's potential impacts related to cultural resources. In addition, a discussion of the project's impacts is also presented.

Standards of Significance

Consistent with Appendix G of the CEQA Guidelines, the County's General Plan and Initial Study Checklist, and professional judgment, a significant impact would occur if the proposed project would result in the following:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature;
- Have the potential to cause a physical change, which could affect unique ethnic cultural values;
- Restrict existing religious or sacred uses within the potential impact area;
- Disturb any human remains, including those interred outside formal cemeteries; and/or
- Cause a substantial change in the significance of a Tribal Cultural Resource as defined in Public Resources Code, Section 21074.

Method of Analysis

Cultural resources within the County were analyzed through review of various County documents including the County's General Plan, Community Plans for areas within Western Placer County where existing study facilities are located, and recently adopted EIRs for projects within the County. In addition, local tribes were contacted pursuant to AB 52 requirements. As part of AB 52 requirements, the County sent project notification letters to the Ione Band of Miwok Indians, the Wilton Rancheria of Wilton California, the Shingle Springs Band of Miwok Indians, the T'Si-Akim Maidu, the United Auburn Indian Community of the Auburn Rancheria, and the Washoe Tribe of Nevada and California on August 21, 2017. Responses to the County's request for consultation were not received from any of the contacted tribes during the AB 52 consultation period.

Project-Specific Impacts and Mitigation Measures

The following discussion of impacts is based on implementation of the proposed project in comparison with the standards of significance identified above.

7-1 Cause a substantial adverse change in the significance of a historical or unique archeological resource as defined in CEQA Guidelines, Section 15064.5, and/or a Tribal Cultural Resource as defined in Public Resources Code, Section 21074. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.

Section 15064.5 of the CEQA Guidelines provides instructions for a lead agency to consider the effects of projects on historical resources and cultural resources. Furthermore, Public Resources Code, Section 21074 defines Tribal Cultural Resources. As discussed in the Existing Environmental Setting section above, the western portion of Placer County has a long history of human habitation dating back thousands of years. The existence of historical, archaeological, cultural, and/or tribal cultural resources within each study facility is currently unknown.

The proposed Zoning Text Amendment would allow for greater flexibility in the number of events being held at existing study facilities. Such events would be anticipated to occur within the existing event spaces at each existing study facility, and, thus, would not result in direct physical alterations to any existing study facility sites. Considering the lack of direct physical changes to the existing study facilities, the proposed Zoning Text Amendment would not be anticipated to lead to direct physical impacts to cultural resources within existing study facilities. The remainder of this impact discussion will focus on whether the additional events allowable under the proposed Zoning Text Amendment would result in the use of overflow parking, or creation of more permanent parking, the indirect effects of which could include disturbance of cultural resources. This discussion is provided in response to public concerns expressed during the Notice of Preparation (NOP) comment period for the proposed project.

The existing Winery Ordinance restricts the number of promotional events at each facility to six per year, subject to first securing an Administrative Review Permit. The proposed project would redefine “event” to distinguish between Agricultural Promotional Events and Special Events. Agricultural Promotional Events would include events with 50 attendees or less at one time and would be directly related to the education and marketing of wine and craft beer to consumers. Special Events would include events with greater than 50 attendees at one time where the agricultural-related component is subordinate to the primary purpose of the event. The proposed Zoning Text Amendment would allow the existing study facilities to hold an unlimited number of Agricultural Promotional Events, whereas the eight existing, medium parcel-sized study facilities could hold up to six Special Events per year, and the two existing, large parcel-sized study facilities could hold up to 12 Special Events per year.

Overflow Parking

Public concerns have been raised during the NOP review period regarding the potential for the proposed increase in the number of allowable events to result in indirect effects due to overflow parking within the existing study facilities. Specifically, commenters have suggested that an increase in the number of allowable events would increase the number of people driving to the existing study facilities, which could result in event organizers choosing to allow overflow parking in order to accommodate the additional vehicles, which

may result in ground disturbance. The existing Winery Ordinance allows for temporary overflow parking to be used in conjunction with Temporary Outdoor Events (TOE), as described in Section 17.56.300(B)(1)(b). The proposed Zoning Text Amendment would continue to allow overflow parking for TOEs but would also allow temporary overflow parking for Special Events. Overflow parking for Agricultural Promotional Events would not be allowed; rather, the Ordinance would continue to require at least one parking space for every 2.5 event attendees, and event size would be limited to the number of available on-site parking spaces (see Table 4, Minimum Parking Requirements, of the Draft Winery Ordinance). Any attempt to allow overflow parking for Agricultural Promotional Events would be a violation of the Placer County Code and would result in code enforcement.¹⁴

In summary, the proposed Zoning Text Amendment would give facility owners the ability to use temporary overflow parking for Special Events, which are limited to six per year for medium parcel-sized facilities and 12 per year for large parcel-sized facilities. Thus, on a yearly basis, the demand for overflow parking will be relatively minimal.

The Zoning Text Amendment requires overflow parking to occur in designated areas. Because overflow parking is used to meet temporary parking demand it is reasonable to expect that facility owners would use those portions of their property that are already disturbed, in order to accommodate overflow parking needs. Given the agricultural nature of existing wineries and farm breweries, it is common for operators to use agricultural fields to temporarily accommodate overflow parking. In general, the process of vehicle parking does not result in substantial amounts of ground-disturbance. While some surficial soil particles may be disturbed by vehicle tires during parking activity, parking would not result in substantial amounts of ground-disturbance, and would not be considered likely to impact subsurface cultural resources.

Permanent Parking

Under the current Winery Ordinance and following the proposed Zoning Text Amendment, existing study facilities would have the ability to expand permanent parking spaces within their sites in order to accommodate tasting room guests, agricultural activities, and event attendees. Should such expansions of parking areas be undertaken to support events, the expansion of parking areas would be subject to all relevant County, State, and federal regulations. For instance, Article 15.48 of the Placer County Code regulates all grading activity within the County, which includes grading activity associated with the establishment of parking spaces, unless such activity meets the exemptions specified in Section 15.48.070.

As shown in Section 15.48.070, grading activity related to the establishment of new parking could be exempt from County review if such activity is determined to represent a minor project or meets other specific exemption requirements. Only the exemptions related to minor projects would apply to grading related to the provision of permanent parking

¹⁴ Overflow parking could be allowed with a TOE, two of which can be obtained per year; however, this is currently allowed under the existing Winery Ordinance, and thus is not required to be addressed in this EIR.

areas. Section 15.48.070(A) of the Placer County Code defines minor projects as grading projects that involve cut and fills that do not exceed four feet in vertical depth, and that meet nine additional criteria. The additional criteria include, but are not limited to, requirements related to the maximum amount of material to be moved, the maximum amount of vegetation to be removed, and prohibitions against grading within certain areas. In particular, minor projects deemed exempt from further regulation by the County may not include grading activity that would obstruct any watercourse, disturb, or negatively impact any drainage way, wetland, stream environment zone or water body. As discussed in the Existing Environmental Setting section of this chapter, evidence of the Nisenan people is typically found in proximity to drainage ways and water courses. Thus, grading activity occurring in areas most likely to include tribal cultural resources, such as areas in proximity to watercourses, streams, or drainage ways, would not be considered minor projects and would be required to obtain a grading permit from the County. Grading activity subject to the permitting requirements of Chapter 15.48 would undergo County review prior to initiation.

Non-exempt grading activity subject to Article 15.48 is required to obtain proper permitting prior to initiation of grading activity, which includes general County review of the parking design being proposed. Permitting for such grading activity enables the County to impose conditions on the permit that would address protection of cultural resources. As stated in Code Section 15.48.240, in granting a permit, the Community Development Resource Agency may impose any condition deemed necessary to protect the health, safety and welfare of the public, to prevent the creation of a hazard to public or private property, prevent erosion and to assure proper completion of the grading. In addition, depending upon the size and scope of the grading activity, the County has the ability to require further environmental review prior to issuing a grading permit (Code Section 15.48.210).

Nevertheless, the following mitigation measures are included to ensure that appropriate conditions are placed on grading permits issued for purposes of creating additional parking. This would ensure that the proposed project would not result in a *significant* impact.

Mitigation Measure(s)

As noted above, Article 15.48 of the Placer County Code regulates all grading activity within the County, which includes grading activity associated with the establishment of parking spaces, unless such activities meet the exemptions specified in Section 15.48.070. For grading activities at existing and future study facilities that are not exempt from Article 15.48, the mitigation measures below clarify the conditions of approval to be attached to any grading permits issued. Implementation of the following mitigation measures would reduce the above potential impact to a *less-than-significant* level.

- 7-1(a) *All grading activity within existing and future wineries and farm breweries not meeting the exemptions within Section 15.48.070 of the Placer County Code shall obtain a grading permit from the County prior to initiation of grading activity. Prior to approval and issuance of any grading permits for existing and future wineries and farm breweries, the County shall impose cultural resource protection measures as conditions of the grading permit.*

Such protection measures shall include, but are not limited to the following measures:

- 1. If potential archaeological resources, cultural resources, articulated, or disarticulated human remains are discovered during ground-disturbing activities associated with the proposed project, all work within 100 feet of the find shall cease, the Placer County Community Development Resource Agency shall be notified, and the applicant shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to evaluate the finds. Native American Representatives from culturally affiliated Native American Tribes shall also be notified. If the resource is determined to be eligible for inclusion in the California Register Historical Resources and project impacts cannot be avoided, data recovery shall be undertaken. Data recovery efforts could range from rapid photographic documentation to extensive excavation depending upon the physical nature of the resource. The degree of effort shall be determined at the discretion of a qualified archaeologist and shall be sufficient to recover data considered important to the area's history and/or prehistory. The language of this mitigation measure shall be included on any future grading plans approved by the Placer County Engineering and Surveying Division for the proposed project; and*
- 2. During construction activities, if any vertebrate bones or teeth are found, all work shall be halted in the immediate vicinity of the discovery, and the owner/operator shall notify the Placer County Community Development Resource Agency and retain a qualified paleontologist to inspect the discovery. If deemed significant with respect to authenticity, completeness, preservation, and identification, the resource(s) shall then be salvaged and deposited in an accredited and permanent scientific institution (e.g., University of California Museum of Paleontology (UCMP) or Sierra College), where the discovery would be properly curated and preserved for the benefit of current and future generations. The language of this mitigation measure shall be included on any future grading plans approved by the Placer County Engineering and Surveying Division for future grading within existing or future wineries and farm breweries in the County, where excavation work would be required.*
- 3. If any bones, teeth, or other remains found during construction activity are determined to be human in origin, such remains on non-federal lands must be handled in compliance with all relevant State regulations. As mandated by Health and Safety Code §7050.5, PRC §5097.98 and the California Code of Regulations (CCR) §15064.5(e) (CEQA), should human remains be encountered,*

during ground disturbing activity in any existing or future wineries or farm breweries within the County, all work in the immediate vicinity of the burial must cease, and any necessary steps to ensure the integrity of the immediate area must be taken. The Placer County Coroner shall be immediately notified. If the Coroner determines the remains are of Native American origin, the Coroner has 24 hours to notify the NAHC, which shall determine and notify a Most Likely Descendent (MLD). Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner of the winery or farm brewery where such remains are discovered shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner of the winery or farm brewery where such remains are discovered does not accept the MLD's recommendations, the owner of the winery or farm brewery where such remains are discovered or the descendent may request mediation by the NAHC.

7-1(b) *The County shall prepare a notice containing information that summarizes the proper methodology for identifying and protecting historic, paleontological, archeological, cultural, and tribal cultural resources. Furthermore, the notice shall inform the reader of the reader's responsibility to protect such resources and notify the Placer County Community Development Resource Agency of the existence of such resources. Once prepared, the notice shall be distributed to the owners of all existing wineries and farm breweries within the County. In addition to the distribution of such notices to the owners of existing facilities, the County shall also distribute such notices to owners of any future wineries or farm breweries receiving approvals from the County.*

7-2 Disturb any human remains, including those interred outside dedicated cemeteries. Based on the analysis below and with implementation of mitigation, the impact is less than significant.

As discussed above, the proposed Zoning Text Amendment would not result in direct physical alterations to existing study facilities. Nevertheless, changes in the regulation of the size and frequency of potential future events at existing study facilities could result in the provision of additional permanent parking areas within existing study facilities. The provision of additional permanent parking areas may require grading activity that would involve land-disturbing activity, which would have the potential to disturb previously unknown human remains, if such remains exist within any of the existing study facilities.

Procedures of conduct following the discovery of human remains on non-federal lands in California have been mandated by Health and Safety Code §7050.5, PRC §5097.98 and the California Code of Regulations (CCR) §15064.5(e) (CEQA). According to the foregoing regulations, should human remains be encountered during ground disturbing activity in any of the existing study facilities, all work in the immediate vicinity of the burial must cease, and necessary steps to ensure the integrity of the immediate area must be taken. Following discovery of the burial, the Placer County Coroner must be immediately notified. Should the Coroner determine that the remains are of Native American origin, the Coroner has 24 hours to notify the NAHC, which will determine and notify a MLD. The MLD would have 48 hours to make recommendations regarding the disposition of the remains following notification of the discovery from the NAHC. Further actions related to the disposition of the burial would be determined, in part, based on the desires of the MLD. If the MLD does not make recommendations within 48 hours, the owner/operator of the existing study facility where such remains are discovered is required to reinter the remains, with appropriate dignity, in an area of the property secure from further disturbance. Alternatively, if the owner/operator of the existing study facility does not accept the MLD's recommendations, the owner/operator of the existing study facility may request mediation by the NAHC.

Application of the regulations discussed above would ensure that should future provision of additional permanent parking areas within existing study facilities result in the disturbance of previously unknown human remains, interred outside of dedicated cemeteries, such remains must be handled in compliance with all relevant state regulations. However, should grading activity proceed within existing facilities following implementation of the proposed Zoning Text Amendment, without the proper implementation of the regulations discussed above, such grading activity could result in disturbance of human remains, including remains interred outside of dedicated cemeteries, and a *significant* impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above potential impact to a *less-than-significant* level.

7-2 *Implement Mitigation Measure 7-1(a).*

8. LAND USE AND PLANNING

8

LAND USE AND PLANNING

8.1 INTRODUCTION

The purpose of the Land Use and Planning chapter of the EIR is to examine the potential for the proposed Zoning Text Amendments to result in incompatibilities with applicable planning documents and/or creation of land use conflicts with surrounding land uses in the area. The chapter includes a description of the existing land use setting of western Placer County, where the existing medium and large parcel size wineries and farm breweries evaluated in this EIR are located, including the identification of existing winery and farm brewery General Plan land uses and zoning designations. This chapter also includes a General Plan policy analysis, wherein applicable General Plan policies are identified and the proposed project's consistency with said policies is evaluated. Information from this chapter is primarily drawn from the Placer County General Plan,¹ the Placer County General Plan EIR², and the Placer County Zoning Ordinance.

This chapter focuses on the ten existing medium (10- to 20-acre) and large (>20 acre) parcel-sized wineries and farm breweries that would be subject to the proposed Zoning Text Amendment, which are shown in Figure 3-1 of the Project Description chapter. Such facilities are referred to as *existing study facilities* throughout this EIR. Potential land use and planning impacts associated with future wineries and farm breweries that would be subject to the proposed Zoning Text Amendment are addressed in Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR.

8.2 EXISTING ENVIRONMENTAL SETTING

The following section describes the types of land use activities that currently occur at the existing study facilities, as well as the current land use and zoning designations of the study facilities at the time the NOP was published on October 17, 2017.

Existing Study Facility Land Use Activities

Currently, unincorporated Placer County contains ten existing study facilities. The existing study facilities are all situated within western Placer County, generally between the cities of Lincoln and Auburn. In addition to normal patronage of the tasting room, such facilities currently host a wide variety of Promotional Events, the definition for which is included in the existing Winery Ordinance (see Section 17.56.330(B)). Such promotional events include but are not limited to, benefit dinners, concerts, yoga classes, food and wine/beer pairings, and wine release parties. Promotional Events are allowed under the existing Winery Ordinance with an Administrative Review Permit, and are limited to six per year.

¹ Placer County. *Countywide General Plan Policy Document*. August 1994 (updated May 2013).

² Placer County. *Countywide General Plan EIR*. July 1994.

Existing Study Facility Land Use and Zoning Designations

Table 8-1 identifies the General Plan land use and zoning designations for each existing study facility. As shown in the table, the properties have either a General Plan land use designation of Agriculture/Timberland or Rural Residential. With respect to zoning, all of the properties have Farm (F) zoning, with the exception of Lone Buffalo Vineyards, which is zoned Agricultural Exclusive (AE). As indicated, many of the Farm-zoned properties have minimum building site specifications.

Table 8-1 Placer County General Plan and Zoning Designation of Existing Study Facilities			
Existing Study Facilities	Parcel Size (acres)	General Plan Land Use Designation	Zoning Designations
Dono dal Cielo Vineyard and Winery	30.1	Agriculture/Timberland - 10 Ac. Min.	F-B-10 Ac. Min.
Lone Buffalo Vineyards	12.3	Agriculture/Timberland - 10 Ac. Min.	AE
Rancho Roble Vineyards	19.0	Rural Residential 1 - 10 Ac. Min.	F 4.6 Ac. Min.
Vina Castellano Winery	19.9	Rural Residential 2.3 - 4.6 Ac. Min.	F-AO 4.6 Ac. Min.
Wise Villa Winery & Bistro	10.0	Agriculture/Timberland - 10 Ac. Min.	F-B-10 Ac. Min.
Ciotti Cellars	9.4	Agriculture/Timberland - 10 Ac. Min.	F-B-10 Ac. Min.
Mt. Vernon Winery	31.2	Rural Residential 2.3 - 4.6 Ac. Min.	F 4.6 Ac. Min.
Casque at Flower Farm	10.0	Rural Residential 2.3 - 4.6 Ac. Min.	F-B-100
Goathouse Brewery	11.3	Rural Residential 1 - 10 Ac. Min.	F 4.6 Ac. Min.
Hillenbrand Farmhaus Brewery	12.9	Agriculture/Timberland - 10 Ac. Min.	F-B-10 Ac. Min.
Notes: F = Farm; AE = Agricultural Exclusive; -B = Building Site; -AO = Aircraft Overflight			

Surrounding Land Use and Zoning Designations

The current Placer County General Plan land use and zoning designations for the areas surrounding each of the existing study facilities in western Placer County are summarized in Table 8-2 below. As shown in the table, the majority of surrounding properties have a General Plan land use designation of Agriculture/Timberland. A few existing study facilities are bordered by properties having a Rural Residential designation (Vina Castellano Winery; Mt. Vernon Winery; Casque at Flower Farm; and Goathouse Brewery). Additionally, Casque at Flower Farm is bordered by Low Density Residential properties to the east and south. Only two of the existing study facilities (Mt. Vernon Winery and Casque at Flower Farm) are located adjacent to land zoned Residential-Agriculture (RA). The remaining facilities are bordered primarily by land zoned Farm (F) or AE.

General Plan Land Use Categories

The Placer County General Plan defines the Agriculture/Timberland, Rural Residential, Rural Estate, Low Density Residential, and Riparian Drainage land use designations as follows:

Table 8-2			
Summary of General Plan Land Use and Zoning Designations for Areas Adjacent to Existing Study Facilities			
Existing Wineries/Farm Breweries	Surrounding Areas		
	Relationship to Winery/Farm Brewery	General Plan Land Use Designations	Zoning Designations
Dono dal Cielo Vineyard and Winery	North	Agriculture/Timberland - 10 Ac. Min.	F-B-10 Ac. Min.
	East		
	South		
	West		
Lone Buffalo Vineyards	North	Agriculture/Timberland - 10 Ac. Min.	F-B-10 Ac. Min.
	East		AE
	South		F-B-10 Ac. Min.
	West		
Rancho Roble Vineyards	North	Agriculture/Timberland - 20 Ac. Min.	F-B-AO 20 Ac. Min.
	East		
	South		
	West		
Vina Castellano Winery	North	Rural Residential 2.3 - 4.6 Ac. Min.	F-AO 4.6 Ac. Min.
	East		
	South	Agriculture/Timberland - 10 Ac. Min.	F-B-10 Ac. Min.
	West		
Wise Villa Winery and Bistro	North	Agriculture/Timberland - 10 Ac. Min.	F-B-10 Ac. Min.
	East		
	South		
	West		
Ciotti Cellars	North	Agriculture/Timberland - 10 Ac. Min.	F-B-10 Ac. Min.
	East		
	South		
	West		
Mt. Vernon Winery	North	Rural Residential 2.3 - 4.6 Ac. Min.	RA-B-100
	East		F 4.6 Ac. Min.
	South	Riparian Drainage	F-FH 4.6 Ac. Min.
	West	Rural Residential 2.3 - 4.6 Ac. Min.	F 4.6 Ac. Min.
Casque at Flower Farm	North	Rural Residential 2.3 - 4.6 Ac. Min.	RA-B-100
	East	Low Density Residential 0.4 - 2.3 Ac. Min.	RA-B-43 PD = 1.3
	South		RA-B-43
	West	Rural Residential 2.3 - 4.6 Ac. Min.	RA-B-100
Goathouse Brewery	North	Agriculture/Timberland - 10 Ac. Min.	F-B-10 Ac. Min.
	East		F 4.6 Ac. Min.
	South	Rural Residential 1 - 10 Ac. Min.	
	West		
Hillenbrand Farmhaus Brewery	North	Agriculture/Timberland - 10 Ac. Min.	F-B-10 Ac. Min.
	East		
	South		
	West		
Notes: F = Farm; AE = Agricultural Exclusive; RA = Residential Agriculture; -B = Building Site; -AO = Aircraft Overflight; -FH = Flood Hazard			
Source: Placer County, Land Information Search, 2018.			

Agriculture/Timberland

The Agriculture land use designation identifies land for the production of food and fiber, including areas of prime agricultural soils, and other productive and potentially productive lands where commercial agricultural uses can exist without creating conflicts with other land uses, or where potential conflicts can be mitigated. Typical land uses allowed include the following: crop production, orchards and vineyards, grazing, pasture and rangeland, hobby farms; other resource extraction activities; facilities that directly support agricultural operations, such as agricultural products processing; and necessary public utility and safety facilities.

The Timberland land use designation is applied to mountainous areas of the County where the primary land uses relate to the growing and harvesting of timber and other forest products, together with limited, low-intensity public and commercial recreational uses. Typical land uses allowed include: all commercial timber production operations and facilities; agricultural operations where soil and slope conditions permit; mineral and other resource extraction operations; recreation uses such as incidental camping, private, institutional and commercial campgrounds (but not recreational vehicle parks); and necessary public utility and safety facilities.

Rural Residential and Rural Estate

The Rural Residential land use designation is applied to areas generally located away from cities and unincorporated community centers, in hilly, mountainous, and/or forested terrain and as a buffer zone where dispersed residential development on larger parcels would be appropriate, and compatible with smaller-scale farming and ranching operations. Typical uses allowed include: detached single-family dwellings and secondary dwellings; agricultural uses such as crop production and grazing, equestrian facilities, and limited agricultural support businesses such as roadside stands, farm equipment and supplies sales; resource extraction uses; various facilities and services that support residential neighborhoods, such as churches, schools, libraries, child care and medical facilities; and parks and necessary public utility and safety facilities. It should be noted that the Placer County General Plan Rural Residential land use designation encompasses the more specific community plan land use designation of Rural Estate

Low Density Residential

The Low Density Residential designation is applied to urban or urbanizing areas suitable for single-family residential neighborhoods, with individual homes on lots ranging in area from 10,000 square feet (sf) to one acre. Typical land uses allowed include detached single-family dwellings, secondary dwellings, residential accessory uses, churches, schools, parks, golf courses, child care facilities, and necessary public utility and safety facilities.

Riparian Drainage

The Riparian Drainage land use designation is included in the broader Greenbelt and Open Space designation defined in the Placer County General Plan. This designation is intended to identify and protect important open space lands within Placer County. Typical land uses allowed within Greenbelt and Open Space areas are limited to low-intensity agricultural and public recreational

uses, with structural development being restricted to accessory structures necessary to support the primary allowed uses, and necessary public utility and safety facilities.

Zoning Designations

The Placer County Zoning Ordinance defines the F, RA, Building Site combining (-B), Agricultural Exclusive (AE), Aircraft Overflight combining (-AO), and Flood Hazard combining (-FH) zoning designations as follows:

Farm (F)

The purpose of the F zoning district is to provide areas for the conduct of commercial agricultural operations that can also accommodate necessary services to support agricultural uses, together with residential land uses at low population densities. Within areas zoned F, wineries are considered an allowable use per Section 17.56.165 of the Placer County Code. Other uses permitted with a zoning clearance, conditional use permit (CUP), or minor use permit (MUP) include, but are not limited to, agricultural event centers, temporary events, and roadside stands for agricultural products.

Residential-Agriculture (RA)

The purpose of the RA zone district is to stabilize and protect the rural residential characteristics of the area to which it is applied and to promote and encourage a suitable environment for family life, including agricultural uses. Allowable land uses within the RA zone district are generally similar to those allowed within the F zone district.

Building Site (-B)

The purpose of the -B combining district is to provide for different parcel sizes in new subdivisions than would otherwise be required by an applicable zone district, based upon special characteristics of the site or area to which the combining district is applied, including but not limited to sensitive environmental characteristics, limited resource capacities, and community character.

The -B combining district is designated on the Placer County zoning maps by the letter “-B” followed by a number, where the number refers to the minimum building site established by subsection (C)(1) of Section 17.52.040 of the County Code for the area to which the combining district is applied. For example, the -B-20 combining district allows for a minimum lot area of 20,000 sf.

Agricultural Exclusive (AE)

The purpose of the AE district is to provide for the preservation and protection of important agricultural lands that are being used for the commercial production of agricultural commodities, and that constitute economic units. The term ‘economic unit’ is defined as land that is capable of sustaining agricultural operations under normal management by generating agricultural income

sufficient to cover all expenses, and that is large enough to make efficient use of all required labor and equipment.

Aircraft Overflight (-AO)

The purpose of the -AO combining district is to regulate land uses in the vicinity of public airports and below areas where aircraft perform approach and departure maneuvers, recognizing that certain land uses and site development characteristics may conflict with the safe and efficient operation of airports and aircraft. The intent of the combining district is to protect people and property both in the air and on the ground by regulating buildings and structures that may affect navigable airspace, consistent with federal regulations, and to minimize noise and other conflicts between airport operations and surrounding land uses.

Flood Hazard (-FH)

The purpose of the -FH combining district is to identify areas where hazards to life or property exist because of the potential for inundation by a 100-year frequency flood identified by the Federal Emergency Management Agency (FEMA) and shown on the flood insurance rate maps (FIRM), or identified by Placer County as being within the future mitigated 100-year flood plain of a stream, creek, other waterway or body of water.

8.3 REGULATORY CONTEXT

The following section includes a brief summary of the regulatory context under which land use and planning is managed at the State and local levels.

State Regulations

The following are applicable State regulations related to the proposed project.

Assembly Bill 520

Assembly Bill (AB) 520, as enacted in 2015, revises the State's laws on consumer instructional tastings at on-premises licensed retailers (i.e., wineries, bars, and restaurants). AB 520 contains similar provisions as Section 25503 of the Business and Professions Code, (e.g., the event should be instructional in nature and can include information about the history, characteristics, and methods of serving the product; limited to three tastings per person, per day; tasting size limited to 0.25-ounce for spirits and 1.0 ounce for wine).

Assembly Bill 2004

AB 2004, enacted in 2008, authorizes licensed winegrowers to sell wine for consumption to consumers for on-premises consumption. Per Section 23358 of the Business and Professions Code, a winegrower must actually produce on his or her licensed premises by conversion of grapes, berries, or other fruit, into wine, not less than 50 percent of all wines sold to consumers on his or her licensed premise or premises and any licensed branch premise or premises.

Local Regulations

The applicable Placer County General Plan policies are presented in Table 8-6 at the end of this chapter. The Community Plans applicable to the sub-regions identified in Chapter 3, Project Description, of this EIR were also reviewed to determine if there are any applicable policies for consideration in this EIR. The Horseshoe Bar/Penryn Community Plan did not include agricultural-related policies applicable to the proposed project that necessitated discussion in this EIR. The Auburn Bowman Community Plan includes some applicable agricultural policies that are presented in Table 8-6. A review of the Ophir General Plan did not identify any related policies beyond the type included in the Auburn Bowman Community Plan related to encouraging agricultural preservation.

Applicable portions of the Placer County Code are summarized below.

Placer County Right-to-Farm Ordinance

Placer County has adopted a Right-to-Farm Ordinance (Section 5.24.040 of the Placer County Code) to minimize loss of the County's commercial agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance. The provisions of the Right-to-Farm Ordinance are as follows:

- A. It is the declared policy of the county of Placer to preserve, protect and encourage the development and improvement of its agricultural land for the production of food and other agricultural products. When nonagricultural land uses extend into the agricultural areas, agricultural operations often become the subject of nuisance suits. As a result, agricultural operations are sometimes forced to cease or are substantially curtailed. Others may be discouraged from making investments in agricultural improvements. It is the purpose of this section to reduce the loss to the county of its commercial agricultural resources by limiting the circumstances under which agricultural operations may be deemed to constitute a nuisance.
- B. No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than one year if it was not a nuisance at the time it began.
- C. For purpose of this section, the term "agricultural activity, operation, or facility, or appurtenances thereof" shall include, but not be limited to, the cultivation and tillage of soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity including timber, Christmas trees, viticulture, apiculture, nursery stock, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and game birds, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage, or to market, or to carriers for transportation to market.
- D. For the purpose of this section, commercial "agriculture" means those agricultural lands in designated areas, or those lands that are within the California Land Conservation Act, or within a timber preserve zone or those lands that produce a

- gross annual income of four thousand five hundred dollars (\$4,500.00) from the sale of agricultural products.
- E. Each prospective buyer of property in unincorporated Placer County shall be informed by the seller or his/her authorized agent of the right-to-farm ordinance. The seller or his/her authorized agent will keep on file a disclosure statement signed by the buyer with the escrow process.
 - F. Whenever a building designated for residential occupancy is to be located on property in the unincorporated area of Placer County, the owners of the property, or their authorized agent, shall acknowledge receipt of the right-to-farm ordinance. (Ord. 4983-B, 1999: prior code § 5.715)

Winery Ordinance

Section 17.56.330 of the Placer County Code contains the County's Winery Ordinance, as approved in 2008. The purpose of the Winery Ordinance is to provide for the orderly development of wineries, within agricultural zoning districts and certain commercial, industrial and residential zoning districts, to encourage the economic development of the local agricultural industry, provide for the sampling and sales of value-added products, and protect the agricultural character and long-term agricultural production of agricultural lands. Chapter 3, Project Description, of this EIR provides a detailed overview of the proposed changes to the Winery Ordinance.

The permit requirements for wineries covered by the existing Winery Ordinance are summarized in Table 8-3 through Table 8-5 below. If a proposal includes more than one of the elements listed in the tables, the highest applicable permit process is applied. The following sections provide summaries of the CUP, Minor Use Permit (MUP), Administrative Review Permit (ARP), and Zoning Clearance (C) land use permit requirements shown in the tables.

Table 8-3										
Current Permit Requirements for Wineries in Commercial and Industrial Zone Districts										
Use	Zone Districts									
	Commercial					Industrial				
	CPD	C2	C3	HS	C1	RES	AP	BP	IN	INP
Winery Production < 20,000 Cases	CUP	MUP	C					C	C	C
Winery Production > 20,000 Cases			MUP					MUP	MUP	MUP
Wholesale and Retail Sales of Wine and Grape Products	CUP	C	C	C	C	C	MUP	C	C	C
Wine Tasting and Retail Sales of Wine-related Merchandise	CUP	C	C	C	C	C	MUP	C	C	C
Promotional Events up to 6/year	CUP	ARP	ARP	ARP	ARP	ARP	ARP	ARP	ARP	ARP
<i>Source: Placer County Code, 2018.</i>										

As discussed in the Project Description Chapter, it is important to note that the proposed project is not expanding the number of zones where by-right winery and farm brewery development can occur.³

Table 8-4 Current Permit Requirements for Wineries in Residential Zone Districts (Residential Agriculture and Residential Forest Only)	
Use	Permit Type
Winery Production < 20,000 Cases	ARP
Winery Production >20,000 Cases	MUP
Wholesale and Retail Sales of Wine	ARP
Wine Tasting and Retail Sales of Wine-related merchandise	ARP
Promotional Events Up to 6/year	ARP
<i>Source: Placer County Code, 2018.</i>	

Table 8-5 Current Permit Requirements for Wineries in Agricultural and Resource Zone Districts (AE, F, FOR, and Timberland Production Only)	
Use	Permit Type
Winery Production < 20,000 Cases	C
Winery Production >20,000 Cases	MUP
Wholesale and Retail Sales of Wine	C
Wine Tasting and Retail Sales of Wine-related merchandise	C
Promotional Events Up to 6/year	ARP
<i>Source: Placer County Code, 2018.</i>	

The Placer County Code sets forth the permit requirements in Section 17.58. The permit requirements range from staff level approval to varying degrees of discretionary review, in the following order (from staff level clearance to increasing levels of discretionary review):

Zoning Clearance (17.06.040)

The Zoning Clearance (C) approval type is a routine land use approval that involves Planning Department review of any building, grading, or other construction permit, or business license for a proposed use. Zoning Clearance shall be granted by the Planning Department only when the permit application needing clearance contains sufficient information for the Department to verify that the proposed use will be consistent with the requirements for the filing of applications in Section 17.58.040, as follows:

³ As noted in the Project Description chapter of this EIR, the current Winery Ordinance allows wholesale and retail sales of wine and grape products, as well as wine tasting in the Resort (RES) Zone District. The RES zone district accommodates commercial land uses and is typically found in mountainous areas, water-oriented areas, or other areas with commercial recreation potential. The Zoning Text Amendment proposes to allow production of wine (0-20,000 cases) in RES-zoned properties subject to an Administrative Review Permit.

- A. The proposed use is allowed on its site by Articles 17.06 through 17.52 (Zone Districts and Allowable Uses of Land), or is governed by the provisions of Section 17.56.300 (Temporary uses and events), 17.60.120 (Nonconforming uses), or Section 17.60.130 (Nonconforming lots of record); and
- B. The proposed use of land, building or structure, or division of land satisfies all applicable standards and requirements of this chapter, or such standards are the subject of a simultaneously filed variance application that will, if approved, achieve such compliance; and
- C. Neither the proposed site nor any building or land use thereon is being maintained in violation of the Subdivision Map Act, this chapter, the grading ordinance, or any condition of approval of an applicable land use entitlement, except where the application incorporates measures proposed by the applicant to correct the violation, and correction will occur before establishment of the new proposed use, or recordation of a final or parcel map in the case of a subdivision; and
- D. No application for the same use on the same site was denied by the zoning administrator or planning commission within one year prior to the date of filing, unless permission to re-file has been granted pursuant to Section 17.58.150 (Effect of denial), or unless the previous application was denied without prejudice by the hearing body; and
- E. The property taxes due on the proposed site as determined by the county tax collector are not delinquent, or, if the property taxes are determined to be delinquent, a payment schedule agreement has been authorized in writing by the Placer County tax collector and has been agreed to, in writing, by the property owner. (Ord. 5126-B, 2001)

Administrative Review Permit (17.58.100)

An ARP requires review by Planning Department staff and the Zoning Administrator, but no public hearing is required unless deemed necessary. An ARP is subject to Zoning Administrator approval, who must be able to make the findings set forth in 17.58.140(A). In addition, the Zoning Administrator may approve an ARP subject to conditions. Decisions of the Zoning Administrator may be appealed to the Planning Commission. In addition, the Planning Director or Zoning Administrator may refer an ARP to the Planning Commission for a public hearing, consideration, and approval or disapproval. Such referral may occur when it is deemed necessary because of policy implications, unique or unusual circumstances, the size of the project, or other factors determined by the Planning Director or Zoning Administrator to be significant enough to warrant Planning Commission review.

Minor Use Permit (17.58.120)

An MUP requires review by Planning Department staff and the Zoning Administrator, who shall consider the MUP at a noticed public hearing. An MUP is subject to Zoning Administrator approval, who must be able to make the findings set forth in 17.58.140(A). In addition, the Zoning Administrator may approve an MUP subject to conditions. Decisions of the Zoning Administrator may be appealed to the Planning Commission. In addition, the Planning Director or Zoning Administrator may refer an MUP to the Planning Commission for a public hearing, consideration, and approval or disapproval. Such referral may occur when it is deemed necessary because of policy implications, unique or unusual circumstances, the size of the project, or other factors

determined by the Planning Director or Zoning Administrator to be significant enough to warrant Planning Commission review.

Conditional Use Permit (17.58.130)

A CUP requires review and approval by the Planning Commission at a noticed public hearing. The Planning Commission must be able to make the findings set forth in 17.58.140(A). The Planning Commission may approve a CUP subject to conditions. Decisions of the Planning Commission may be appealed to the Board of Supervisors.

Required Findings for ARP, MUP, and CUP (17.58.140 (A and B))

A. Findings Required For Approval. No administrative review permit, minor or conditional use permit shall be approved unless the zoning administrator or planning commission (or board of supervisors in the event of an appeal) shall first find that:

1. The proposed use is consistent with all applicable provisions of this chapter and any applicable provisions of other chapters of this code.
2. The proposed use is consistent with applicable policies and requirements of the Placer County general plan, and any applicable community plan or specific plan, and that any specific findings required by any of these plans are made.
3. The establishment, maintenance or operation of the proposed use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the county; except that a proposed use may be approved contrary to this finding where the granting authority determines that extenuating circumstances justify approval and enable the making of specific overriding findings.
4. The proposed project or use will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development.
5. The proposed project will not generate a volume of traffic beyond the design capacity of all roads providing access to the project, either those existing or those to be improved with the project unless a specific design deficiency is acknowledged and approved in conjunction with the adoption of a general plan or community plan applicable to the area in question.
6. In a TPZ zone district (Article 17.16), the establishment, maintenance and operation of the proposed use or building will not significantly detract from the use of the property for, or inhibit the growing and harvesting of timber.
7. Any findings required by Articles 17.06 through 17.52 (Zone districts and allowable uses of land) for the approval of proposed uses in specific zone districts or combining districts are made.
8. Any findings required by Article 17.56 (Specific Use Requirements) for the approval of specific uses are made.
9. As required by Section 18.16.040 of this code (Environmental Review) when a proposed negative declaration has been prepared for the project that, on the basis

of the initial study and any comments received, there is no substantial evidence that the project will have a significant effect on the environment; or

10. As required by Section 18.20.070 of this code (Environmental Review) when a final environmental impact report has been prepared for the project, that the project as approved will not have a significant effect on the environment, or that the granting authority has:
 - a. Eliminated or substantially lessened all of the significant effects on the environment, where feasible (as defined and used in Section 21061.1 of the California Public Resources Code); and
 - b. Determined that any remaining unavoidable significant effects on the environment are acceptable due to specified overriding considerations.
11. As required by Section 18.08.020 of this code (Environmental review) when the proposed project meets the criteria discussed in the applicable section, that the project is:
 - a. Statutorily exempt from the provisions of CEQA; or
 - b. Categorically exempt from the provisions of CEQA; or
 - c. Not subject to environmental review pursuant to the provisions of Section 18.08.020(D) (“General rule”).
12. The proposed use is consistent with, replaces or appropriately modifies any prior established relevant conditions of a previous entitlement, if applicable.

B. Conditions of Approval. In conditionally approving an ARP, MUP, or CUP, the granting authority shall adopt conditions of approval as necessary to accomplish the following objectives, consistent with the requirements of state law:

1. Specify the period of validity of the permit and/or the allowed duration of the proposed use. The permit may be issued and/or the use allowed for a revocable, permanent, temporary or otherwise limited term, as deemed appropriate by the granting authority. If no period of validity is specified, the permit shall be subject to the time limits specified by Section 17.58.160 (Permit time limits and extensions).
2. Ensure that the proposed project will be consistent with all applicable requirements of this chapter, the Placer County general plan, and any applicable community plan or specific plan.
3. Enable all the findings required by subsection A of this section to be made by the granting authority.
4. Mitigate environmental impacts identified in environmental documents prepared pursuant to Chapter 18 of this code (Environmental Review), or adopt overriding findings pursuant to Section 15091 et seq., of the CEQA Guidelines.
5. Require the dedication of rights-of-way determined by the granting authority to be necessary as a result of the proposed use.
6. Require the installation, or participation in the cost of installation, of specified on-site or off-site improvements determined by the granting authority to be necessary as a result of the proposed use.

7. Supersede, replace, or modify conditions of approval applicable to the site as a result of a previous permit approval, where determined by the granting authority to be appropriate.
8. Limit the size of the project or intensity of the use to a level approved by the granting authority.
9. The granting authority may also adopt any other conditions of approval as the authority determines are necessary to protect the public health, safety, and general welfare.

8.4 IMPACTS AND MITIGATION MEASURES

The following section describes the standards of significance and methodology used to analyze and determine the proposed project's potential impacts related to land use and planning. In addition, a discussion of the project's impacts is presented.

Standards of Significance

Consistent with Appendix G of the CEQA Guidelines and the County's Initial Study Checklist, a land use and planning impact may be considered to be significant if any potential effects of the following conditions, or potential thereof, would result with the proposed project's implementation:

- Physically divide an established community;
- Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect;
- Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects;
- Result in the development of incompatible uses and/or the creation of land use conflicts;
- Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses);
- Disrupt or divide the physical arrangement of an established community (including a low-income or minority community);
- Result in a substantial alteration of the present or planned land use of an area; and/or
- Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration.

The proposed project's potential impacts associated with the following was dismissed as less than significant in the Initial Study prepared for the proposed project (see Appendix D):

- Physically divide an established community;
- Disrupt or divide the physical arrangement of an established community (including a low-income or minority community); and
- Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration.

Potential impacts related to conflicts with applicable habitat conservation plans or natural community conservation plans are addressed in Chapter 6, Biological Resources, of this EIR. Potential impacts related to agricultural and timber resources/operations are discussed in Chapter 4, Agricultural Resources, of this EIR.

Method of Analysis

The section below evaluates the compatibility of the proposed Zoning Text Amendment for consistency with other Placer County policies, plans, and regulations adopted for the purpose of avoiding or mitigating environmental impacts. Physical environmental impacts resulting from implementation of the proposed project are discussed in the environmental resource sections of the various technical chapters within this EIR. The section differs from impact discussions in that only compatibility and consistency issues are discussed, as opposed to physical environmental impacts and mitigation measures. The following discussion complies with section 15125(d) of the CEQA Guidelines, which requires EIRs to discuss inconsistencies with general plans and regional plans as part of the environmental setting. The ultimate determination of consistency rests with the Placer County Board of Supervisors.

The standards of significance listed above are used to determine the significance of any potential impacts.

Project-Specific Impacts and Mitigation Measures

The following discussion of land use and planning impacts is based on implementation of the proposed project in comparison to existing conditions and the standards of significance presented above.

8-1 Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect. Based on the analysis below, the impact is *less than significant*.

The proposed Zoning Text Amendment would involve amendments to the Placer County Code that could affect operations of existing wineries and farm breweries within the County. The substantive changes would include the following:

- Add definition of ‘Farm Brewery’ to the County Zoning Ordinance;
- Define new 10-acre minimum parcel size requirements for Production-only Facilities and Tasting Rooms;
- Modify ‘Event’ definition;
- Create table outlining “Event” allowances, maximum capacity, and use permit requirements;
- Clarify hours of operation;
- Update the standards for potable water and waste disposal; and
- Update the County’s access standards.

The proposed changes would not alter the General Plan land use or zoning designations of existing wineries and farm breweries within the County. In order to demonstrate the project's consistency with adopted plans and policies, Table 8-6 includes a list of the relevant policies and a corresponding discussion of the project's consistency with each policy. As demonstrated in the table, the changes included in the proposed Zoning Text Amendment are generally consistent with the relevant adopted plans and policies. Therefore, the project would have a *less-than-significant* impact regarding consistency with the Placer County General Plan, Community Plan(s), and Placer County Zoning Ordinance.

Mitigation Measure(s)

None required.

8-2 Result in the development of incompatible uses and/or the creation of land use conflicts, or result in a substantial alteration of the present or planned land use of an area. Based on the analysis below, the impact is *less than significant*.

The existing medium and large winery/farm brewery sites within Placer County are designated by the Placer County General Plan (or the applicable community plan) as Agriculture/Timberland, Rural Residential, and Rural Estate. Nine of the ten winery/farm brewery sites are zoned F or F-B, while Lone Buffalo Vineyards is zoned AE. Promotional events are currently permitted to occur at all of the existing wineries and farm breweries within the County with an ARP. As noted previously, the types of promotional events allowable under the current Winery Ordinance include, but are not limited to, benefit dinners, concerts, yoga classes, food and wine/beer pairings, and wine release parties. The proposed Zoning Text Amendment would generally increase the frequency with which these events can occur, but would not permit new categories of events, with one notable exception. Under the Zoning Text Amendment weddings would be allowed under the Special Event category. Weddings are a prohibited use under the current Winery Ordinance. Currently, in order for existing facilities to host weddings, such facilities need to obtain a separate Temporary Outdoor Event (TOE) permit from the County.

As discussed in the Project Description, this EIR evaluates the potential environmental effects that could result from a maximum of 12 Special Events or Agricultural Promotional Events with attendance >50 at one time, at facilities on large parcels (>20 acres). While the ordinance currently allows six Special Events, and thus the net increase for facilities on large parcels is only six events, this ordinance amendment would enable facilities to host a new type of use under the Special Event category, namely weddings. Thus, it was determined that the EIR analysis should evaluate effects from all 12 potential Special Events on large parcels. The maximum attendance for a Special Event on large parcels is 200 people. While wineries and farm breweries on medium parcels would not be afforded additional Special Events, as compared to their current allowance, they would be able to host a new type of use under the Special Event category, namely weddings. On medium parcels, Special Events have a maximum attendance of 100 people. In order to evaluate the potential impacts of weddings and like events for medium parcels, it was determined that the EIR analysis should also evaluate effects from Special Events on medium parcels.

During the processing of the Zoning Text Amendment, public concerns have been noted regarding the potential for additional wedding events at the existing study facilities. Under the proposed Zoning Text Amendment, private weddings would be considered Special Events, as the agricultural-related component of the event would be subordinate to the primary purpose of the event.

It should be noted that a comment letter received during the NOP public review period for the proposed project expressed concern related to potential declines in property values occurring as a result of the proposed project. Effects of the project on property values is speculative at this time and is not an issue which is covered by CEQA (CEQA Guidelines, Article 9, Contents of Environmental Impact Reports). However, potential incompatibilities resulting from weddings are addressed in the Noise and Transportation and Circulation chapters of this EIR, as well as the Aesthetics section of the Initial Study (see Appendix D).

Potential incompatibilities associated with hosting wedding events are addressed by several factors, including: frequency of occurrence; attendance limits; hours of operation; and surrounding zoning. These are discussed individually in the following sections. Potential incompatibilities related to specific resource areas are analyzed throughout this EIR and are summarized below.

Frequency of Occurrence

As discussed above, up to 12 weddings could be held per year on large wineries and up to six per year on medium wineries. The total number of weddings allowed would account for only 2.9 to 5.7 percent of the 210 total annual events considered in this EIR (six to 12 weddings / 210 annual events = 2.9 to 5.7 percent). Thus, the study facilities would not function as wedding venues or event centers; rather, weddings would be ancillary to the primary function of the study facilities of wineries and farm breweries. Placer County has adopted a separate ordinance for Agricultural Event Centers, whereby an owner/operator is required to obtain a CUP and a total of 26 weddings are allowed per year (see Section 17.56.340 of the Placer County Code).

With respect to frequency of less intensive events, defined under the proposed Zoning Text Amendment as Agricultural Promotional Events, the number of these events would be technically unlimited; however, this EIR conservatively assumes that each existing study facility would host up to two additional events per day on 105 operational days per year as a result of the proposed Zoning Text Amendment. As discussed in Chapter 3, Project Description, several factors limit a particular facility's ability to host events, including number of staff, budget, parking capacity, overlap with regular tasting room hours, etc. Though the existing study facilities vary in size, it is generally agreed that hosting Agricultural Promotional Events is difficult, as the study facilities are relatively small and, as such, have

limited resources.⁴ Therefore, existing study facilities would not be likely to host back-to-back events all day, every day.

Only two existing study facilities within the County (Mt. Vernon Winery and Casque at Flower Farm) are located adjacent to areas zoned RA-B, which allows for residential uses. As noted in Table 8-6, the additional events would not create incompatibilities, as sufficient buffer areas would be provided between the event areas at the two facilities and the nearest noise-sensitive receptors.

Attendance Limits

Agricultural Promotional Events allowed under the proposed Zoning Text Amendment would be limited to a maximum of 50 attendees at any one time, whereas Special Events would allow a maximum of 100 attendees for medium parcel-sized facilities and 200 attendees for large parcel-sized facilities. This EIR recognizes that some Agricultural Promotional Events have different attendance characteristics. For example, the majority of Agricultural Promotional Events are anticipated to have relatively finite attendance, such as winemaker dinners and membership club parties, and a smaller subset would have attendees coming and going over the course of the event, such as wine pick-up and wine release parties. Such smaller events are termed “rolling” events in this EIR. For Rolling Agricultural Promotional Events, this EIR assumes the 50-person maximum occupancy at one time occurs three times throughout the day, for a maximum overall attendance of 150 people per day.

Hours of Operation

The proposed project would provide greater flexibility with respect to the amount of Agricultural Promotional Events and Special Events that may occur at future wineries/farm breweries. However, the project would also include limitations to such events to help reduce the likelihood of potential land use incompatibilities. For example, while the currently adopted Winery Ordinance does not specify allowable hours of operation, the proposed Zoning Text Amendment would limit normal tasting hours to 10:00 AM to 6:00 PM daily. Events would be limited to 10:00 AM to 10:00 PM on Friday and Saturday and 10:00 AM to 8:00 PM Sunday through Thursday, unless otherwise specified by conditions placed on an ARP, MUP, or CUP approved for the facility. The County’s adopted Noise Ordinance defines ‘nighttime’ as the period of time between 10:00 PM and 7:00 AM. During nighttime hours, the County’s established noise level standards become more restrictive. Under the proposed Zoning Text Amendment, study facilities would not be permitted to operate during nighttime hours.

In addition, the Zoning Text Amendment would limit the maximum attendance at winery and farm brewery Special Events based on parcel size. As shown in Table 3-2 of this EIR, facilities on parcels between 10 and 20 acres would be permitted to host up to 100 attendees at one time, while facilities on parcels 20 acres or larger would be permitted to host up to 200 attendees at one time. Attendance for facilities on parcels between 4.6 and less than 10 acres

⁴ Placer County. *Meeting Summary, Placer County Community Development Resource Agency Meeting with Farm Breweries and Wineries*. July 14, 2017.

would be determined by use permit. Potential physical/environmental impacts associated with an increased number of events and potential incompatibilities that may be considered in the determination of physical environmental impacts are analyzed in each of the technical chapters of this EIR.

Surrounding Zoning

Public concerns have been expressed during the NOP review period regarding the effects of increased events in Residential Agriculture-zoned areas. As shown in Table 8-2, none of the existing medium and large facilities are located on property zoned RA. As discussed in Table 8-6 below in the context of Policy 7.A.10 and 1.H.5 of the Placer County General Plan, only two existing study facilities within the County (Mt. Vernon Winery and Casque at Flower Farm) are located adjacent to areas zoned for residential uses. Mt. Vernon Winery includes 31.2 acres. The larger parcel size associated with the facility helps to create a natural buffer between winery operations, including on-site events and the neighboring RA-zoned property to the north. Casque at Flower Farm is located on a smaller, 10-acre parcel and, thus, has less natural buffering compared to Mt. Vernon Winery. As Casque at Flower Farm is considered a medium parcel, the number of permissible Special Events beyond their current allowance would not increase; however, they would be able to host a new type of use under the Special Event category, namely weddings. The outdoor event area within the northeastern portion of the Casque at Flower Farm site is partially shielded by the adjacent tasting room building. Agricultural Promotional Events or Special Events would occur within the designated outdoor winery courtyard and not at the Flower Farm Inn facilities located on the southern portion of the Casque at Flower Farm property. The nearest existing residence is located approximately 150 feet from the facility's property line, 240 feet from the facility's outdoor event area, and 425 feet from the nearest parking lot associated with the facility. Thus, a buffer would be provided between events at Casque at Flower Farm and the neighboring uses. Based on the above, and the additional evidence provided in the ensuing discussion (see also Table 8-6, Policy 7.A.10), the proposed Zoning Text Amendment would not directly result in zoning incompatibilities with existing agricultural activities and residential uses in the vicinity of existing study facilities.

Potential Incompatibility Issues Discussed Elsewhere in this EIR

Incompatibilities between land uses manifest in physical environmental effects such as effects related to aesthetics, air quality, noise, and transportation and circulation. Such issues are addressed in the technical chapters of this EIR and the Initial Study prepared for the proposed project (see Appendix D). Specific conclusions and associated mitigation measures, where applicable, from this EIR and the Initial Study that are associated with issues of land use compatibility are summarized below.

Aesthetics

Agricultural Promotional Events such as wine release parties and winemaker dinners, as well as Special Events such as private parties, fundraisers, and social or educational gatherings, would not result in any direct, permanent modifications to the visual character

of any of the study facilities. As such, hosting events, including weddings, at the existing study facilities would not modify the rural agricultural landscape where the facilities are located and would not result in a substantial increase in light and glare beyond what currently occurs. Furthermore, as discussed in Table 8-6 below, all the existing study facilities currently include sufficient buffers from neighboring residential uses to ensure that land use incompatibilities, including incompatibilities related to light spillage, would not occur.

Air Quality

As discussed in Chapter 5, Air Quality, of this EIR, dust is a form of particulate matter (PM) pollution. Based on modeling of criteria air pollutant emissions associated with Special Events and Agricultural Promotional Events, the proposed Zoning Text Amendment would not result in PM₁₀ emissions in excess of the applicable Placer County Air Pollution Control District (PCAPCD) thresholds of significance. The estimation of PM₁₀ emissions includes fugitive dust PM₁₀ emissions, including dust associated with vehicle travel on unpaved roadways. Thus, considering that the PM₁₀ emissions would be far below the PCAPCD's thresholds and unpaved roadway conditions have been considered, implementation of the Winery and Farm Brewery Ordinance would not be anticipated to result in substantial dust emissions. Thus, mitigation for PM₁₀ emissions is not required, and the proposed Zoning Text Amendment would not result in any land use compatibility issues related to dust.

Noise

As noted in Chapter 9, Noise, and Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR, noise level increases associated with on-site vehicle circulation at the existing and future study facilities during Special Events and Agricultural Promotional Events would not exceed the County's established daytime noise level standard at the nearest off-site sensitive receptors and would be at or below measured ambient noise levels in the vicinity of the study facilities. In addition, all study facilities would continue to be subject to the applicable standards within the County's Noise Ordinance. Amplified noise associated with weddings occurring at existing and future facilities under the proposed Zoning Text Amendment could potentially result in temporary noise level increases at existing sensitive receptors. However, with implementation of Mitigation Measures 9-3 and 12-8, which require County review of site plans to ensure that adequate setbacks are provided for wedding noise sources, the impacts would be reduced to less-than-significant level. Therefore, the proposed Zoning Text Amendment would not cause any land use compatibility issues related to noise.

Transportation and Circulation

As discussed in Chapter 10, Transportation and Circulation, and Chapter 12, Cumulative Impacts and Other CEQA Sections of this EIR, the proposed Zoning Text Amendment would not substantially degrade operations at existing roadways and intersections in the project region or result in insufficient parking capacity at existing study facilities. Under

cumulative conditions, a significant and unavoidable impact would occur to the State Route (SR) 49/Cramer Road intersection. Feasible mitigation is not available to reduce the impact to a less-than-significant level. For all other study intersections and roadways, the addition of project traffic under cumulative conditions would not substantially degrade operations.

Conclusion

Based on the above, the proposed project would not result in the development of incompatible uses and/or the creation of land use conflicts, and a ***less-than-significant*** impact would occur.

Mitigation Measure(s)

None required.

Table 8-6	
Discussion of Relevant Plans, Policies, and Regulations	
General Plan/Community Plan Policy	Discussion
Placer County General Plan	
Land Use Element	
1.N.1. The County shall promote economic expansion based on Placer County's unique recreational opportunities and natural resources.	By providing greater flexibility with respect to the amount of Agricultural Promotional Events and Special Events that may occur at existing and future wineries/farm breweries, the proposed Zoning Text Amendment would help to increase the financial viability of winery/farm brewery agricultural operations within Placer County where such operations are compatible with the Placer County Code.
1.N.2. The County shall encourage the retention, expansion and development of new businesses, especially those that provide primary wage-earner jobs, by designating adequate land and providing infrastructure in areas where resources and public facilities and services can accommodate employment generators.	As discussed in Chapter 11, Utilities and Service Systems, of this EIR, adequate utilities and service systems exist within the County to accommodate the increased number of Agricultural Promotional Events and Special Events that may occur with implementation of the proposed Zoning Text Amendment. Such events help to provide jobs to Placer County residents seeking employment within the winery/brewery industry. Thus, the project would generate employment within the County.
1.N.5. The County shall encourage flexibility in development standards to accommodate uses that provide a substantial economic benefit to the community.	See Policy 1.N.1.
Agriculture and Forestry Element	
7.A.7. The County shall maintain agricultural lands in large parcel sizes to retain viable farming units.	Per Section E.1. of the current Winery Ordinance, the minimum parcel size for establishment of a winery without a Use Permit is 4.6 acres in the Agricultural and Resource (AE, F, FOR) zoning districts. Under the proposed project, a minimum parcel size of 10 acres would be required for any new winery to be established without a Use Permit in the AE, F, and FOR zoning districts. Thus, the proposed Zoning Text Amendment would incentivize property owners to consolidate parcels for the purpose of supporting agriculture.
7.A.10. The County shall facilitate agricultural production by allowing agricultural service uses (i.e., commercial and industrial uses) to locate in agriculturally-designated areas if they relate to the primary agricultural activity in the area.	Concern has been expressed that the number and frequency of winery/farm brewery visitors occurring as a result of the increased number of events could reach a level of intensity that creates an ongoing commercial presence that is no longer incidental to the primary agricultural use of wineries/farm breweries within the County. Such activities could impair the ability of

<p style="text-align: center;">Table 8-6 Discussion of Relevant Plans, Policies, and Regulations</p>	
General Plan/Community Plan Policy	Discussion
<p>The County shall use the following guidelines to analyze the suitability of a proposed agricultural service use:</p> <ol style="list-style-type: none"> The use will not adversely affect agricultural production in the area; The use supports local agricultural production; It is compatible with existing agricultural activities and residential uses in the area; The use will not require the extension of sewer or water lines; and, It will not result in a concentration of commercial or industrial uses in the immediate area. 	<p>farmers to fully engage in agricultural operations on adjacent agricultural lands. However, as noted previously, it is unreasonable to assume that back-to-back events would occur all day at every existing study facility, every day. Rather, this EIR conservatively assumes that each existing study facility would host up to two additional events per day, three days per week (Fri thru Sun), as a result of the proposed Zoning Text Amendment. The majority of these events would be smaller Agricultural Promotional Events, with attendance less than 50 at one time, whereas the larger Special Events would be limited to six per year for medium facilities and 12 per year for large facilities.</p> <p>The proposed Zoning Text Amendment would continue to promote cultivation of grapes and hops, as well as production of wine and beer, as the primary use associated with winery/farm brewery operations within the County. Per Section 17.10.010 of the Placer County Code, the ‘F’ zone district, within which eight of the ten study facilities are located, is intended to “provide areas for the conduct of commercial agricultural operations that can also accommodate necessary services to support agricultural uses...”. Per Section 17.08.010 of the Placer County Code, wineries are considered ‘agricultural/resource/open space uses’. Furthermore, per Section 17.04.030 of the Placer County Code, wineries and associated uses are considered ‘agricultural processing’ uses. Events at winery/farm brewery facilities are considered ‘necessary services’ by the owners/operators in terms of their importance in financially supporting on-site agricultural uses. It is noted that the proposed project would amend the County’s definition of agricultural processing to include farm breweries. Thus, the additional events enabled by the proposed Zoning Text Amendment would help to increase the financial viability of winery/farm brewery agricultural operations and, thus, consistent with the intended uses of the F zone district, would support local agricultural production.</p> <p>As discussed in Chapter 4, Agricultural Resources, of this EIR, the proposed Zoning Text Amendment would not conflict with policies regarding land use</p>

<p style="text-align: center;">Table 8-6 Discussion of Relevant Plans, Policies, and Regulations</p>	
General Plan/Community Plan Policy	Discussion
	<p>buffers for agricultural operations. In addition, events are currently permitted at all of the existing study facilities. The proposed Zoning Text Amendment would allow an increased frequency in the occurrence of events, but would not allow new types of events, with the exception of weddings. As discussed previously, hosting weddings at the existing study facilities would not cause any land use incompatibilities, including incompatibilities related to existing agricultural activities.</p> <p>With regard to compatibility with existing residential uses, only two existing study facilities within the County (Mt. Vernon Winery and Casque at Flower Farm) are located adjacent to areas zoned RA-B, which allows for residential uses. Mt. Vernon Winery includes 31.2 acres. The larger parcel size associated with the facility helps to create a natural buffer between winery operations, including on-site events and the neighboring RA-zoned property to the north. The nearest existing residence is located approximately 280 feet from the facility's property line and approximately 400 feet from the on-site parking lot. Thus, increased frequencies of Agricultural Promotional Events and Special Events at Mt. Vernon Winery would not be anticipated to result in land use incompatibilities.</p> <p>Casque at Flower Farm is located on a smaller, 10-acre parcel and, thus, has less natural buffering compared to Mt. Vernon Winery. As Casque at Flower Farm is considered a medium parcel, the number of permissible Special Events beyond their current allowance would not increase; however, they would be able to host a new type of use under the Special Event category, namely weddings. The outdoor event area within the northeastern portion of the Casque at Flower Farm site is partially shielded by the adjacent tasting room building. Agricultural Promotional Events or Special Events would not occur at the Flower Farm Inn facilities located on the southern portion of the Casque at Flower Farm property. The nearest existing residence is located approximately 150 feet from the facility's property line, 240 feet from the facility's outdoor event area, and 425 feet from the nearest parking lot associated with the facility. Thus, given that buffers would be provided</p>

<p style="text-align: center;">Table 8-6 Discussion of Relevant Plans, Policies, and Regulations</p>	
General Plan/Community Plan Policy	Discussion
	<p>between event areas and existing neighboring uses, less intensive Agricultural Promotional Events would not directly result in land use or zoning incompatibilities with existing agricultural activities and residential uses in the vicinity of existing study facilities. Amplified noise associated with weddings could potentially result in temporary noise level increases at existing sensitive receptors. However, with implementation of Mitigation Measure 9-3, which requires County review of site plans to ensure that adequate setbacks are provided for wedding noise sources, the impacts would be reduced to a less-than-significant level. Therefore, the Special Events would not cause any compatibility issues related to noise.</p> <p>Potential incompatibilities that may be considered in the determination of physical environmental impacts, such as issues related to air quality, noise, and traffic, are further discussed in each of the technical chapters of this EIR. Potential impacts related to sewer and water supply utilities are discussed in Chapter 11, Utilities and Service Systems, of this EIR. As noted therein, the project would not result in the need for any extensions of sewer or water lines.</p>
7.A.13. The County shall encourage multi-seasonal use of agricultural lands such as for private recreational development, in order to enhance the economic viability of agricultural operations.	See Policy 1.N.1.
7.B.1. The County shall identify and maintain clear boundaries between urban/suburban and agricultural areas and require land use buffers between such uses where feasible, except as may be determined to be unnecessary or inappropriate within a Specific Plan as part of the Specific Plan approval. These buffers shall occur on the parcel for which the development permit is sought and shall favor protection of the maximum amount of farmland.	As discussed in Chapter 4, Agricultural Resources, of this EIR, the County's buffer requirements are specific to new development occurring within the County. The proposed project does not include a proposal for new development and would not lead to the direct physical alteration of the existing wineries and farm breweries. In addition, the proposed amendments to the existing Winery Ordinance would not alter the General Plan land use or zoning designations of existing wineries and farm breweries within the County or expand the number of zones where by-right development can occur. As such, policies related to land use buffers would not apply to the proposed project.

<p style="text-align: center;">Table 8-6 Discussion of Relevant Plans, Policies, and Regulations</p>	
General Plan/Community Plan Policy	Discussion
7.B.4. The County shall continue to enforce the provisions of its Right-to-Farm Ordinance and of the existing state nuisance law.	Given that the proposed Zoning Text Amendment would not result in the introduction of non-agricultural land uses adjacent to lands currently used for commercial agricultural operations, the County's Right-to-Farm Ordinance would not apply to the project.
7.C.3. The County shall support opportunities to promote and market agricultural products grown or processed within Placer County (such as Farmers' Markets) as a part of the economic development activities of local agencies.	See Policy 7.C.4.
7.C.4. The County shall permit a wide variety of promotional and marketing activities for County-grown products in all zone districts where agricultural uses are authorized.	As demonstrated above, wineries and support services are considered agricultural uses. The proposed Zoning Text Amendment would increase the number of allowable promotional events from what is currently permitted; thus, meeting the intent of this policy to permit a wide variety of promotional and marketing activities for County-grown products where agricultural uses are authorized. With reference to County-grown products, the proposed Zoning Text Amendment would increase the minimum agricultural acreage requirement to two acres of on-site planted vineyard, hop yard, or other agriculture related to beverage production. Such minimum agricultural acreage requirements would not apply to the existing study facilities. However, any new facilities or additional uses that would require approval of a Use Permit or Administrative Review Permit under the proposed Zoning Text Amendment would be subject to compliance with this new requirement. It should be noted that while not all wine/beer sold at the existing study facilities is produced solely from agricultural products grown on-site, sourcing of limited amounts of grapes, barley, hops, and other adjuncts from other locales is currently allowed under the existing Winery Ordinance. The proposed Zoning Text Amendment would maintain existing standards.
7.C.5. The County shall permit on-farm product handling and selling. The County shall permit stands for the sale of agricultural products in any agricultural land use designation to promote and market those agricultural products grown or processed in Placer County. Secondary	See Policy 7.C.4.

Table 8-6 Discussion of Relevant Plans, Policies, and Regulations	
General Plan/Community Plan Policy	Discussion
and incidental sales of agricultural products grown elsewhere may be permitted subject to appropriate approvals.	
7.C.6. The County shall ensure that land use regulations do not arbitrarily restrict potential agricultural-related enterprises which could provide supplemental sources of income for farm operators.	See Policy 1.N.1.
Auburn Bowman Community Plan	
Land Use – Specific Policies for Agricultural	
n. Maintain large parcel sizes in agricultural areas to both preserve and protect agricultural activity.	The proposed Zoning Text Amendment would not result in parcel size changes. Per Policy 7.A.7. discussion, it is noted that the proposed Amendment recognizes the importance of larger parcel sizes in agricultural areas to protect agricultural activity. For example, within the AE, F, and FOR zoning districts, the proposed Zoning Text Amendment would increase the minimum parcel size from 4.6 acres to 10 acres for any new production facility with a tasting room to be established without a use permit.
o. Strive to minimize negative impacts of development on the existing agricultural operations.	See Policy 7.A.10.
Natural Resources – Soils	
(8) Discourage the conversion of land designated for agricultural uses to non-agricultural uses by encouraging Williamson Act Preserves, by maintaining large minimum parcel sizes in agricultural areas in order to prevent fragmentation of land ownership patterns that lead to the loss of open space and economic agricultural units, and by supporting an agricultural buffer zone which would result in directing "urban and suburban" uses into areas appropriately zoned for such uses	As discussed in the Agricultural Resources chapter, the proposed Zoning Text Amendment would not involve any physical alterations of the existing study facilities and would not result in any direct conversion of Farmland or other impacts to agricultural resources. Rather, the proposed project would allow for an increase in the number of promotional events currently allowed under the existing Winery Ordinance. While agricultural areas could be used for temporary overflow parking during special events, active agricultural lands cannot be utilized. In addition, temporary disturbance of fallow land would not preclude future use of such lands for agricultural purposes.

<p style="text-align: center;">Table 8-6 Discussion of Relevant Plans, Policies, and Regulations</p>	
General Plan/Community Plan Policy	Discussion
	Similarly, any expansion of permanent parking areas would be restricted to lands not in current commercial crop production.
<p>Open Space</p> <p>a. Protect all economically valuable resources, including mineral deposits, soils conducive to agricultural uses, and those open space areas which add to the overall attractiveness of the region.</p>	<p>As discussed for the above natural resources policy, direct conversion of Farmland would not occur as a result of the project; and soil disturbances related to temporary overflow parking or permanent parking expansion would be restricted to fallow agricultural areas.</p> <p>By providing greater flexibility with respect to the amount of Agricultural Promotional Events and Special Events that may occur at existing and future wineries/farm breweries, the proposed Zoning Text Amendment would help to increase the financial viability of winery/farm brewery agricultural operations within Placer County where such operations are compatible with the Placer County Code.</p>

9. NOISE

9

NOISE

9.1 INTRODUCTION

The purpose of the Noise chapter of this EIR is to describe the existing noise environment in the vicinity of the existing medium and large parcel size wineries and farm breweries throughout unincorporated Placer County that would be subject to the proposed Zoning Text Amendment. For each of the facilities, potential impacts related to noise level increases that could occur with implementation of the proposed project are analyzed and mitigation measures are prescribed where necessary. Documents referenced in this chapter include the Environmental Noise Analysis prepared for the proposed project by Bollard Acoustical Consultants, Inc. (see Appendix F),¹ the Placer County General Plan,² the Placer County General Plan EIR,³ and the *Placer County Noise Ordinance*.⁴

This chapter focuses on the ten existing medium (10- to 20-acre) and large (>20 acre) parcel-sized wineries and farm breweries that would be subject to the proposed Zoning Text Amendment, which are shown in Figure 3-1 of the Project Description chapter. Such facilities are referred to as *existing study facilities* throughout this EIR. Potential cumulative noise effects associated with future wineries and farm breweries that would be subject to the proposed Zoning Text Amendment are addressed in Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR.

9.2 EXISTING ENVIRONMENTAL SETTING

The Existing Environmental Setting section includes a discussion of acoustical terminology and existing traffic noise and ambient noise levels in the project vicinity.

Fundamentals and Terminology

Sound is defined as any pressure variation in air that the human ear can detect. If the pressure variations occur frequently enough (at least 20 times per second), such variations can be heard and hence are called sound. Measuring sound directly in terms of pressure would require a very large and awkward range of numbers. To avoid this, the decibel (dB) scale was devised. The dB scale uses the hearing threshold (20 micropascals of pressure), as a point of reference, defined as 0 dB. Other sound pressures are then compared to the reference pressure, and the logarithm is taken to keep the numbers in a practical range. The decibel scale allows a million-fold increase in pressure

¹ Bollard Acoustical Consultants, Inc. *Environmental Noise Analysis, Proposed Winery and Farm Brewery Zoning Text Amendment Project*. April 2019.

² Placer County. *Countywide General Plan Policy Document*. August 1994 (updated May 2013).

³ Placer County. *Countywide General Plan EIR*. July 1994.

⁴ Placer County. *Placer County Noise Ordinance*. 2004.

to be expressed as 120 dB. Another useful aspect of the dB scale is that changes in noise levels correspond closely to human perception of relative loudness.

Because dB relies on a logarithmic scale, sound pressure levels (SPL) cannot be added or subtracted by ordinary arithmetic means. For example, if one automobile produces an SPL of 70 dB when it passes an observer, two cars passing simultaneously would not produce 140 dB; rather, the two sources would combine to produce 73 dB. When two sounds of equal SPL are combined, they produce a combined SPL 3 dB greater than the original individual SPL. In other words, sound energy must be doubled to produce a 3 dB increase. If two sound levels differ by 10 dB or more, the combined SPL is equal to the higher SPL; the lower sound level would not substantially increase the higher sound level.

To approximate the frequency response of the human ear, a series of SPL adjustments is usually applied to the sound measured by a sound level meter. The adjustments, referred to as a weighting network, are frequency-dependent. The A-scale weighting network approximates the frequency response of the average young ear when listening to most ordinary sounds. When people make judgments of the relative loudness or annoyance of a sound, their judgments correlate well with the A-scale sound levels of such sounds. Noise levels for environmental noise studies are typically reported in terms of A-weighted decibels (dBA). In environmental noise studies, A-weighted SPLs are commonly referred to as noise levels. Table 9-1 provides a summary of typical A-weighted noise levels for common noise sources.

Table 9-1 Typical Sound Levels of Common Noise Sources		
Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	--110--	Rock Band
Jet Fly-over at 300 meters (1,000 feet)	--100--	
Gas Lawn Mower at 1 meter (3 feet)	--90--	
Diesel Truck at 15 meters (50 feet), at 80 kilometers/hour (50 miles/hour)	--80--	Food Blender at 1 meter (3 feet) Garbage Disposal at 1 meter (3 feet)
Noisy Urban Area, Daytime Gas Lawn Mower, 30 meters (100 feet)	--70--	Vacuum Cleaner at 3 meters (10 feet)
Commercial Area Heavy Traffic at 90 meters (300 feet)	--60--	Normal Speech at 1 meter (3 feet)
Quiet Urban Daytime	--50--	Large Business Office Dishwasher in Next Room
Quiet Urban Nighttime	--40--	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime	--30--	Library
Quiet Rural Nighttime	--20--	Bedroom at Night, Concert Hall (Background)
	--10--	Broadcast/Recording Studio
Lowest Threshold of Human Hearing	--0--	Lowest Threshold of Human Hearing
<i>Source: Caltrans, Technical Noise Supplement, Traffic Noise Analysis Protocol, November 2009.</i>		

Community noise is commonly described in terms of the “ambient” noise level, which is defined as the all-encompassing noise level associated with a given noise environment. A common statistical tool to measure the ambient noise level is the average, or equivalent, sound level (L_{eq}), over a given time period (usually one hour). The L_{eq} is the foundation of the composite noise descriptors, day-night average level (L_{dn}) and the community noise equivalent level (CNEL), and exhibits strong correlation with community response to noise for the average person. The percentile-exceeded sound level, denoted L_x , represents the sound level exceeded for a given percentage of a specified period (e.g., L_{10} is the sound level exceeded 10 percent of the time, L_{90} is the sound level exceeded 90 percent of the time). The median noise level descriptor, denoted L_{50} , represents the noise level which is exceeded 50 percent of the hour.

The L_{dn} is based upon the average noise level over a 24-hour day, with a +10 dB weighting applied to noise occurring during the nighttime hours of 10:00 PM to 7:00 AM. The nighttime penalty is based upon the assumption that people react to nighttime noise exposures as though they were twice as loud as daytime exposures. Because L_{dn} represents a 24-hour average, the metric tends to disguise short-term variations in the noise environment.

Under controlled conditions in an acoustics laboratory, the trained, healthy human ear is able to discern 1-dB changes in sound levels when exposed to steady, single-frequency (“pure tone”) signals in the midfrequency range. Outside such controlled conditions, the trained ear can detect 2-dB changes in normal environmental noise. However, it is widely accepted that the average healthy ear can barely perceive 3-dB noise level changes for similar sources. A 5-dB change is readily perceptible, and a 10-dB increase is perceived as being twice as loud. A 3-dB increase is equivalent to a doubling of sound energy (e.g., doubling the volume of traffic on a highway).

Existing Noise Sensitive Receptors

Noise-sensitive land uses are generally defined as locations where people reside or where the presence of unwanted sound could adversely affect the primary intended use of the land. Places where people live, sleep, recreate, worship, and study are generally considered to be sensitive to noise because intrusive noise can be disruptive to such activities.

Because of the rural nature of the portion of Placer County in which the existing study facilities are located, the noise-sensitive land uses which would potentially be affected by the project consist primarily of rural residential uses.

Existing Traffic Noise Levels

The Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA RD-77-108) was used with existing traffic data obtained from the Traffic Impact Analysis prepared for the proposed project by KD Anderson & Associates, Inc. to model existing traffic noise levels on selected roadways within the project region. Detailed model inputs are included in Appendix F to this EIR. The traffic noise level at 100 feet from the roadway centerline and distances from the centerlines of selected roadways to the 60 dB, 65 dB, and 70 dB L_{dn} contours are summarized in Table 9-2 for weekday conditions and in Table 9-3 for weekend conditions.

Table 9-2 Existing Weekday Traffic Volumes and Traffic Noise Modeling Results						
Roadway	Segment	Average Daily Traffic	L_{dn} at 100 feet from Centerline	Distance from Centerline (feet)		
				70 dB L_{dn}	65 dB L_{dn}	60 dB L_{dn}
Auburn Folsom Rd	Dick Cook Rd to Horseshoe Bar Rd	8,573	63	33	72	154
Ayers Holmes Rd	Mt. Vernon Rd to Wise Rd	412	47	3	6	14
Bald Hill Rd	Crater Hill Rd to Valle Vista Ct	1,309	52	6	14	30
Baxter Grade Rd	Wise Rd to Mt. Vernon Rd	971	51	5	11	24
Bell Rd	Coyote Ridge Ct to Miracle Ln	1,400	57	14	30	64
Bell Rd	Mallard Way to Cramer Rd	614	54	8	17	37
Chili Hill Rd	Lozanos Rd to Gold Hill Rd	355	46	3	6	12
Combie Rd	Placer Hills Rd to Wooley Creek Ln	2,688	55	10	22	48
Cramer Rd	Bell Rd to SR 49	558	48	4	8	17
Crosby Herold Rd	Wise Rd to Meadow Creek Rd	525	48	3	7	16
Del Mar Ln	Sierra College Blvd to Rock Hill Winery	1,126	51	6	12	27
Fowler Rd	Virginiatown Rd to SR 193	3,412	56	12	26	56
Fleming Rd	Gladding Rd to McCourtney Rd	43	37	1	1	3
Fruitvale Rd	Fowler Rd to Gold Hill Rd	1,486	57	14	31	67
Gold Hill Rd	Virginiatown Rd to SR 193	1,542	58	15	32	69
Horseshoe Bar Rd	Val Verde Rd to Auburn Folsom Rd	3,545	56	12	27	57
Lone Star Rd	Bell Rd to SR 49	1,328	52	6	14	30
McCourtney Rd	Wise Rd to Big Ben Rd	1,192	56	12	27	58
Millertown Rd	Wise Rd to Vada Ranch Rd	150	43	2	3	7
Mt. Vernon Rd	Hastings Ln to Meyers Ln	2,021	59	18	38	82
Mt. Vernon Rd	Vineyard Dr to Millerstown Rd	2,995	60	23	50	107
Nicolaus Rd	Canal to Maverick Ln	3,064	61	23	50	109
Placer Hills Rd	Pinewood Wy to Winchester Club Dr	9,470	63	35	76	165
Ridge Rd	Gold Hill Rd to Ophir Rd	789	50	5	10	21
Sierra College Blvd	Del Mar Rd to King Rd	12,762	66	52	111	239
SR 193	Sierra College Blvd to Fowler Rd	6,700	64	39	85	183
Virginiatown Rd	Coyote Ln to Fowler Rd	773	52	7	14	31
Wise Rd	McCourtney Rd to Crosby Herold Rd	2,575	60	21	45	97
Wise Rd	Crosby Herold Rd to Garden Bar Rd	1,857	58	17	36	78
Wise Rd	Garden Bar Rd to Wally Allan Rd	1,394	55	10	21	46
Wise Rd	County Lane to Crater Hill Rd	1,168	53	7	16	34
Wise Rd	Bald Hill Rd to Ophir Rd	1,000	51	5	11	25
<i>Source: Bollard Acoustical Consultants, Inc., 2019.</i>						

Table 9-3 Existing Weekend Traffic Volumes and Traffic Noise Modeling Results						
Roadway	Segment	Average Daily Traffic	L_{dn} at 100 feet from Centerline	Distance from Centerline (feet)		
				70 dB L_{dn}	65 dB L_{dn}	60 dB L_{dn}
Auburn Folsom Rd	Dick Cook Rd to Horseshoe Bar Rd	8,355	63	33	70	151
Ayers Holmes Rd	Mt. Vernon Rd to Wise Rd	485	48	3	7	15
Bald Hill Rd	Crater Hill Rd to Valle Vista Ct	1,038	51	5	12	25
Baxter Grade Rd	Wise Rd to Mt. Vernon Rd	634	49	4	8	18
Bell Rd	Coyote Ridge Ct to Miracle Ln	1,329	57	13	29	62
Bell Rd	Mallard Way to Cramer Rd	543	53	7	16	34
Chili Hill Rd	Lozanos Rd to Gold Hill Rd	262	45	2	5	10
Combie Rd	Placer Hills Rd to Wooley Creek Ln	2,477	55	10	21	45
Cramer Rd	Bell Rd to SR 49	549	48	4	8	17
Crosby Herold Rd	Wise Rd to Meadow Creek Rd	582	49	4	8	17
Del Mar Ln	Sierra College Blvd to Rock Hill Winery	1,171	52	6	13	27
Fowler Rd	Virginiatown Rd to SR 193	3,440	56	12	26	56
Fleming Rd	Gladding Rd to McCourtney Rd	92	41	1	2	5
Fruitvale Rd	Fowler Rd to Gold Hill Rd	1,186	56	12	27	58
Gold Hill Rd	Virginiatown Rd to SR 193	1,857	58	17	36	78
Horseshoe Bar Rd	Val Verde Rd to Auburn Folsom Rd	2,485	55	10	21	45
Lone Star Rd	Bell Rd to SR 49	1,223	52	6	13	28
McCourtney Rd	Wise Rd to Big Ben Rd	1,207	56	13	27	58
Millertown Rd	Wise Rd to Vada Ranch Rd	135	42	1	3	6
Mt. Vernon Rd	Hastings Ln to Meyers Ln	2,679	60	21	46	99
Mt. Vernon Rd	Vineyard Dr to Millerstown Rd	2,676	60	21	46	99
Nicolaus Rd	Canal to Maverick Ln	2,374	59	20	43	92
Placer Hills Rd	Pinewood Wy to Winchester Club Dr	7,407	62	30	65	140
Ridge Rd	Gold Hill Rd to Ophir Rd	640	49	4	9	18
Sierra College Blvd	Del Mar Rd to King Rd	10,642	65	46	98	212
SR 193	Sierra College Blvd to Fowler Rd	6,700	64	39	85	183
Virginiatown Rd	Coyote Ln to Fowler Rd	994	53	8	17	37
Wise Rd	McCourtney Rd to Crosby Herold Rd	2,714	60	22	46	100
Wise Rd	Crosby Herold Rd to Garden Bar Rd	1,978	59	17	38	81
Wise Rd	Garden Bar Rd to Wally Allan Rd	1,304	55	9	20	44
Wise Rd	County Lane to Crater Hill Rd	931	52	6	13	29
Wise Rd	Bald Hill Rd to Ophir Rd	915	51	5	11	23
<i>Source: Bollard Acoustical Consultants, Inc., 2019.</i>						

In many cases, the actual distances to noise level contours may vary from the distances predicted by the FHWA model. Factors such as roadway curvature, roadway grade, shielding from local topography or structures, elevated roadways, or elevated receivers may affect actual sound propagation. The distances reported in Table 9-2 and Table 9-3 are considered to be conservative estimates of noise exposure along roadways in the project study area. In addition, it is recognized that existing sensitive land uses within the project vicinity are located varying distances from the centerlines of the local roadway network. The 100-foot reference distance is utilized in this analysis to provide a reference position at which changes in existing and future traffic noise levels resulting from the project can be evaluated.

Existing Ambient Noise Levels

The major source of noise affecting ambient conditions within the immediate vicinity of the existing study facilities is local surface traffic. Distant railroad and aircraft noise is periodically audible at locations within the project area; however, such sources are not dominant and do not appreciably affect local ambient conditions relative to local traffic noise. Similarly, while nearby agricultural operations can temporarily result in increased ambient noise levels, such activities/operations tend to be intermittent and highly localized.

In addition to the off-site noise-generation of project traffic, noise is generated during events held at wineries and breweries located within the county by on-site activities and events. The most common noise sources associated with such events are music and speech, either amplified or natural. The degree by which noise generated during events affects noise-sensitive land uses located in the vicinity of the events depends on the noise generation of the event and the existing ambient conditions at the noise-sensitive uses.

To quantify existing ambient noise conditions in the immediate vicinity of existing study facilities, noise surveys were conducted at six wineries and one brewery in Placer County between September 2017 and March 2018. Table 9-4 summarizes the ambient noise survey results. Detailed ambient noise measurement results are presented in tabular and graphical formats in Appendix F to this EIR.

As shown in Table 9-4, ambient noise levels in the immediate vicinity of the study facilities averaged approximately 49 dB L_{eq} during daytime hours and 46 dB L_{eq} during evening hours. Measured maximum noise levels averaged 66 and 61 dB L_{max} during daytime and evening periods, respectively, and the average L_{dn} for the monitoring sites was 52 dB L_{dn} .

It should be noted that the ambient noise surveys were intentionally conducted on days when events were not occurring at the study facilities, in order to document background noise conditions at representative locations near the existing study facilities to establish a baseline for comparison against noise generated by events held at such locations. Although events held at the study facilities currently occur more frequently during spring, summer, and fall periods, because the focus of the ambient surveys was to avoid periods when events were occurring, the time of year when the surveys were conducted is considered appropriate for the purpose of this analysis.

Table 9-4 Long-Term Noise Measurement Results						
Location	Date	Daytime (7AM to 7PM)		Evening (7PM to 10PM)		L_{dn}, dB
		L_{eq}, dB	L_{max}, dB	L_{eq}, dB	L_{max}, dB	
Lone Buffalo Vineyards	September 11, 2017	42	58	58	63	63
Wise Villa Winery and Bistro	October 8, 2017	48	64	36	54	46
Dono Dal Cielo Vineyard and Winery	December 16, 2017	52	70	48	67	52
Hillenbrand Farmhaus Brewery	March 11, 2018	55	74	45	62	54
Mt. Vernon Winery	March 10, 2018	49	68	45	64	52
Rancho Roble Vineyards	March 11, 2018	46	65	46	56	48
Vina Castellano Winery	March 28, 2018	48	66	43	61	49
	Average	49	66	46	61	52
<i>Source: Bollard Acoustical Consultants, Inc., 2019.</i>						

With the exception of the data collected at the Lone Buffalo Vineyards, average ambient noise levels during evening hours were consistently lower than ambient conditions during daytime hours. The elevated ambient conditions noted at Lone Buffalo Vineyards were caused by natural sounds (crickets) which were present on the warm evening.

9.3 REGULATORY CONTEXT

In order to limit exposure to physically and/or psychologically damaging noise levels, the State of California, various county governments, and most municipalities in the State have established standards and ordinances to control noise. The following provides a general overview of the existing State and local regulations that are relevant to the proposed project. Federal plans, policies, regulations, or laws related to noise are not directly applicable to the proposed project.

State Regulations

The following are the State environmental laws and policies relevant to noise.

California State Building Codes

The State Building Code, Title 24, Part 2 of the State of California Code of Regulations, establishes uniform minimum noise insulation performance standards to protect persons within new buildings which house people, including hotels, motels, dormitories, apartment houses, and dwellings other than single-family dwellings.

Title 24 mandates that interior noise levels attributable to exterior sources shall not exceed 45 dB L_{dn} or CNEL in any habitable room. Title 24 also mandates that for structures containing noise-sensitive uses to be located where the L_{dn} or CNEL exceeds 60 dB, an acoustical analysis must be prepared to identify mechanisms for limiting exterior noise to the prescribed allowable interior

levels. If the interior allowable noise levels are met by requiring that windows be kept closed, the design for the structure must also specify a ventilation or air conditioning system to provide a habitable interior environment.

Local Regulations

The following are the local environmental goals and policies relevant to noise.

Placer County General Plan

The relevant goals and policies from the Placer County General Plan related to noise are presented below.

- | | |
|--------------|---|
| Goal 9.A | To protect County residents from the harmful and annoying effects of exposure to excessive noise. |
| Policy 9.A.1 | The County shall not allow development of new noise-sensitive uses where the noise level due to non-transportation noise sources will exceed the noise level standards of Table 9-1 (see Table 9-5) as measured immediately within the property line of the new development, unless effective noise mitigation measures have been incorporated into the development design to achieve the standards specified in Table 9-1 (see Table 9-5). |
| Policy 9.A.2 | Noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 9-1 (see Table 9-5) as measured immediately within the property line of lands designated for noise-sensitive uses; provided, however, the noise created by occasional events occurring within a stadium on land zoned for university purposes may temporarily exceed these standards as provided in an approved Specific Plan. |
| Policy 9.A.6 | The feasibility of proposed projects with respect to existing and future transportation noise levels shall be evaluated by comparison to Table 9-3 (see Table 9-6). |
| Policy 9.A.8 | New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected levels of noise from transportation noise sources, including airports, which exceed the levels specified in Table 9-3 (see Table 9-6), unless the project design includes effective mitigation measures to reduce noise in outdoor activity areas and interior spaces to the levels specified in Table 9-3 (see Table 9-6). |

Table 9-5 Allowable L_{dn} Noise Levels within Specified Zone Districts Applicable to New Projects Affected by or Including Non-Transportation Noise Sources¹		
Zone District of Receptor	Property Line of Receiving Use (L_{dn}, dB)	Interior Spaces²
Residential Adjacent to Industrial ³	60	45
Other Residential ⁴	50	45
Office/Professional	70	45
Transient Lodging	65	45
Neighborhood Commercial	70	45
General Commercial	70	45
Heavy Commercial	75	45
Limited Industrial	75	45
Highway Service	75	45
Shopping Center	70	45
Industrial	---	45
Industrial Park	75	45
Industrial Reserve	---	---
Airport	---	45
Unclassified	---	---
Farm	---	---
Agriculture Exclusive	---	---
Forestry	---	---
Timberland Preserve	---	---
Recreation & Forestry	70	---
Open Space	---	---
Mineral Reserve	---	---
Notes: <ul style="list-style-type: none"> • Except where noted otherwise, noise exposures will be those which occur at the property line of the receiving use. • Where existing transportation noise levels exceed the standards of this table, the allowable L_{dn} shall be raised to the same level as that of the ambient level. • If the noise source generated by, or affecting, the uses shown above consists primarily of speech or music, or if the noise source is impulsive in nature, the noise standards shown above shall be decreased by 5 dB. • Where a use permit has established noise level standards for an existing use, those standards shall supersede the levels specified in Table 9-1 and Table 9-3 (see Table 9-5 and Table 9-6). Similarly, where an existing use which is not subject to a use permit causes noise in excess of the allowable levels in Tables 9-1 and 9-3 (see Table 9-5 and Table 9-6), said excess noise shall be considered the allowable level. If a new development is proposed which will be affected by noise from such an existing use, it will ordinarily be assumed that the noise levels already existing or those levels allowed by the existing use permit, whichever are greater, are those levels actually produced by the existing use. • Existing industry located in industrial zones will be given the benefit of the doubt in being allowed to emit increased noise consistent with the “state of the art” at the time of expansion. In no case will expansion of an existing industrial operation because to decrease allowable noise emission limits. Increased emissions above those normally allowable should be limited to a one-time 5 dB increase at the discretion of the decision-making body. “State of the art” should include the use of modern equipment with lower noise emissions, site design, and plant orientation to mitigate off-site noise impacts, and similar methodology. • The noise level standards applicable to land uses containing incidental residential uses, such as caretaker dwellings at industrial facilities and homes on agriculturally zoned land, shall be the standards applicable to the zone district, not those applicable to residential uses. 		

(Continued on next page)

- Where no noise level standards have been provided for a specific zone district, it is assumed that the interior and/or exterior spaces of these uses are effectively insensitive to noise.

¹ Overriding policy on interpretation of allowable noise levels: Industrial-zoned properties are confined to unique areas of the County, and are irreplaceable. Industries which provide primary wage-earner jobs in the County, if forced to relocate, will likely be forced to leave the County. For this reason, industries operating upon industrial zoned properties must be afforded reasonable opportunity to exercise the rights/privileges conferred upon them by their zoning. Whenever the allowable noise levels herein fall subject to interpretation relative to industrial activities, the benefit of the doubt shall be afforded to the industrial use.

Where an industrial use is subject to infrequent and unplanned upset or breakdown of operations resulting in increased noise emissions, where such upsets and breakdowns are reasonable considering the type of industry, and where the industrial use exercises due diligence in preventing as well as correcting such upsets and breakdowns, noise generated during such upsets and breakdowns shall not be included in calculations to determine conformance with allowable noise levels.

² Interior spaces are defined as any locations where some degree of noise-sensitivity exists. Examples include all habitable rooms of residences, and areas where communication and speech intelligibility are essential, such as classrooms and offices.

³ Noise from industrial operations may be difficult to mitigate in a cost-effective manner. In recognition of this fact, the exterior noise standards for residential zone districts immediately adjacent to industrial, limited industrial, industrial park, and industrial reserve zone districts have been increased by 10 dB as compared to residential districts adjacent to other land uses.

For purposes of the Noise Element, residential zone districts are defined to include the following zoning classifications: AR, R-1, R-2, R-3, FR, RP, TR-1, TR-2, TR-3, and TR-4.

⁴ Where a residential zone district is located within an -SP combining district, the exterior noise level standards are applied at the outer boundary of the -SP district. If an existing industrial operation within an -SP district is expanded or modified, the noise level standards at the outer boundary of the -SP district may be increased as described above in these standards.

Where a new residential use is proposed in an -SP zone, an Administrative Review Permit is required, which may require mitigation measures at the residence for noise levels existing and/or allowed by use permit as described under "NOTES," above, in these standards.

⁵ Normally, agricultural uses are noise insensitive and will be treated in this way. However, conflicts with agricultural noise emissions can occur where single-family residences exist within agricultural zone districts. Therefore, where effects of agricultural noise upon residences located in these agricultural zones is a concern, an L_{dn} of 70 dBA will be considered acceptable outdoor exposure at a residence. As noted in the Environmental Noise Analysis, this standard is considerably less restrictive than the County's Noise Ordinance standards shown in Table 9-8 below; thus, for the purposes of this analysis, the County's Noise Ordinance standards take precedence when enforcing standards for winery and farm brewery uses.

Source: Placer County General Plan, 2013.

Table 9-6 Maximum Allowable Noise Exposure Transportation Noise Sources			
Noise Sensitive Land Uses	Outdoor Activity Area¹	Interior Spaces	
	L_{dn}, dB	L_{dn}/CNEL, dB	L_{eq}, dB²
Residential	60 ³	45	--
Transient Lodging ⁴	60 ³	45	--
Hospitals, Nursing Homes	60 ³	45	--
Theaters, Auditoriums, Music Halls	--	--	35
Churches, Meeting Halls	60 ³	--	40
Office Buildings	--	--	45
Schools, Libraries, Museums	--	--	45
Playgrounds, Neighborhood Parks	70	--	--
Notes: ¹ Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied to the property line of the receiving land use. ² As determined for a typical worst-case hour during periods of use. ³ Where it is not possible to reduce noise in outdoor activity areas to 60 dB L _{dn} /CNEL or less using a practical application of the best-available noise reduction measures, an exterior noise level of up to 65 dB L _{dn} /CNEL may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table. <i>Source: Placer County General Plan, 2013.</i>			

Policy 9.A.9 Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in Table 9-3 (see Table 9-6) or the performance standards in Table 9-3 (see Table 9-6) at outdoor activity areas or interior spaces of existing noise sensitive land uses.

Policy 9.A.10 Where noise-sensitive land uses are proposed in areas exposed to existing or projected exterior noise levels exceeding the levels specified in Tables 9-1 and 9-3 (see Table 9-5 and Table 9-6), the County shall require submission of an acoustical analysis as part of the environmental review process so that noise mitigation may be included in the project design. At the discretion of the County, the requirement for an acoustical analysis may be waived provided that all of the following conditions are satisfied:

- a. The development is for less than five single-family dwellings or less than 10,000 square feet of total gross floor area for office buildings, churches, or meeting halls;

- b. The noise source in question consists of a single roadway or railroad for which up-to-date noise exposure information is available. An acoustical analysis will be required when the noise source in question is a stationary noise source or airport, or when the noise source consists of multiple transportation noise sources;
- c. The existing or projected future noise exposure at the exterior of buildings which will contain noise-sensitive uses or within proposed outdoor activity areas (other than outdoor sports and recreation areas) does not exceed 65 dB Ldn (or CNEL) prior to mitigation. For outdoor sports and recreation areas, the existing or projected future noise exposure may not exceed 75 dB Ldn (or CNEL) prior to mitigation;
- d. The topography in the project area is essentially flat; that is, noise source and receiving land use are at the same grade; and
- e. Effective noise mitigation, as determined by the County, is incorporated into the project design to reduce noise exposure to the levels specified in Tables 9-1 and 9-3 (see Table 9-5 and Table 9-6). Such measures may include the use of building setbacks, building orientation, noise barriers, and the standard noise mitigations contained in the Placer County Acoustical Design Manual. If closed windows are required for compliance with interior noise level standards, air conditioning or a mechanical ventilation system will be required.

Policy 9.A.11 The County shall require one or more of the following mitigation measures where existing noise levels significantly impact existing noise-sensitive land uses, or where the cumulative increase in noise levels resulting from new development significantly impacts noise-sensitive land uses:

- a. Rerouting traffic onto streets that have available traffic capacity and that do not adjoin noise-sensitive land uses;
- b. Lowering speed limits, if feasible and practical;
- c. Programs to pay for noise mitigation such as low cost loans to owners of noise-impacted property or establishment of developer fees;
- d. Acoustical treatment of buildings; or,
- e. Construction of noise barriers.

- Policy 9.A.12 Where noise mitigation measures are required to achieve the standards of Tables 9-1 and 9-3 (see Table 9-5 and Table 9-6), the emphasis of such measure shall be placed upon site planning and project design. The use of noise barriers shall be considered as a means of achieving the noise standards only after all other practical design-related noise mitigation measures have been integrated into the project.

Placer County Community Plans

Various Community Plans have been adopted in Placer County over the years. With the exception of the Auburn/Bowman Community Plan, the Community Plans either reference the noise standards contained in the Placer County General Plan Noise Element or the Placer County Noise Ordinance (discussed below), or do not contain numeric noise standards.

As will be discussed below, the Placer County Noise Ordinance applies a 55 dB hourly average (L_{eq}) noise level standard to non-transportation noise sources during daytime hours (7 am – 10 pm). Table 14 (see Table 9-7) of the Auburn/Bowman Community Plan indicates that the daytime standard for non-transportation noise sources is 50 dB L_{eq} , which is 5 dB more restrictive than the corresponding Noise Ordinance daytime standard.⁵

Table 9-7 Noise Level Performance Standards For New Projects Affected by or Including Non-Transportation Sources		
Noise Level Descriptor	Daytime (7 AM to 10 PM)	Nighttime (10 PM to 7 AM)
Hourly L_{eq} , dB	50	45
Maximum level, dB	70	65
Note: Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).		
<i>Source: Auburn/Bowman Community Plan.</i>		

Placer County Noise Ordinance

Section 9.36.060 of the Placer County Code establishes non-transportation noise level standards for noise-sensitive receptors. The purpose of the Noise Ordinance is to implement the noise level standards identified in the Placer County General Plan. The specific language of Section 9.36.060 is provided below:

- A. It is unlawful for any person at any location to create any sound, or to allow the creation of any sound, on property owned, leased, occupied or otherwise controlled by such person that:

⁵ This more restrictive noise standard likely resulted from ambient conditions in Placer County being lower at the time the Auburn-Bowman Community Plan was adopted 25 years ago than they are today.

1. Causes the exterior sound levels when measured at the property line of any affected sensitive receptor to exceed the ambient sound level by five (5) dBA; or
2. Exceeds the sound level standards as set forth in Table 1 (see Table 9-8), whichever is the greater.

Table 9-8		
Noise Level Standards for Non-Transportation Noise Sources		
Sound Level Descriptor	Daytime (7 AM to 10 PM)	Nighttime (10 PM to 7 AM)
Hourly L_{eq} , dB	55	45
L_{max} , dB	70	65
<i>Source: Placer County Noise Ordinance.</i>		

- B. Each of the sound level standards specified in Table 1 (see Table 9-8) shall be reduced by five (5) dB for simple tone noises, consisting of speech and music. However, in no case shall the sound level standard be lower than the ambient sound level plus five (5) dB.
- C. If the intruding sound source is continuous and cannot reasonably be discontinued or stopped for a time period whereby the ambient sound level can be measured, the sound level measured while the source is in operation shall be compared directly to the sound level standards of Table 1 (see Table 9-8).

Winery Ordinance

Section 17.56.330 of the Placer County Code contains the County's Winery Ordinance, as approved in 2008. Per Section 17.56.330(D)(7)(b)(iii) of the Winery Ordinance, any promotional event proposing outdoor amplified music which is covered by the Winery Ordinance shall be subject to the standards and regulations included in the County's Noise Ordinance.

9.4 IMPACTS AND MITIGATION MEASURES

The following section describes the standards of significance and methodology used to analyze and determine the potential impacts of the proposed Zoning Text Amendment related to noise. In addition, a discussion of the project's impacts, as well as mitigation measures where necessary, is also presented.

Standards of Significance

According to CEQA Guidelines and the County's Initial Study Checklist, a significant impact would occur related to noise and vibration if the implementation of the proposed Zoning Text Amendment would result in any of the following:

- Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies;
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;
- 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 expose people residing or working in the project area to excessive noise levels; or
- For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels.

Summary of Placer County Noise Standards

Applicable Placer County noise level standards from the Placer County General Plan and the Placer County Noise Ordinance are summarized below.

Transportation Noise

The Placer County General Plan Noise Element applies 60 dB L_{dn}/CNEL exterior and 45 dB L_{dn}/CNEL interior noise level standards at the property lines of residential uses affected by transportation noise sources. The County may conditionally allow exterior noise levels between 60 and 65 dB L_{dn} for residential uses, provided that practical noise reduction measures have been implemented and interior noise levels remain in compliance with the 45 dB L_{dn} interior standard.

Non-Transportation Noise

For non-transportation noise sources, the County's General Plan Noise Element applies a 50 dB L_{dn} noise level standard at the property lines of residential uses. In addition, as shown in Table 9-8, the Placer County Noise Ordinance includes daytime and nighttime standards for non-transportation noise sources which are generally more restrictive than those contained in the Placer County General Plan. Under the proposed Zoning Text Amendment, the County's Winery Ordinance would continue to require compliance with the Noise Ordinance for the study facilities, unless a more restrictive standard is specified in a community plan, as is the case for the Auburn/Bowman Community Plan. For existing or future wineries and farm breweries in the unincorporated areas within the Auburn/Bowman Community Plan boundaries, the noise standards contained in Table 14 of the Auburn/Bowman Community Plan are applied, given that the daytime average (L_{eq}) noise standard is more restrictive (i.e., 5 dB lower) than the Noise Ordinance standard. The two existing study facilities located within the Auburn/Bowman Community Plan are Mt. Vernon Winery and Vina Castellano Winery.

It should be noted that both the Auburn/Bowman Community Plan standards identified in Table 9-7, and the Noise Ordinance standards identified in Table 9-8, are reduced by five dB because the on-site noise sources associated with events at the study facilities consist of speech and music.

While the County's General Plan noise standards shown in Table 9-5 would be applicable to new applications for wineries or farm breweries intending to hold Special Events, and to weddings held at both existing and future study facilities, the County's Noise Ordinance standards shown in Table 9-8 are more restrictive than the General Plan standards shown in Table 9-8. As a result, compliance with the Noise Ordinance standards identified in Table 9-8 would ensure compliance with the County's General Plan standards as well. Therefore, the focus of this analysis is on compliance with the County's Noise Ordinance standards rather than the General Plan standards.

Similarly, the daytime noise level standard identified in the Auburn/Bowman Community Plan (see Table 9-7) is more restrictive than both the corresponding General Plan and Noise Ordinance standards. As a result, compliance with the Auburn/Bowman Community Plan daytime standard identified in Table 9-8 would ensure compliance with the County's General Plan and Noise Ordinance standards as well. Therefore, this analysis also addresses compliance with the Auburn/Bowman Community Plan daytime standard.

Substantial Increase Criteria

Generally, a project may have a significant effect on the environment if the project would substantially increase the ambient noise levels for adjoining areas or expose people to measurably severe noise levels. In practice, a noise impact may be considered significant if the project would generate noise that would conflict with local project criteria or ordinances, or substantially increase noise levels at noise sensitive land uses.

For off-site traffic noise, Placer County, like many jurisdictions, does not have an adopted policy regarding significant increases in ambient noise. For the purpose of this analysis, Bollard Acoustical Consultants, Inc. relied on the graduated scale developed by the Federal Interagency Committee on Noise (FICON) (see Table 9-9).

Table 9-9	
Significance of Changes in Cumulative Noise Exposure	
Ambient Noise Level Without Project (L_{dn})	Increase Required for Significant Impact
<60 dB	+5.0 dB or more
60 to 65 dB	+3.0 dB or more
>65 dB	+1.5 dB or more
<i>Source: Federal Interagency Committee on Noise, 1992.</i>	

The rationale for the graduated scale used in the FICON standards is that test subjects' reactions to increases in noise levels varied depending on the starting level of noise. Specifically, with lower ambient noise environments, such as those below 60 dB L_{dn}, a larger increase in noise levels was required to achieve a negative reaction than was necessary in more elevated noise environments. Based on the FICON research, as shown in Table 9-9, a 5 dB increase in noise levels due to a project is required for a finding of significant noise impact where ambient noise levels without the

project are less than 60 dB L_{dn}. Where pre-project ambient conditions are between 60 and 65 dB L_{dn}, a 3 dB increase is applied as the standard of significance. In areas already exposed to pre-project noise levels in excess of 65 dB L_{dn}, a 1.5 dB increase is considered significant.

The use of the FICON standards are considered conservative relative to thresholds used by other agencies in the State of California. For example, the California Department of Transportation (Caltrans) requires a project related traffic noise level increase of 12 dB for a finding of significance, and the California Energy Commission (CEC) considers project related noise level increases between 5 and 10 dB significant, depending on local factors. Therefore, the use of the FICON standards, which set the threshold for finding of significant noise impacts as low as 1.5 dB, provides a conservative approach to impact assessment.

It should be noted that audibility is not a test of significance according to CEQA. If such were the case, any project that added any audible amount of noise to the environment would be considered unacceptable according to CEQA. Because every physical process creates noise, whether by the addition of a single vehicle on a roadway or a tractor in an agricultural field, the use of audibility alone as significance criteria would be unworkable. CEQA requires a substantial increase in noise levels before noise impacts are identified, not simply an audible change.

Issues Not Discussed Further

The Initial Study prepared for the proposed project (see Appendix D) determined that the proposed Zoning Text Amendment would result in a less-than-significant impact related to the following:

- 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 expose people residing or working in the project area to excessive noise levels; and
- For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels.

In addition, the proposed Zoning Text Amendment would not directly result in any construction or other intermittent activity that could generate substantial vibration or result in substantial temporary or periodic noise level increases. It should be noted that under the current Winery Ordinance and following the proposed Zoning Text Amendment, existing study facilities would have the ability to expand permanent parking spaces within their sites in order to accommodate tasting room guests, agricultural activities, and event attendees. Concerns have been expressed during the NOP public review period for this project that the additional flexibility provided by the Zoning Text Amendment with respect to the ability to hold more events, could increase demand for parking. Grading and other construction activities associated with such parking lot expansion could generate groundborne vibration and/or result in temporary noise level increases.

However, per Section 9.36.030 of the Placer County Code, sound or noise emanating from construction activities occurring during the following time periods is exempt from the noise level standards included in the County's Noise Ordinance, provided that all construction equipment is fitted with factory-installed muffling devices and that all construction equipment is maintained in good working order: a) Monday through Friday, 6:00 AM to 8:00 PM (during daylight savings);

b) Monday through Friday, 7:00 AM to 8:00 PM (during standard time); and c) Saturdays, 8:00 AM to 6:00 PM. All construction activities associated with potential future parking lot expansion would be required to comply with such standards. Furthermore, any future parking lot construction activities would occur over a relatively short period of time and, thus, would not result in the prolonged exposure of sensitive receptors to excessive groundborne vibration or noise levels. Based on the above, no impact would occur with respect to the following:

- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels;
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;

Accordingly, impacts related to the above are not further analyzed or discussed in this EIR.

Method of Analysis

Below are descriptions of the methodologies used to estimate traffic noise along area roadways, calculate existing ambient noise levels at the existing study facilities, and estimate typical noise levels associated with Special Events. Further modeling details and calculations are provided in Appendix F to this EIR. The results of the noise analyses were compared to the standards of significance discussed above in order to determine the associated level of impact.

Traffic Noise Methodology

As noted previously, the FHWA RD-77-108 model was used to model existing traffic noise levels on selected roadways within the project region. The model is based upon the CALVENO noise emission factors for automobiles, medium trucks, and heavy trucks, with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics of the site. The FHWA model predicts hourly L_{eq} values for free-flowing traffic conditions. Estimates of the hourly distribution of traffic for a typical 24-hour period were used to develop L_{dn} values from L_{eq} values. Direct inputs to the model included traffic volumes provided by KD Anderson & Associates, Inc. Volumes were provided for Existing, Existing Plus Project, Cumulative No Project, and Cumulative Plus Project Conditions.

Ambient Noise Measurement Methodology

Long-term (24-hour) noise samples at certain existing study facilities were captured with Larson Davis Model 820, Lxt and 831 Type I sound level meters. The calibration of each meter was checked before each measurement to ensure the accuracy of the measurement results. The measurement systems comply with all pertinent requirements of the American National Standards Institute (ANSI).

Event Noise Methodology

Typical sound levels for a range of activities comparable to what might occur at Special Events of sizes similar to those allowed by the proposed Zoning Text Amendment are shown below in Table 9-10. Such data includes a combination of noise measurement results conducted by Bollard Acoustical Consultants, Inc. in recent years, as well as published sound level data for persons conversing at various levels.⁶

Table 9-10 Typical Sound Levels for Special Events	
Event or Activity	Typical Noise Level at 50 feet (dBA L_{eq})
Amplified speech/music at louder event (i.e. 200 person wedding reception)	75
Amplified speech/music at smaller event (i.e. 100 person reception)	72
Amplified speech only (no amplified music)	65
Non-amplified music (i.e. acoustic ensemble)	60
Non-amplified music (single acoustic guitar)	56
Raised conversations (100 people)	60
Raised conversations (50 people)	57
<i>Source: Bollard Acoustical Consultants, Inc., 2019.</i>	

Noise levels generated during special events occurring at three existing Placer County wineries were monitored in September and October of 2017, and March of 2018. Although the numbers of attendees at the events varied throughout the course of each event, event attendance reportedly exceeded 50 people and amplified music was present during each of the events. The measured average noise level during the events was 55 dB L_{eq} at the reference measurement distance of 200 feet from the approximate acoustic center of the event areas. Measured instantaneous maximum noise levels during the same events were 10 to 15 dB higher than the measured average noise levels, but the distances to the source of the maximum noise levels is more uncertain because the location of instantaneous maximum noise level sources cannot be exactly pinpointed.

The measured special event noise levels, which were all within compliance with the County Noise Ordinance standards at the nearest noise-sensitive property lines, correspond to approximately 67 dB L_{eq} at a reference distance of 50 feet. The test results indicate that the measured special event noise levels were approximately 5 to 8 dB lower than the reference sound levels shown in Table 9-10 for amplified music. This difference may have been caused in part by additional sound absorption by intervening vineyards or variations in amplifier settings. To provide reasonably conservative estimates of the potential noise generation of special events, the reference noise level data contained in Table 9-10 was applied to this analysis.

Sound radiating away from a fixed location decreases at a rate of approximately 6 dB for each doubling of distance from the noise source. Thus, for a sound source (i.e. amplified music), that generates a median noise level of 75 dB at a distance of 50 feet from the speakers, the sound level at a distance of 100 feet from that same source would be 6 dB lower, or 69 dB. At a distance of

⁶ Harris, Cyril M. *Handbook of Acoustical Measurements and Noise Control*. 1998.

200 feet from the speakers (a doubling of distance from the 100-foot location), the expected sound level would be 12 dB lower, or approximately 63 dB. This 6 dB per doubling of distance attenuation rate assumes a direct line of sight between the noise source and receiver (i.e. no shielding by intervening buildings, topography, or vegetation), and does not include further decreases in sound which occur over distance with atmospheric absorption of sound. The 6 dB per doubling of distance attenuation rate was used to provide a conservative estimate of the distances to the critical noise contours for the various types of sound sources identified in Table 9-10. In addition, an offset of -1.5 dB per thousand feet from the noise sources is required to account for atmospheric absorption.

According to the ambient noise level data contained in Table 9-4, daytime average ambient conditions in the rural areas of Placer County averaged approximately 50 dB L_{eq} . Thus, satisfaction with the County's 55 dB L_{eq} Noise Ordinance daytime threshold, and 50 dB L_{eq} daytime threshold for events within the Auburn/Bowman Community Plan area, would ensure that the noise level increase associated with winery and farm brewery events would be approximately 5 dB or less, which is consistent with the Noise Ordinance threshold. However, because the noise source in question consists of speech and/or music, a -5 dB penalty is applied to the County noise standard. As a result, the critical daytime noise threshold for speech or music generated during events would be 50 dB L_{eq} during daytime hours (45 dB L_{eq} for the Auburn/Bowman Community Plan area).

During evening hours (7:00 PM to 10:00 PM), average measured ambient conditions were approximately 45 dB L_{eq} . After upward adjustment by 5 dB for the allowable increase and downward adjustment by 5 dB because the noise source consists of speech or music, this analysis concludes that the appropriate evening sound level threshold for special events would be 45 dB L_{eq} at nearby sensitive areas, including uses within the Auburn/Bowman Community Plan area. The 5 dB threshold is identified as the limit for non-transportation noise level increases in the Section 9.36.060.A.1 of the Placer County Code. The distances to the 45 and 50 dB L_{eq} noise contours are identified in Table 9-11 below.

Table 9-11		
Distances Required to Attenuate Event Noise		
Event/Activity	Distance to Contour (feet)	
	50 dB L_{eq}	45 dB L_{eq}
Amplified speech/music at louder event (i.e. wedding reception)	750	1,225
Amplified speech/music at quieter event (i.e. wine industry dinner)	550	925
Amplified speech only (no amplified music)	275	450
Non-amplified music (i.e. acoustic ensemble)	150	275
Non-amplified music (single acoustic guitar)	100	175
Raised conversations (100 people)	150	275
Raised conversations (50 people)	125	200
Note: The distances presented above do not include any additional attenuation which would result from shielding by intervening topography, structures, or vegetation.		
Source: <i>Bollard Acoustical Consultants, Inc., 2019.</i>		

Nighttime hours, defined by the Noise Ordinance and Auburn/Bowman Community Plan, as after 10 PM, do not need to be addressed given that the proposed Zoning Text Amendment prohibits events from occurring after 10 PM.

Project-Specific Impacts and Mitigation Measures

The following discussion of impacts is based on implementation of the proposed project in comparison with the standards of significance identified above.

9-1 Exposure of persons to or generation of off-site traffic noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies, or result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Based on the analysis below, the impact is *less than significant*.

Table 9-12 and Table 9-13 summarize the Existing Condition and predicted Existing Plus Project Condition traffic noise levels at a distance of 100 feet from the centerlines of roadway segments in the project area for the weekday and weekend scenarios, respectively. As shown in the tables, traffic noise generated by additional events held by-right at all existing study facilities concurrently would result in traffic noise level increases to the off-site roadway network ranging from 0.0 to 0.7 dB L_{dn} on weekdays and 0.0 to 1.1 dB L_{dn} on weekends. Relative to the FICON significance criteria identified in Table 9-9, such increases would not be substantial. The number of additional by-right events assumed to occur at existing study facilities under the proposed Zoning Text Amendment, and the related traffic estimates, are described in Chapter 10, Transportation and Circulation, of this EIR. Therefore, off-site traffic generated by the proposed Zoning Text Amendment would not result in a substantial increase in traffic noise levels under the Existing Plus Project Condition.

Based on the above, the proposed Zoning Text Amendment would not result in exposure of persons to or generation of off-site traffic noise levels in excess of standards established in the Placer County General Plan and Noise Ordinance, or applicable standards of other agencies, or result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Thus, a *less-than-significant* impact would occur.

Mitigation Measure(s)

None required.

**Table 9-12
Existing Plus Project Weekday Traffic Volumes and Traffic Noise Modeling Results**

Roadway	Segment	Traffic Noise Level at 100 feet (L_{dn} , dB)		
		Existing	Existing Plus Project	Increase
Auburn Folsom Rd	Dick Cook Rd to Horseshoe Bar Rd	62.8	62.8	0.0
Ayers Holmes Rd	Mt. Vernon Rd to Wise Rd	47.0	47.0	0.0
Bald Hill Rd	Crater Hill Rd to Valle Vista Ct	52.1	52.3	0.3
Baxter Grade Rd	Wise Rd to Mt. Vernon Rd	50.8	50.9	0.1
Bell Rd	Coyote Ridge Ct to Miracle Ln	57.1	57.1	0.0
Bell Rd	Mallard Way to Cramer Rd	53.6	53.6	0.0
Chili Hill Rd	Lozanos Rd to Gold Hill Rd	46.4	47.2	0.8
Combie Rd	Placer Hills Rd to Wooley Creek Ln	55.2	55.2	0.0
Cramer Rd	Bell Rd to SR 49	48.4	48.4	0.0
Crosby Herold Rd	Wise Rd to Meadow Creek Rd	48.1	48.8	0.7
Del Mar Ln	Sierra College Blvd to Rock Hill Winery	51.4	51.4	0.0
Fowler Rd	Virginiatown Rd to SR 193	56.2	56.4	0.2
Fleming Rd	Gladding Rd to McCourtney Rd	37.2	37.2	0.0
Fruitvale Rd	Fowler Rd to Gold Hill Rd	57.4	57.6	0.2
Gold Hill Rd	Virginiatown Rd to SR 193	57.6	58.0	0.4
Horseshoe Bar Rd	Val Verde Rd to Auburn Folsom Rd	56.4	56.4	0.1
Lone Star Rd	Bell Rd to SR 49	52.1	52.1	0.0
McCourtney Rd	Wise Rd to Big Ben Rd	56.4	56.6	0.2
Millertown Rd	Wise Rd to Vada Ranch Rd	42.6	42.6	0.0
Mt. Vernon Rd	Hastings Ln to Meyers Ln	58.7	58.8	0.1
Mt. Vernon Rd	Vineyard Dr to Millerstown Rd	60.4	60.5	0.1
Nicolaus Rd	Canal to Maverick Ln	60.5	60.5	0.0
Placer Hills Rd	Pinewood Wy to Winchester Club Dr	63.2	63.2	0.0
Ridge Rd	Gold Hill Rd to Ophir Rd	49.9	49.9	0.0
Sierra College Blvd	Del Mar Rd to King Rd	65.7	65.8	0.1
SR 193	Sierra College Blvd to Fowler Rd	63.9	64.0	0.1
Virginiatown Rd	Coyote Ln to Fowler Rd	52.4	52.5	0.1
Wise Rd	McCourtney Rd to Crosby Herold Rd	59.8	60.0	0.2
Wise Rd	Crosby Herold Rd to Garden Bar Rd	58.4	58.7	0.3
Wise Rd	Garden Bar Rd to Wally Allan Rd	54.9	55.2	0.3
Wise Rd	County Lane to Crater Hill Rd	52.9	53.1	0.2
Wise Rd	Bald Hill Rd to Ophir Rd	50.9	51.0	0.1

Source: Bollard Acoustical Consultants, Inc., 2019.

**Table 9-13
Existing Plus Project Weekend Traffic Volumes and Traffic Noise Modeling Results**

Roadway	Segment	Traffic Noise Level at 100 feet (L_{dn} , dB)		
		Existing	Existing Plus Project	Increase
Auburn Folsom Rd	Dick Cook Rd to Horseshoe Bar Rd	62.7	62.7	0.0
Ayers Holmes Rd	Mt. Vernon Rd to Wise Rd	47.7	47.7	0.0
Bald Hill Rd	Crater Hill Rd to Valle Vista Ct	51.0	51.4	0.3
Baxter Grade Rd	Wise Rd to Mt. Vernon Rd	48.9	49.1	0.2
Bell Rd	Coyote Ridge Ct to Miracle Ln	56.9	56.9	0.0
Bell Rd	Mallard Way to Cramer Rd	53.0	53.1	0.0
Chili Hill Rd	Lozanos Rd to Gold Hill Rd	45.1	46.2	1.1
Combie Rd	Placer Hills Rd to Wooley Creek Ln	54.8	54.8	0.0
Cramer Rd	Bell Rd to SR 49	48.3	48.3	0.0
Crosby Herold Rd	Wise Rd to Meadow Creek Rd	48.5	49.1	0.6
Del Mar Ln	Sierra College Blvd to Rock Hill Winery	51.6	51.6	0.0
Fowler Rd	Virginiatown Rd to SR 193	56.3	56.5	0.2
Fleming Rd	Gladding Rd to McCourtney Rd	40.5	40.5	0.0
Fruitvale Rd	Fowler Rd to Gold Hill Rd	56.4	56.7	0.2
Gold Hill Rd	Virginiatown Rd to SR 193	58.4	58.7	0.4
Horseshoe Bar Rd	Val Verde Rd to Auburn Folsom Rd	54.8	54.9	0.1
Lone Star Rd	Bell Rd to SR 49	51.8	51.8	0.0
McCourtney Rd	Wise Rd to Big Ben Rd	56.5	56.7	0.2
Millertown Rd	Wise Rd to Vada Ranch Rd	42.2	42.2	0.0
Mt. Vernon Rd	Hastings Ln to Meyers Ln	60.0	60.0	0.1
Mt. Vernon Rd	Vineyard Dr to Millerstown Rd	59.9	60.0	0.1
Nicolaus Rd	Canal to Maverick Ln	59.4	59.4	0.0
Placer Hills Rd	Pinewood Wy to Winchester Club Dr	62.2	62.2	0.0
Ridge Rd	Gold Hill Rd to Ophir Rd	48.9	48.9	0.0
Sierra College Blvd	Del Mar Rd to King Rd	64.9	65.0	0.1
SR 193	Sierra College Blvd to Fowler Rd	63.9	64.0	0.1
Virginiatown Rd	Coyote Ln to Fowler Rd	53.5	53.6	0.1
Wise Rd	McCourtney Rd to Crosby Herold Rd	60.0	60.2	0.2
Wise Rd	Crosby Herold Rd to Garden Bar Rd	58.6	58.9	0.3
Wise Rd	Garden Bar Rd to Wally Allan Rd	54.6	54.9	0.3
Wise Rd	County Lane to Crater Hill Rd	51.9	52.1	0.2
Wise Rd	Bald Hill Rd to Ophir Rd	50.5	50.6	0.1

Source: Bollard Acoustical Consultants, Inc., 2019.

9-2 Exposure of persons to or generation of on-site traffic noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies, or result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Based on the analysis below, the impact is *less than significant*.

In addition to traffic noise associated with increased vehicle trip generation on local roadways, events occurring under the proposed Zoning Text Amendment could result in traffic noise associated with on-site vehicle circulation at each study facility (i.e., parking lots and driveways). As noted previously, two different types of events are being defined as part of the proposed Zoning Text Amendment: Agricultural Promotional Events and Special Events. Agricultural Promotional Events would be limited to 50 attendees at one time per event and are predicted to generate a total of 20 peak hour vehicle trips. Special Events on large parcels (20+ acres) would be limited to 200 attendees at one time and are predicted to generate a total of 80 peak hour vehicle trips. Under the proposed Zoning Text Amendment, weddings would be permitted as Special Events provided that the noise generation of the wedding events do not exceed the County's Noise Ordinance standards at the nearest residences. Wedding event noise is discussed in Impact 9-3.

Using the FHWA Model with an assumed on-site vehicle speed of 15 mph, the peak hour average traffic noise generation associated with the Agricultural Promotional and Special events was computed to be 40 and 46 dB L_{eq} at a reference distance of 50 feet from the on-site traffic routes. Such noise levels would comply with the Placer County 55 dB L_{eq} daytime noise level standard at the nearest off-site noise-sensitive receptors to the existing study facilities. These noise levels would also be satisfactory relative to the 50 dB L_{eq} daytime noise standard contained within the Auburn/Bowman Community Plan area. In addition, the predicted on-site traffic noise generation would be at or below measured ambient noise levels in the vicinity of the existing study facilities (as shown in Table 9-4). Thus, traffic noise related to on-site traffic during both Agricultural Promotional and Special Events would not result in exposure of persons to or generation of noise levels in excess of standards established in the Placer County General Plan and Noise Ordinance, or applicable standards of other agencies, or result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Therefore, a *less-than-significant* impact would occur.

Mitigation Measure(s)

None required.

9-3 Exposure of persons to or generation of non-transportation noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies. Based on the analysis below and with implementation of mitigation, the impact is *less than significant*.

Events occurring at existing study facilities within the County would continue to be required to comply with the County's Noise Ordinance, just as such compliance is required currently. For facilities within the Auburn/Bowman Community Plan, the Zoning Text

Amendment requires existing study facilities to comply with the Community Plan's more restrictive daytime standard, which would also ensure compliance with the Noise Ordinance. The two existing study facilities located within the Auburn/Bowman Community Plan are Mt. Vernon Winery and Vina Castellano Winery.

Although Agricultural Promotional events could occur with greater frequency than currently occurs under the adopted Winery Ordinance, the County Noise Ordinance, and Auburn/Bowman Community Plan, do not require mitigation for events which are in compliance with the applicable noise standards, regardless of the number of events. The same is true regarding Special Events, which would also be subject to the same standards. The proposed Zoning Text Amendment does not affect the protection provided to the nearby residences by continuing to require that all events maintain compliance with the Noise Ordinance or more restrictive Auburn/Bowman Community Plan standards.

However, while increases in the allowable noise generation of events is not included in the proposed Zoning Text Amendment, the addition of "weddings" as a type of Special Event would introduce a new type of noise source which could potentially generate more noise than other types of Special Events. For example, larger wedding receptions where amplified music is present tend to generate higher noise levels than smaller events where unamplified, acoustic music is present. The proposed Zoning Text Amendment sets maximum attendance limits for Special Events, including weddings, at 100 people for medium parcel-sized study facilities, and 200 people for large parcel-sized facilities.

As noted previously, the Environmental Noise Analysis included an assessment of the distances required to attenuate sound levels associated with weddings and other events to the County's established noise level standards. Table 9-11 provides the required setback distances for various types of events and activities. The setback distances included in Table 9-11 do not account for shielding that may be provided by topography and existing structures in the vicinity of the event area. In order to meet such standards, wedding receptions with amplified speech and music occurring at existing facilities within all areas of the County except the Auburn/Bowman Community Plan area, would require a 750-foot setback from the nearest sensitive receptor during daytime hours and a 1,225-foot setback during evening hours. For the two facilities within the Auburn/Bowman Community Plan area, wedding receptions with amplified speech and music would require a 1,225-foot setback from the nearest sensitive receptors during both daytime and evening hours. Per Bollard Acoustical Consultants, Inc., based on a review of aerial photographs, some existing facilities would not include sufficient setback distances for weddings.

Based on the above non-transportation noise associated with weddings, which would be a new type of Special Event allowable under the proposed Zoning Text Amendment, could conflict with the County's established thresholds at the property lines of the nearest sensitive receptors. Therefore, the proposed Zoning Text Amendment could result in a **significant** impact related to exposure of persons to or generation of non-transportation noise levels in excess of standards established in the Placer County General Plan,

Auburn/Bowman Community Plan, the Placer County Noise Ordinance, or applicable standards of other agencies.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above potential impact to a *less-than-significant* level.

- 9-3 *The Zoning Text Amendment shall be revised to state that prior to hosting any weddings under the Special Event allowances set forth in Table 3 of the Winery and Farm Brewery Ordinance, the owner/operator shall submit a site plan of the existing facility to the Placer County Community Development Resource Agency. The Site Plan shall identify the proposed outdoor location of the wedding reception and distance(s) to nearest residential receptors. The County shall review the Site Plan and compare the appropriate Table 9-11 setback requirements for wedding receptions to the actual distance(s) between the proposed sound source location and nearest sensitive receptor property line(s). If the actual setback distances are greater than or equal to those identified in Table 9-11, then additional acoustical analysis shall not be required. If, however, the actual distances between the proposed sound source location and nearest sensitive receptor locations are less than those shown in Table 9-11, a site-specific noise analysis shall be required to evaluate compliance with the County's noise standards.*

The distances to the noise contours shown in Table 9-11 do not include any attenuation of sound caused by intervening structures, vegetation, or topography. In addition, the Table 9-11 contours do not take into account the directionality of amplified sound system speakers, which can be 10 to 15 dB lower behind the speaker than in front of the speaker. As a result, the Table 9-11 data should be considered worst-case. Therefore, it is likely that in most cases, the actual distances to the noise contours will be considerably less than those shown in Table 9-11. It shall be the function of the site-specific noise analysis to quantify the additional sound attenuation which would result from natural features, such as intervening topography (i.e. hills), structures, or vegetation, which are specific to the location for which the event permit is being processed. Specific information which shall be included in project-specific noise analyses is as follows:

1. Shielding by Barriers, Structures, or Topography

Shielding of noise sources, which results in reduced sound levels at locations affected by such shielding, can result from intervening noise barriers, structures or topography. Site specific noise studies should include an evaluation of such shielding. If needed for compliance with the County's noise standards, additional shielding of sound sources can be obtained by placing walls or other

structures between the noise source and the receiver. The effectiveness of a barrier depends upon blocking line-of-sight between the source and receiver, and is improved with increasing the distance the sound must travel to pass over the barrier as compared to a straight line from source to receiver. The difference between the distance over a barrier and a straight line between source and receiver is called the "path length difference," and is the basis for calculating barrier noise reduction.

Barrier effectiveness depends upon the relative heights of the source, barrier and receiver. In general, barriers are most effective when placed close to either the receiver or the source. An intermediate barrier location yields a smaller path-length-difference for a given increase in barrier height than does a location closer to either source or receiver.

As a rule of thumb, sound barriers located relatively close to the source or sensitive receptor generally provide an initial noise reduction of 5 dB once line of sight between the noise source and receiver has been interrupted by the barrier, and an additional noise reduction of approximately 1 dB per foot of barrier height after the barrier intercepts line of sight.

2. Shielding and Absorption Provided by Vegetation

Trees and other vegetation are often thought to provide significant noise attenuation. However, approximately 50 to 100 feet of dense foliage (so that no visual path extends through the foliage) is typically required to achieve a 5 dB attenuation of noise. Thus the use of vegetation as a noise barrier is, therefore, frequently an impractical method of noise control unless large tracts of dense foliage are part of the existing landscape. However, in cases where such vegetation exists between the proposed events and nearby sensitive receptors, an evaluation of the sound attenuation provided by such vegetation should be included in the project-specific noise analysis.

Vegetation can be used to acoustically "soften" intervening ground between a noise source and receiver, increasing ground absorption of sound and thus increasing the attenuation of sound with distance. Planting of trees and shrubs is also of aesthetic and psychological value, and may reduce adverse public reaction to a noise source by removing the source from view, even though noise levels will be largely unaffected.

In summary, the effects of vegetation upon noise transmission are minor unless there is considerable intervening vegetation between the source and receptor. Where the amount of intervening vegetation is not substantial, the benefits may be limited to some increased absorption of high frequency sounds and in reducing adverse public reaction to the noise by providing aesthetic benefits.

3. *Direction of Sound Travel*

Sound propagation is not affected by gravity. As a result, sound travels uphill similar to sound traveling downhill, provided all other variables are equal. In cases where sensitive receptors are located above or below a noise source with no intervening structures, topography, or substantial vegetation, no additional shielding offsets should be applied for these features.

4. *Other Sound Mitigation Options*

Other options for sound attenuation which should be considered when evaluating permit applications for winery and farm brewery events include the following:

- *Locating the events or loudest components of those events indoors.*
- *Orienting speakers in directions away from the nearest sensitive receptors.*
- *Locating speakers in positions which provide the maximum distances to the nearest noise-sensitive receptors.*
- *Using a larger number of speakers with lower individual output arranged in such a manner as to focus the sound at the desired locations rather than fewer speakers with higher sound output.*
- *Setting limits on the sound level output of the amplified speech or music equipment.*
- *Restricting sound amplification equipment entirely.*

10. TRANSPORTATION AND CIRCULATION

10

TRANSPORTATION AND CIRCULATION

10.1 INTRODUCTION

The Transportation and Circulation chapter of the EIR discusses the existing transportation and circulation facilities within the various winery and farm brewery sub-regions in Placer County, as well as applicable policies and guidelines used to evaluate operation of such facilities. The chapter analyzes the potential for additional Agricultural Promotional Events and Special Events enabled by the proposed Zoning Text Amendment to generate additional vehicle trips on area roadways. The information contained within this chapter is primarily based on the Traffic Impact Analysis prepared for the proposed project by KD Anderson & Associates, Inc. (see Appendix G),¹ as well as the Placer County General Plan² and the Placer County General Plan EIR³.

This chapter focuses on the ten existing medium (10- to 20-acre) and large (>20 acre) parcel-sized wineries and farm breweries that would be subject to the proposed Zoning Text Amendment, which are shown in Figure 3-1 of the Project Description chapter. Such facilities are referred to as *existing study facilities* throughout this EIR. Potential traffic impacts associated with future wineries and farm breweries that would be subject to the proposed Zoning Text Amendment are addressed in Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR.

10.2 EXISTING ENVIRONMENTAL SETTING

The section below describes the physical and operational characteristics of the existing transportation system within the winery/farm brewery sub-regions, including the roadway network and transit, bicycle and pedestrian facilities.

Study Area Circulation System: Roadway Segments

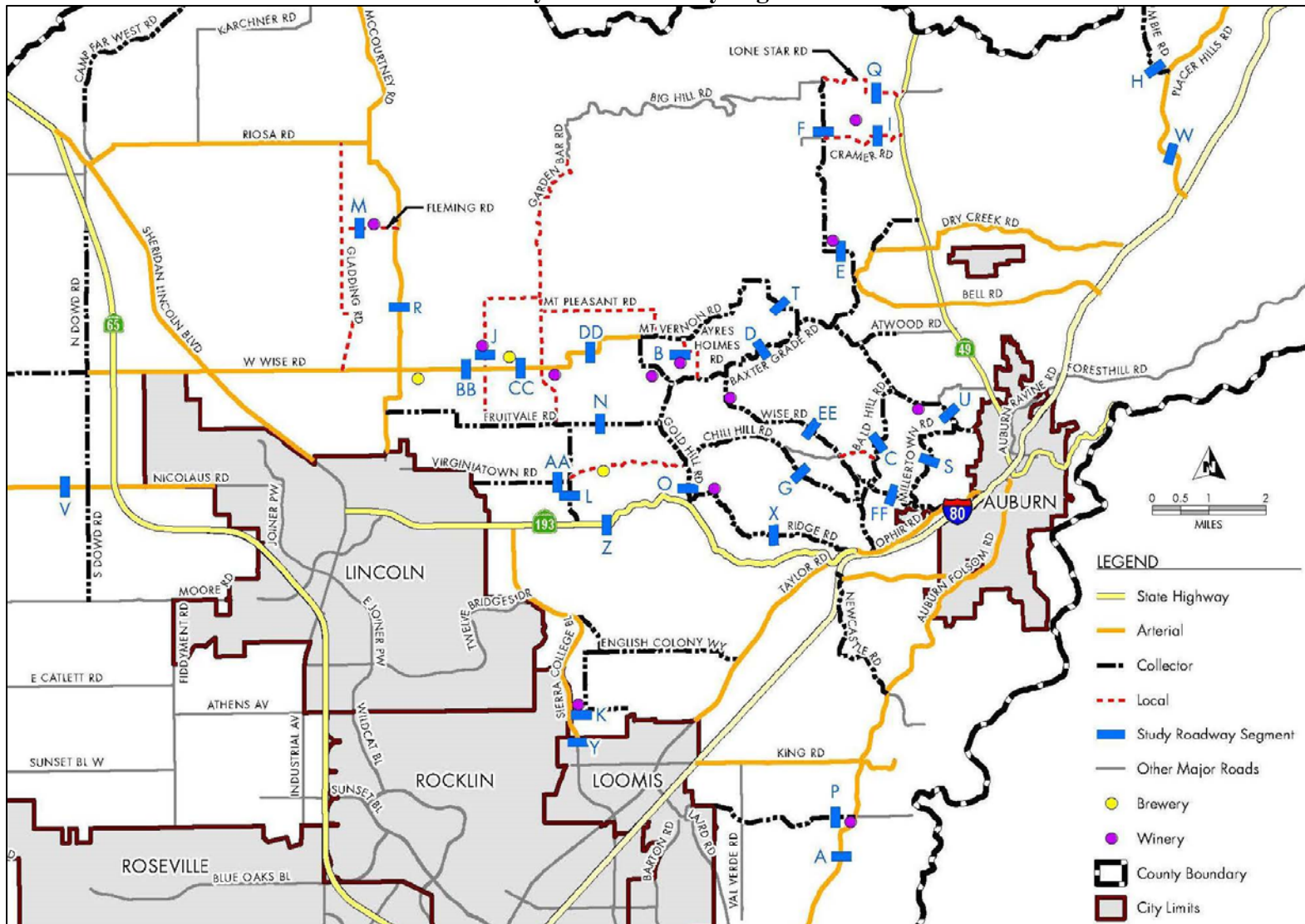
The existing study facilities within the County are served by a combination of State highways, Rural Arterials, Rural Collectors, and local roads (see Figure 10-1). Regional access to the winery/farm brewery sub-regions is provided by four State highways that traverse Placer County, as well as two Placer County arterials. Roadways within the winery/farm brewery sub-regions include the following:

¹ KD Anderson & Associates, Inc. *Traffic Impact Analysis for Placer County Winery and Farm Brewery Ordinance*. April 10, 2019.

² Placer County. *Countywide General Plan Policy Document*. August 1994 (updated May 2013).

³ Placer County. *Countywide General Plan EIR*. July 1994.

Figure 10-1
Study Area Roadway Segments



Source: KD Anderson & Associates, 2019.

- Interstate 80 (I-80) is the primary east-west arterial across Placer County and Northern California. In the vicinity of the winery/farm brewery sub-regions, I-80 is a six-lane controlled access freeway. Access for the winery/farm brewery sub-regions to the interstate is available by way of interchanges at State Route (SR) 193 in Newcastle and at Ophir Road near the City of Auburn.

The California Department of Transportation (Caltrans) provides annual reports of the volume of traffic on the state highway system. Recent (2016) counts available from Caltrans report an Annual Average Daily Traffic (AADT) volume of 85,500 vehicles per day west of the SR 193 junction, 88,700 vehicles between SR 193 and Ophir Road, and 88,300 vehicles east of the Ophir Road interchange.

- State Route (SR) 193 is an east-west route that connects the City of Lincoln with I-80 across the winery/farm brewery sub-regions. SR 193 originates in Lincoln as McBean Park Drive and becomes SR 193 roughly 1.4 miles west of the Sierra College Boulevard intersection and continues from that point to I-80. In the winery/farm brewery sub-regions, SR 193 is a two-lane conventional highway. Caltrans data indicate that SR 193 carries 9,500 AADT west of Sierra College Boulevard and 5,000 AADT between Sierra College Boulevard and Newcastle. Trucks comprise nine percent of the daily traffic on SR 193 east of Sierra College Boulevard.
- SR 49 is a principal arterial that is the primary north-south route through the Auburn – North Auburn area. SR 49 links I-80 with the Grass Valley – Nevada City area to the north. Through North Auburn SR 49 is generally a four- to six-lane conventional highway with a continuous center two-way left-turn (TWLT) lane or median, and SR 49 is a four-lane rural highway.

The most recent traffic counts published by Caltrans indicate that in 2016, SR 49 carried more than 40,000 AADT through North Auburn with the volume north of Bell Road dropping to 34,700 AADT and the volume at the Nevada County line reported to be 30,700 AADT. Trucks comprise five percent of the daily volume on SR 49 north of Bell Road.

- SR 65 is a north-south route that extends from I-80 across the western portion of the winery/farm brewery sub-regions to the route's northern terminus at a junction with SR 70 in Yuba County. SR 65 is a four- or six-lane controlled access freeway in the urban Rocklin/Roseville area and continues that configuration through Placer County to the City of Lincoln. Beyond West Wise Road, SR 65 is a two-lane expressway or conventional highway to a location north of Wheatland, where a four-lane controlled access freeway is provided.

The most recent traffic counts published by Caltrans indicate that in 2016, SR 65 carried 117,400 AADT north of I-80 with 76,800 AADT north of the Blue Oaks Boulevard – Washington Boulevard interchange and 21,700 AADT at the Placer County – Yuba County line. Trucks comprise 15 to 20 percent of the daily volume on SR 65.

- Sierra College Boulevard is a north-south arterial road that connects SR 193 with I-80 and then continues southerly through Rocklin and Roseville before becoming Hazel Avenue in Sacramento County.

In the area of the winery/farm brewery sub-regions, Sierra College Boulevard transitions from a two-lane rural highway to a six-lane limited access urban arterial street. Between the intersection with SR 193 and the intersection with Taylor Road in Loomis, Sierra College Boulevard is a two-lane rural arterial. Beyond Taylor Road, Sierra College Boulevard is a four-lane facility to the I-80 interchange. Sierra College Boulevard is a designated Truck Route, with STAA terminal access available in the area of the I-80 interchange. The posted speed limit on Sierra College Boulevard ranges from 40 miles per hour (mph) at the I-80 interchange to 50 mph south of Rocklin Road and 45 mph near Douglas Boulevard.

- Ophir Road is a two-lane arterial that runs north of and parallel to I-80 from SR 193 to an interchange on I-80.
- McCourtney Road is a two-lane north-south rural arterial that extends north of Lincoln to Camp Far West Lake.

The following three regional roadways provide access to isolated wineries that are outside of the area of primary winery concentration:

- Auburn Folsom Road is a north-south Rural Arterial road that connects the Granite Bay Community Plan area with the City of Auburn. Auburn Folsom Road is a four-lane facility south of Douglas Boulevard and a two-lane facility from Douglas Boulevard to Indian Hill Road in Auburn.
- Placer Hills Road is a two-lane Rural Arterial that links I-80 with the community of Meadow Vista.
- Nicolaus Road is an east-west Rural Arterial that extends west from the City of Lincoln to the Sutter County line.

In addition, the following roadway traverses the area of winery concentration with regional facilities.

- Wise Road is a Rural Arterial that extends west from an intersection on Sheridan - Lincoln Boulevard (Old SR 65) to the center of the winery/farm brewery sub-regions. Wise Road is designated as a Rural Arterial roadway.

The balance of the roads serving existing study facilities are rural collectors or local roads. Rural Collectors are noted below and those selected to be addressed quantitatively in this analysis based on the presence of wineries and farm breweries are shown in **bold**:

- Atwood Road – Richardson Drive to Mt. Vernon Road
- **Bald Hill Road – Lozanos Road to Mt. Vernon Road**
- **Baxter Grade Road – Wise Road to Mt. Vernon Road**
- **Bell Road – Joeger Road to Lone Star Road**
- **Chili Hill Road – Lozanos Road to Gold Hill Road**
- **Delmar Avenue - English Colony Way to Citrus Colony Road**
- **Combie Road – Placer Hills Road to end**
- Citrus Colony Road – Delmar Avenue to Humphrey Road
- **Fowler Road – SR 193 to Fruitvale Road**
- **Fruitvale Road – McCourtney Road to Gold Hill Road**
- **Gold Hill Road – SR 193 to Wise Road**
- **Horseshoe Bar Road - Loomis Town limits to Auburn Folsom Road**
- Joeger Road – Dry Creek to SR 49
- **Lozanos Road – Wise Road to Ophir Road**
- **Millertown Road – Wise Road to Mt. Vernon Road**
- **Mt. Vernon Road – Wise Road to Auburn City limit**
- **Ridge Road – SR 193 to Gold Hill Road**
- **Virginiatown Road – Lincoln City limits to Fowler Road**
- **Wise Road – Ophir Road to Mt. Vernon Road**

Other local roads not addressed by the County’s General Plan but maintained by Placer County and providing local circulation or access in the winery/farm brewery sub-regions are listed below. Those selected to be addressed quantitatively in this analysis are shown in **bold**:

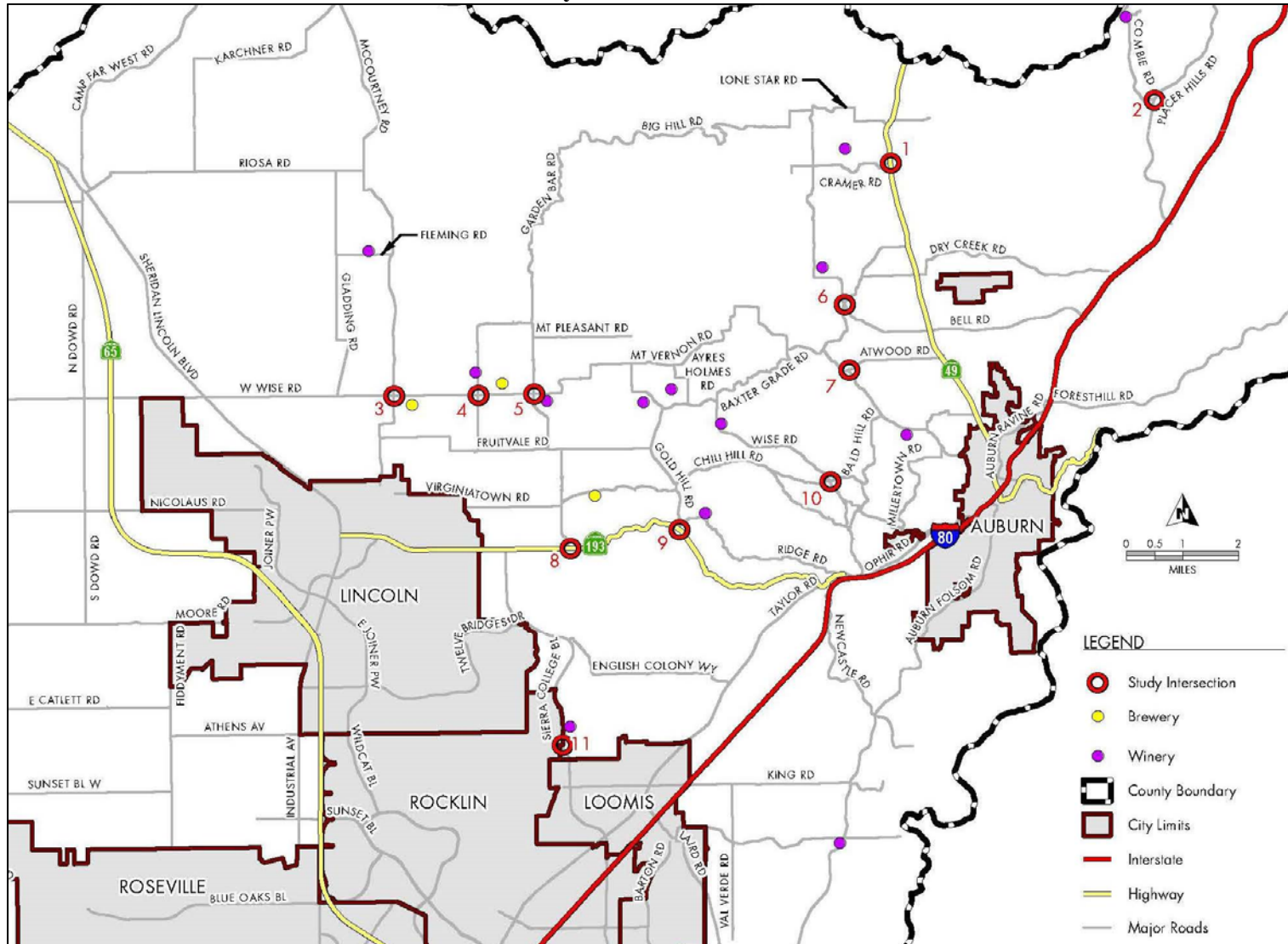
- **Ayers Holmes Road – Mt. Vernon Road to Wise Road**
- **Cramer Road – Bell Road to SR 49**
- **Crater Hill Road – Wise Road to Bald Hill Road**
- **Crosby Herold Road – Fruitvale Road to Mt. Pleasant Road**
- Garden Bar Road – Fruitvale Road to Mt. Pleasant Road
- **Gladding Road to Riosa Road**
- **Lone Star Road – Bell Road to SR 49**
- Mt. Pleasant Road – Crosby Herold Road to Mt. Vernon Road
- **Virginiatown Road – Fowler Road to Gold Hill Road**

Study Area Circulation System: Intersections

In addition to the study roadway segments noted above, the following study intersections are analyzed in the Traffic Impact Analysis (see Figure 10-2):

- The **SR 49/Cramer Road intersection** is a “tee” intersection controlled by a stop sign on the single lane eastbound Cramer Road approach. A continuous TWLT exists on SR 49 in the vicinity of the intersection.
- The **Placer Hills Road/Combie Road intersection** is a “tee” intersection controlled by a stop sign on the eastbound Combie Road approach. A left-turn lane exists on Placer Hills Road.

Figure 10-2
Study Area Intersections



Source: KD Anderson & Associates, 2019.

- The **Wise Road/McCourtney Road intersection** is controlled by an All-Way Stop; each approach is a single lane.
- The **Wise Road/Crosby Herold Road intersection** is controlled by an All-Way Stop; each approach is a single lane.
- The **Wise Road/Garden Bar Road intersection** is controlled by an All-Way Stop. An eastbound right turn lane exists on Wise Road.
- The **Bell Road/Joeger Road intersection** is controlled by an All-Way Stop; each approach is a single lane.
- The **Atwood Road/Mt. Vernon Road intersection** is controlled by stop signs on the northbound Mt. Vernon Road and southbound Old Post Lane approaches. Separate right-turn lanes exist on the northbound and eastbound approaches.
- The **SR 193/Fowler Road intersection** is a “tee” intersection controlled by a stop sign on the single-lane southbound Fowler Road approach. A separate left-turn lane exists on the eastbound SR 193 approach.
- The **SR 193/Gold Hill Road intersection** is a “tee” intersection controlled by a stop sign on the single lane southbound Gold Hill Road approach. A separate left-turn lane exists on the eastbound SR 193 approach.
- The **Wise Road/Crater Hill Road intersection** is controlled by an All-Way Stop. A separate right-turn lane is provided at the northbound approach; the other approaches have single lanes.
- The **Sierra College Boulevard/Delmar Avenue intersection** is controlled by side street stop signs on the Delmar Avenue approaches. Sierra College Boulevard has separate northbound and southbound left turn lanes, and a northbound right turn lane is available. The Delmar Avenue approaches are single lanes, but widening to accommodate truck turns creates space for right turning vehicles.

Common Traffic Analysis Terms

Level of Service (LOS) is a qualitative measure of traffic operating conditions, whereby a letter grade, from A to F is assigned, based on quantitative measurements of delay per vehicle. The grades represent the perspective of drivers and are an indication of the comfort and convenience associated with driving. In general, LOS A represents free-flow conditions, and LOS F represents severe delay under stop-and-go conditions. Table 10-1 summarizes the general characteristics associated with each LOS grade.

Intersections

For the purposes of this analysis, the volume to capacity ratio (V/C) and average delay, presented in seconds per vehicle (sec/veh), is used to evaluate signalized intersections within the County. Unsignalized intersections are evaluated with average delay only. It should be noted that currently, none of the study intersections evaluated in this chapter are signalized.

Table 10-1 Level of Service (LOS) Definitions			
LOS	Signalized Intersections	Unsignalized Intersections	Roadway Segments
A	Uncongested operations, all queues clear in a single-signal cycle. $V/C < 0.60$ Average Delay ≤ 10 sec/veh	Little or no delay. Delay ≤ 10 sec/veh	Completely free flow.
B	Uncongested operations, all queues clear in a single cycle. $0.60 \leq V/C < 0.70$ Delay > 10 sec/veh and ≤ 20 sec/veh	Short traffic delays. Delay > 10 sec/veh and ≤ 15 sec/veh	Free flow, presence of other vehicles noticeable.
C	Light congestion, occasional backups on critical approaches. $0.70 \leq V/C < 0.80$ Delay > 20 sec/veh and < 35 sec/veh	Average traffic delays. Delay > 15 sec/veh and ≤ 25 sec/veh	Ability to maneuver and select operating speed affected.
D	Significant congestions of critical approaches but intersection functional. Cars required to wait through more than one cycle during short peaks. No long queues formed. $0.80 \leq V/C < 0.90$ Delay > 35 sec/veh and < 55 sec/veh	Long traffic delays. Delay > 25 sec/veh and ≤ 35 sec/veh	Unstable flow, speeds and ability to maneuver restricted.
E	Severe congestion with some long-standing queues on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. Traffic queue may block nearby intersection(s) upstream of critical approach(es). $0.90 \leq V/C < 1.00$ Delay > 55 sec and ≤ 80 sec/veh	Very long traffic delays, failure, extreme congestion. Delay > 35 sec/veh and ≤ 50 sec/veh	At or near capacity, flow quite unstable.
F	Total breakdown, stop-and-go operation. $V/C > 1.00$ Delay > 80 sec/veh	Intersection often blocked by external causes. Delay > 50 sec/veh	Forced flow, breakdown.
Source: KD Anderson & Associates, Inc., 2019.			

Roadway Segments

The quality of traffic flow on Placer County roadway segments is determined based on the daily traffic volumes and generalized LOS thresholds. The Placer County General Plan EIR includes daily traffic volume thresholds that may be used to identify general operating LOS on County streets and highways. The Placer County volume thresholds are summarized in Table 10-2 below.

The applicable thresholds for arterial roadways are based on the level of access control. For the purposes of this analysis, regional facilities such as Sierra College Boulevard and Auburn Folsom Road have a high level of access control, and other arterials have moderate access control. Placer County thresholds account for the general terrain and alignment of rural collector and local roads. The roads towards the western portion of the study area are typically straight and level, while the roads toward the east follow the rolling terrain of the foothills.

Table 10-2					
Evaluation Criteria for Roadway Segment LOS – Placer County					
Roadway Capacity Class	Maximum Daily Traffic Volume Per Lane				
	LOS A	LOS B	LOS C	LOS D	LOS E
Freeway – Level Terrain	6,300	10,620	13,680	17,740	18,000
Freeway – Rolling Terrain	5,290	8,920	11,650	14,070	15,120
Freeway – Mountainous Terrain	3,400	5,740	7,490	9,040	9,720
Arterial – High Access Control	6,000	7,000	8,000	9,000	10,000
Arterial – Moderate Access Control	5,400	6,300	7,200	8,100	9,000
Arterial – Low Access Control	4,500	5,250	6,000	6,870	7,500
Rural Two-lane Highway – Level Terrain	1,500	2,950	4,800	7,750	12,500
Rural Two-lane Highway – Rolling Terrain	800	2,100	3,800	5,700	10,500
Rural Two-lane Highway – Mountainous Terrain	400	1,200	2,100	3,400	7,000
<i>Source: KD Anderson & Associates, Inc., 2019.</i>					

Per the Traffic Impact Analysis, roadways located west of Fowler Road are classified as “level” while roadways to the east are classified as “rolling”.

Existing Conditions – Winery and Farm Brewery Traffic Volumes

The volume of traffic entering and exiting selected existing study facilities was determined through video traffic counts conducted at winery and brewery entrances over a Friday, Saturday and Sunday. To avoid intruding onto private property, the counts were conducted at public road access points using video cameras. The counts were used to identify the highest traffic volume hours of winery operation and were intended to reflect both regular operation of wineries and breweries as well as traffic volumes associated with publicized events. To capture events at as many facilities as possible, driveway counts were conducted on June 9, 2017 through June 11, 2017, June 16, 2017 through June 18, 2017, and on September 30, 2017. The results of this data collection are presented in Table 10-3. As indicated in the table, specific events were publicized and are noted; however, exact information is not available regarding the number of persons in attendance at any event. Information gathered from social media is presented when available. The volume of traffic observed at some locations would suggest that an event was held even though details were not known.

The average daily traffic volume occurring at wineries when events were not occurring was determined for the three winery parcel size classifications. Traffic volume averages are not provided for farm breweries. As shown in Table 10-3, the Friday averages ranged from 24 ADT for small wineries to 41 ADT for large wineries. The Friday PM peak hour averages ranged from seven to 10 peak hour trips. The total number of trips was slightly higher on Saturdays, with averages ranging from 38 to 41 ADT.

Existing Conditions – Study Roadway Segments

As part of the Traffic Impact Analysis, traffic operations were assessed under both weekday and weekend (Saturday) conditions. In order to determine existing operations at study roadway segments, daily traffic volumes were tabulated on key roadway segments.

Table 10-3
Traffic Counts at Selected Existing Wineries and Farm Breweries in Placer County

Name	Location	Parcel Size	Date	Traffic Volumes					
				Friday		Saturday		Sunday	
				Daily	Peak Hour	Daily	Peak Hour	Daily	Peak Hour
Dono dal Cielo Vineyard and Winery	6100/5960 Wise Road	Large	6/16/2017	14	5	204 ¹	37	46	17
Mt. Vernon Winery	10850 Mt. Vernon Road	Large	6/9/2017	67	15	250 ²	45	92	19
Lone Buffalo Vineyards	7505 Wise Road	Medium	6/16/2017	22	6	38	13	41 ³	13
Rock Hill Winery	2958 Delmar Avenue	Medium	6/9/2017	13	5	171 ⁴	46	81	28
			9/30/2017	-	-	229 ⁵	53	-	-
Vina Castellano Winery	4590 Bell Road	Medium	6/9/2017	76	11	156 ⁵	25	105	22
Fawnridge Winery	5560 Fawnridge Road	Small	6/9/2017	8	2	13	1	41	13
Pescatore Vineyard and Winery	7055 Ridge Road	Small	6/9/2017	-	-	82 ⁶	19	-	-
			6/16/2017	40	10	34	7	10	3
Ciotti Cellars	3285 Crosby Herold Road	Medium	6/9/2017	31	10	113 ⁷	39	-	-
			6/16/2017	17	6	34	12	12	3
Goathouse Brewery	600 Wise Lane	Medium	6/16/2017	70	17	142 ⁸	46	217 ⁹	51
Average Volumes for Wineries Without Events		Small		24	7	41	10	21	7
		Medium		37	8	38	13	--	--
		Large		41	10	--	--	69	18

Notes:

¹ Live Music by Quarter Horse (1:00 to 4:00 PM), Vino Banditos concert and hotdog vendor (6:30 to 8:30 PM)

² Wine release party (12:00 to 5:00 PM) and Wine Cave Dinner (7:00 PM)

³ Dads Taste Free event (12:00 to 5:00 PM)

⁴ Concert

⁵ Probable event details unknown

⁶ Benefit dinner (6:00 PM, limited to 45 people)

⁷ Yin Yoga (9:30 to 11:00 AM, limited to 40 spots), concert JP & Nowhere man (2:00 to 5:00 PM)

⁸ Pizza

⁹ Father's Day on the Farm (beer and hotdogs 58 guests)

Source: KD Anderson & Associates, Inc., 2019.

Based on review of traffic volume counts at existing study facility driveways, Saturday turning movement counts were conducted during the hour of peak winery traffic on Saturday (noon to 2:00 PM).

As part of the Traffic Impact Analysis, 24-hr traffic volume counts were collected on study area roadways from new counts, data available from Placer County, or the Caltrans annual traffic volume report. Data was collected on Saturday June 10, 2017 and Saturday June 24, 2017. Weekday data was collected on October 12, 2017.

Table 10-4 below summarizes the existing LOS for each study roadway segment based on current (2017) traffic volumes, along with the classification for each segment. As shown in the table, all study roadway segments currently satisfy the County's minimum standards for rural areas (LOS C, except at locations within 0.5-mile of a State highway where LOS D is acceptable).

Existing Conditions – Study Intersections

Figure 10-3 presents the existing lane configurations and current traffic volumes at each study intersection. Weekday intersection turning movement counts were collected at study intersection locations on Thursday October 5, 2017 and Saturday October 7, 2017. Intersection count data was collected during the typical weekday PM peak hour and during the highest volume hour for activity at the existing study facilities (i.e., noon to 2:00 PM) on Saturdays.

Table 10-5 shows the existing delay and LOS at the study intersections for the weekday PM peak hour (4:00 to 6:00 PM) and the Saturday peak hour (noon to 2:00 PM). As shown in the table, with the exception of the Sierra College Boulevard/Delmar Avenue intersection, all study intersections currently satisfy the County's minimum LOS C standard for facilities located more than 0.5-mile from a State highway. Motorists turning at the Sierra College Boulevard/Delmar Avenue intersection currently experience delays that are indicative of LOS E in the weekday PM peak hour.

Existing Conditions – Traffic Safety

Placer County maintains a robust Traffic Accident Analysis System (TAAS), for which traffic collision data is collected and reviewed on an annual basis. It is recognized that many roadways throughout the County do not conform to current design standards and guidelines; however, the fact that a roadway does not meet current design standards does not necessarily make safety improvements essential. Traffic and roadway engineering design standards and guidelines have evolved over many years; therefore, many roadways that do not display any safety deficiencies no longer meet the current standards simply due to the passage of time since their construction. Conversely, some roadways that meet current standards may display safety deficiencies. The TAAS recognizes that reconstructing all roadways that do not meet current design standards would be financially infeasible, and doing so would expend unnecessary funds to upgrade many roadways that operate safely. Through the TAAS program, locations for detailed engineering investigations are identified, and improvements to facilitate safe travel for all modes, if necessary, are implemented on a regular basis.

Table 10-4
Study Roadway Segment Traffic Volumes and LOS – Existing Condition

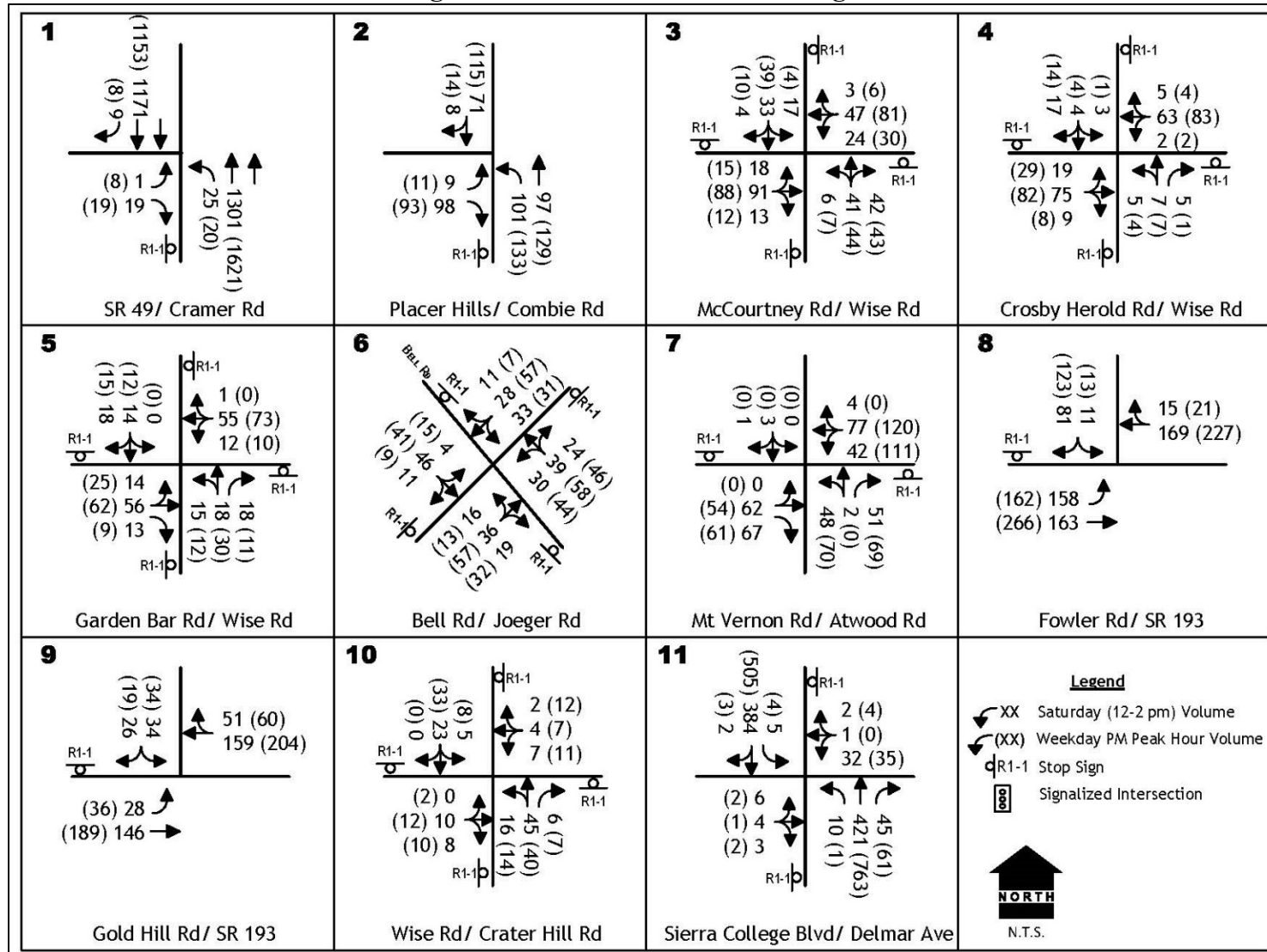
Roadway	Segment	Classification (Terrain or Access)	Weekday		Saturday	
			Daily Volume	LOS	Daily Volume	LOS
A. Auburn – Folsom Rd	South of King Rd	Rural Arterial (H)	8,573	A	8,355	A
B. Ayers Holmes Rd	Mt. Vernon Rd to Wise Rd	Local Road (R)	412	A	485	A
C. Bald Hill Rd	Wise Rd to Mt. Vernon Rd	Rural Collector (R)	1,309	A	1,038	A
D. Baxter Grade Rd	Wise Rd to Mt. Vernon Rd	Rural Collector (R)	971	A	634	A
E. Bell Rd	Lone Star Rd to Cramer Rd	Rural Collector (R)	614	A	543	A
F. Bell Rd	Joeger Rd to Cramer Rd	Rural Collector (R)	1,400	A	1,329	A
G. Chili Hill Rd	Lozanos Rd to Gold Hill Rd	Rural Collector (R)	355	A	262	A
H. Combie Rd	Placer Hills Rd to end	Rural Collector (R)	2,688	A	2,477	A
I. Cramer Rd	Bell Rd to SR 49	Local Road (R)	558	A	549	A
J. Crosby Herold Rd	Wise Rd to Meadow Creek Rd	Local Road (R)	525	A	582	A
K. Delmar Ln	Sierra College Blvd to Citrus Colony Rd	Rural Collector (L)	1,126	A	1,171	A
L. Fowler Rd	SR 193 to Virginiatown Rd	Rural Collector (L)	3,412	B	3,440	B
M. Fleming Rd	Gladding Rd to McCourtney Rd	Local Road (L)	43	A	92	A
N. Fruitvale Rd	Fowler Rd to Gold Hill Rd	Rural Collector (R)	1,486	A	1,186	A
O. Gold Hill Rd	SR 193 to Virginiatown Rd	Rural Collector (R)	1,542	A	1,857	B
P. Horseshoe Bar Rd	Val Verde Rd to Auburn – Folsom Rd	Rural Collector (R)	3,545	A	2,485	A
Q. Lone Star Rd	Bell Rd to SR 49	Local Road (R)	1,328	A	1,223	A
R. McCourtney Rd	Wise Rd to Big Bend Rd	Rural Arterial (M)	1,192	A	1,207	A
S. Millertown Rd	Wise Rd to Mt. Vernon Rd	Rural Collector (R)	150	A	135	A
T. Mt. Vernon Rd	Wise Rd to Meyers Ln	Rural Collector (R)	2,021	B	2,679	B
U. Mt. Vernon Rd	Vineyard Dr to Millertown Rd	Rural Collector (R)	2,995	B	2,676	B
V. Nicolaus Rd	West of Dowd Rd	Rural Arterial (M)	3,064	A	2,374	A
W. Placer Hills Rd	I-80 to Combie Rd	Rural Arterial (M)	9,470	A	7,407	A
X. Ridge Rd	Gold Hill Rd to SR 193	Rural Collector (R)	789	A	640	A
Y. Sierra College Blvd	South of King Rd	Rural Arterial (H)	12,762	B	10,642	A
Z. SR 193	Sierra College Blvd to Fowler Rd	State Highway (M)	6,700	A	6,700	A
AA. Virginiatown Rd	Lincoln limits to Fowler Rd	Rural Collector (L)	773	A	994	A
BB. Wise Rd	McCourtney Rd to Crosby Herold Rd	Rural Arterial (M)	2,575	A	2,714	A
CC. Wise Rd	Crosby Herold Rd to Garden Bar Rd	Rural Arterial (M)	1,857	A	1,978	A

(Continued on next page)

Table 10-4
Study Roadway Segment Traffic Volumes and LOS – Existing Condition

Roadway	Segment	Classification (Terrain or Access)	Weekday		Saturday	
			Daily Volume	LOS	Daily Volume	LOS
DD. Wise Rd	Garden Bar Rd to Mt. Vernon Rd	Rural Arterial (M)	1,394	A	1,304	A
EE. Wise Rd	Baxter Grade Rd to Crater Hill Rd	Rural Collector (R)	1,168	A	931	A
FF. Wise Rd	Bald Hill Rd to Ophir Rd	Rural Collector (R)	1,000	A	915	A
Note: (L) = level terrain; (R) = rolling terrain; (H) = high arterial access control; and (M) = moderate arterial access control.						
Source: KD Anderson & Associates, Inc., 2019.						

Figure 10-3
Existing Traffic Volumes and Lane Configurations



Source: KD Anderson & Associates, Inc., 2019.

Table 10-5 Study Intersection LOS – Existing Condition					
Intersection	Control	Weekday PM Peak Hour		Saturday Afternoon Peak Hour	
		Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS
1. SR 49/Cramer Rd (overall) Eastbound Approach	EB Stop	(14.4) 18.5	(C) C	(12.9) 14.5	(B) B
2. Placer Hills Rd/Combie Rd (overall) Southbound Approach	SB Stop	(8.9) 10.2	(A) B	(8.6) 9.5	(A) A
3. Wise Rd/McCourtney Rd	AWS	8.2	A	8.2	A
4. Wise Rd/Crosby Herold Rd	AWS	7.7	A	7.5	A
5. Wise Rd/Garden Bar Rd	AWS	7.8	A	7.6	A
6. Bell Rd/Joeger Rd	AWS	8.3	A	7.8	A
7. Mt. Vernon Rd/Atwood Rd (overall) Northbound Approach	NB Stop	(8.6) 9.4	(A) A	(7.8) 7.8	(A) A
8. SR 193/Fowler Rd (overall) Southbound Approach	SB Stop	(9.9) 11.9	(A) B	(9.0) 10.6	(A) B
9. SR 193/Gold Hill Rd (overall) Southbound Approach	SB Stop	(10.4) 12.1	(B) B	(9.8) 10.8	(A) B
10. Wise Rd/Crater Hill Rd	AWS	7.6	A	7.6	A
11. Sierra College Blvd/Delmar Ave (overall) Westbound Approach	WB Stop	(38.7) 44.3	(E) E	(16.9) 20.6	(C) C
Notes: <ul style="list-style-type: none"> • (XX) indicates overall weighted average delay and LOS for movements yielding right-of-way. • Bold indicates applicable LOS threshold exceeded. • AWS = all-way stop. 					
Source: KD Anderson & Associates, Inc., 2019.					

Consistent with the TAAS guidelines, three-years of collision history (January 1, 2014 – December 31, 2016) was obtained for study area roadways. This information was reviewed, and roadway collision rates were calculated based on the number of collisions per Million Vehicle Miles (MVM) of travel. This method permits comparison of roadways carrying different traffic volumes. In addition, reference to average collision rates for various types of facilities is a helpful way to determine if a location is experiencing a higher than expected rate of collisions. Comparative collision rates are published by Caltrans based on statewide data, based on the formulas noted in Table 10-6 below.

Table 10-6		
2010 Statewide Average Collision Rates		
Rural		
2-lane Flat - Rural ≤ 55	0.82	+0.35/ADT
2-lane Rolling - Rural ≤ 55	1.14	+0.35/ADT
Suburban (outside City limits, but classified as urban by FHWA)		
2-lane Suburban < 45 MPH	2.39	
2-lane Suburban 45 - 55 MPH	1.32	
<i>Source: KD Anderson & Associates, Inc., 2019.</i>		

As noted in Table 10-7 on the following page, the study area roadways are generally experiencing collision rates at, or below, the comparative statewide average for their facility types.

The Bikeway Plan also presents information regarding bicycle related collisions that have occurred countywide from 2012 to 2016 (refer to Table 5 in the Bikeway Plan). A total of 74 collisions were identified, and the Bikeway Plan's Figure 20 illustrates the location of collisions. Review of that figure indicates that excluding incidents occurring on SR 49 in North Auburn, eight bicycle related collisions occurred in the study area.

Within the study area, specific locations have been a concern to the community, and intersections on the State Route 49 corridor are of particular concern. Caltrans and Placer County have discussed measures to improve safety by slowing the speed of traffic on SR 49 and controlling opportunities to access the state highway. The solution most recently raised would involve installation of modern roundabouts at two or three intersections in the area between Auburn and the Bear River in lieu of traffic signals. Roundabouts would slow traffic and provide a safe location for accessing the state highway. Motorists accessing the highway at locations between the roundabouts would be able to turn right and use the next roundabout to make a u-turn, rather than making left turns across high speed traffic. While this plan may have merit, funding for the project has not yet been identified.

Transit System

Currently, Placer County Transit (PCT) provides bus service to urban areas within western Placer County. The Auburn Station on Nevada Street in the City of Auburn is the hub for service in western Placer County. PCT's Taylor Road Shuttle travels between Auburn and Sierra College in Rocklin, following Ophir Road between Auburn and the Ophir Park-and-Ride lot on I-80. Stops on Ophir Road are by reservation only. In addition to the Taylor Road Shuttle route, PCT's SR 49 route follows SR 49 north from the Auburn Transit Center to Dewitt Center on Bell Road and Chana High School on Richard Drive south of Dry Creek Road. It should be noted that while the aforementioned routes help to provide regional transit access to the winery/farm brewery sub-regions, none of these routes are near any of the existing study facilities.

Table 10-7
Collision Analysis (1/1/2014 to 12/31/2016)

Road Name	From	To	Length (miles)	Segment Related Collisions (3-year)	ADT	Collision Rate	Statewide Average
Ayers Holmes Road	Mt Vernon Road	Wise Road	0.9	0	412	0.00	1.99
Bald Hill Road	Wise Road	Mt Vernon Road	2.1	2	1309	0.66	1.32
Baxter Grade Road	Wise Road	Mt Vernon Road	2.1	3	971	1.34	1.50
Bell Road	Lone Star Road	Richardson Drive	5.2	9	1400	1.13	1.39
Chili Hill Road	Lozanos Road	Gold Hill Road	3.7	1	355	0.70	2.13
Combie Road	Placer Hills Road	end	1.7	3	2688	0.60	2.39
Cramer Road	Bell Road	SR 49	1.6	3	558	3.07	1.77
Crosby Herold Road	Fruitvale Road	Mt Pleasant Road	2.3	1	525	0.76	1.81
Delmar Avenue	Sierra College Blvd	English Colony Way	1.9	0	1126	0.00	1.13
Fowler Road	SR 193	Virginiatown Road	0.9	3	3412	0.89	0.92
Fleming Road	Gladding Road	McCourtney Road	1	0	43	0.00	8.96
Fruitvale Road	McCourtney Road	Gold Hill Road	5.1	2	1486	0.24	1.38
Gold Hill Road	SR 193	Wise Road	2.4	2	1542	0.49	1.37
Horseshoe Bar Road	Val Verde Road	Auburn Folsom Road	2.1	5	3545	0.61	2.39
Lone Star Road	Bell Road	SR 49	1.8	1	1328	0.38	1.40
McCourtney Road	Wise Road	Big Ben Road	1.8	1	1192	0.43	1.11
Millertown Road	Wise Road	Mt Vernon Road	2.3	0	150	0.00	2.39
Mt Vernon Road	Wise Road	Joeger Road	4.8	13	2021	1.22	1.31
Mt Vernon Road	Joeger Road	City of Auburn	3.4	16	2995	1.43	2.39
Nicolaus Road	Sutter County Line	SR 65	5	5	2064	0.44	0.99
Placer Hills Road	I-80	Combie Road	2.6	9	9470	0.33	1.18
Ridge Road	Gold Hill Road	SR 193	3.5	5	789	1.65	1.58
Virginiatown Road	City of Lincoln	Gold Hill Road	5.4	6	773	1.31	1.27
Wise Road	McCourtney Road	Garden Bar Road	2.5	5	2575	0.71	0.96
Wise Road	Garden Bar Road	Ophir Road	9.7	14	1394	0.95	1.39

Source: KD Anderson & Associates, Inc., 2019.

Bicycle Facilities

The *Placer County Regional Bikeway Plan* provides information regarding the regional system of bikeways for transportation and recreation purposes. An update to the regional bikeway plan was approved by the Placer County Transportation Planning Agency (PCTPA) Board, and adopted by the Placer County Board of Supervisors in June of 2018 (2018 Bikeway Plan).⁴

Bikeways within Placer County are defined by the following four classifications:

- **Class I Bikeway (Bike Path):** Bike paths or shared-use paths provide a completely separated facility designed for the exclusive use of cycles and pedestrians with minimal vehicle crossflows. Motorized vehicles are not allowed on Class I Bike Paths.
- **Class II Bikeway (Bike Lane):** Bike lanes are on-street bikeways that provide a designated right-of-way for the exclusive or semi-exclusive use of bicycles. Through travel by motor vehicles or pedestrians prohibited, but vehicle parking and crossflows by pedestrians and motorists are permitted.
- **Class III Bikeway (Bike Route):** Bike routes provide a right-of-way designated by signs or permanent markings and shared with pedestrians and motorists. Roadways designated as Class III Bike Routes should have sufficient width to accommodate motorists, bicyclists, and pedestrians. Shared-lane markings (“sharrows”) can be used on roadways with a posted speed limit of 35 mph or less to provide an additional alert to drivers of the shared roadway environment with bicyclists.
- **Class IV Bikeway (Separated Bikeway).** Separated bikeways provide a physical separation from vehicular traffic. This separation may include grade separation, flexible posts, planters, or other inflexible physical barriers, or on-street parking. This class of bikeway has not yet been implemented in Placer County.

Table 10-8 below provides a summary of the existing bicycle facilities within the winery/farm brewery sub-regions, as indicated in Figure 10 and Figure 11 from the 2018 Bikeway Plan. As shown in the table, dedicated bicycle facilities are relatively rare within the study area.

Table 10-8 Existing Study Area Bicycle Facilities		
Road	Segment	Facility Classification
SR 193	Oak Tree Lane to Lincoln City limit	Class II
Ophir Road	Newcastle to I-80	Class II
English Colony Road	Penryn Elementary School to UPRR	Class II
Auburn Folsom Road	Auburn to Douglas Blvd	Class III
Bell Road	SR 49 to I-80	Class II
Lozanos Road	Adjoining Ophir Elementary School	Class III
Placer Hills Road	Winchester Club Drive to Combie Road	Class III
Richardson Drive	Joeger Road to Dry Creek Road	Class III
Source: KD Anderson & Associates, Inc., 2019.		

⁴ Placer County. *Placer County Regional Bikeway Plan, 2018 Update*. June 2018.

Figure 19 of the 2018 Bikeway Plan notes the presence of recreational cyclists on numerous rural roads within the County and identifies various High-Use Recreational Routes for cyclists. Nearly all study area roads are classified as High-Use Recreational Routes.

In addition to the existing bicycle facilities discussed above, the 2018 Bikeway Plan notes bicycle facilities that may be developed in the future (see Table 10-9). The Bikeway Plan notes the priority for each planned facility, with those facilities that would be expected to be constructed first having higher priority scores.

Pedestrian Facilities

Currently, pedestrian facilities are not available within the vicinity of the existing study facilities. Automobiles are the primary mode of travel for workers and visitors at the facilities.

10.3 REGULATORY CONTEXT

Existing transportation policies, laws, and regulations that would apply to the proposed Zoning Text Amendment are summarized below. Federal and/or State plans, policies, regulations, or laws related to transportation and circulation are not directly applicable to the proposed project. Rather, the analysis presented herein focuses on local Placer County regulations, which govern the regulatory environment related to transportation and circulation at the project level.

Local Regulations

Local rules and regulations applicable to the proposed project are presented below.

Placer County General Plan

The following policies from the Placer County General Plan are applicable to the proposed project:

- | | |
|--------------|---|
| Goal 3.A | To provide for the long-range planning and development of the County's roadway system to ensure the safe and efficient movement of people and goods. |
| Policy 3.A.1 | The County shall plan, design, and regulate roadways in accordance with the functional classification system described in Part I of this Policy Document and reflected in the Circulation Plan Diagram. |

**Table 10-9
Future Planned Study Area Bicycle Facilities**

Road	Segment	Facility	
		Classification	Priority
SR 193	Lincoln to Newcastle	Class II	4
Atwood Road	Mt. Vernon Road to SR 49	Class II	4
Auburn Folsom Road	Auburn to Douglas Blvd	Class IV	7
Bell Road	Lone Star Road to Joeger Road	Class III	2
Bell Road	Joeger Road to I-80	Class II	8
Combie Road	Placer Hills Rd to Lakeview Hills Rd	Class III	2
Cramer Road	Bell Road to SR 49	Class III	0
Crother Road	Placer Hills Drive to I-80	Class II	4
Dry Creek Road	Joeger Road to SR 49	Class II	6
English Colony Way	Sierra College Blvd to school	Class III	3
English Colony Way	School to Taylor Road	Class II	4
Fowler Road	SR 193 to Virginiatown Road	Class III	2
Garden Bar Road	Wise Road to Mt Pleasant Road	Class II	1
Garden Bar Road	Mt Vernon Rd to Hidden Falls Park	Class III	1
Gold Hill Road	SR 193 to Virginiatown Road	Class III	4
Horseshoe Bar Road	Loomis to Auburn Folsom Road	Class II	5
Indian Hill Road	Newcastle Road to Auburn	Class III with climbing lane	4
Joeger Road	Mt Vernon Road to Bell Road	Class III	2
Joeger Road	Bell Road to Dry Creek Road	Class II	3
Joeger Road	Dry Creek Road to SR 49	Class III	3
King Road	Loomis to Auburn Folsom Road	Class IV	2
Lone Star Road	Bell Road to SR 49	Class III	0
McCourtney Road	Lincoln to Wise Road	Class II	2
McCourtney Road	Wise Road to Camp Far West	Class III	2
Meadow Vista Road	Placer Hills Road to Pine Cone Lane	Class III	3
Mears Drive	Hidden Falls Park to Mt Vernon Road	Class III	-
Mt. Vernon Road	Wise Road to Mears Drive	Class III	-
Mt. Vernon Road	Mears Drive to Merry Knoll Road	Class II	3
Newcastle Road	I-80 to Auburn Folsom Road	Class III	3
Park Drive	Richardson Drive to Quartz Drive	Class II	7
Placer Hills Road	Lake Arthur Road to Crother Road	Class II	7
Placer Hills Road	Crother Road to Wiemar Cross Road	Class III	6
Richardson Drive	Dry Creek Road to Park Drive	Class II	7
Ridge Road	Gold Hill Road to Ophir Road	Class III	4
Rock Springs Road	Auburn Folsom Road to Taylor Road	Class III	1
Sierra College Blvd	SR 193 to Delmar Avenue	Class IV	3
Taylor Road	Rippy Road to Ophir	Class IV	6
Virginiatown Road	Lincoln to Gold Hill Road	Class III	2/4
Wise Road	McCourtney Rd to Garden Bar Road	Class II	1
Wise Road	Garden Bar Road to Ophir Road	Class III	3

Source: KD Anderson & Associates, Inc., 2019.

Policy 3.A.2 Streets and roads shall be dedicated, widened, and constructed according to the roadway design and access standards generally defined in Section I of this Policy Document and, more specifically in community plans, specific plans, and the County's Highway Deficiencies Report (SCR 93). Exceptions to these standards may be considered due to environmental, geographical, historical, or other similar limiting factors. An exception may be permitted only upon determination by the Public Works Director that safe and adequate public access and circulation are preserved.

Policy 3.A.7 The County shall develop and manage its roadway system to maintain the following minimum levels of service (LOS), or as otherwise specified in a community or specific plan).

- a. LOS "C" on rural roadways, except within one-half mile of state highways where the standard shall be LOS "D".
- b. LOS "C" on urban/suburban roadways except within one-half mile of state highways where the standard shall be LOS "D".
- c. An LOS no worse than specified in the Placer County Congestion Management Program (CMP) for the state highway system.

Temporary slippage in LOS C may be acceptable at specific locations until adequate funding has been collected for the construction of programmed improvements.

The County may allow exceptions to the level of service standards where it finds that the improvements or other measures required to achieve the LOS standards are unacceptable based on established criteria. In allowing any exception to the standards, the County shall consider the following factors:

- The number of hours per day that the intersection or roadway segment would operate at conditions worse than the standard.
- The ability of the required improvement to significantly reduce peak hour delay and improve traffic operations.
- The right-of-way needs and the physical impacts on surrounding properties.

- The visual aesthetics of the required improvement and its impact on community identity and character.
- Environmental impacts including air quality and noise impacts.
- Construction and right-of-way acquisition costs.
- The impacts on general safety.
- The impacts of the required construction phasing and traffic maintenance.
- The impacts on quality of life as perceived by residents.
- Consideration of other environmental, social, or economic factors on which the County may base findings to allow an exceedance of the standards.

Exceptions to the standards will only be allowed after all feasible measures and options are explored, including alternative forms of transportation.

Policy 3.A.13 The County shall assess fees on new development sufficient to cover the fair share portion of that development's impacts on the local and regional transportation system. Exceptions may be made when new development generates significant public benefits (e.g., low income housing, needed health facilities) and when alternative sources of funding can be identified to offset foregone revenues.

Goal 3.B To promote a safe and efficient mass transit system, including both rail and bus, to reduce congestion, improve the environment, and provide viable non-automotive means of transportation in and through Placer County.

Policy 3.B.1 The County shall work with transit providers to plan and implement additional transit services within and to the County that are timely, cost-effective, and responsive to growth patterns and existing and future transit demand.

Policy 3.C.4 During the development review process, the County shall require that proposed projects meet adopted Trip Reduction Ordinance (TRO) requirements.

Policy 3.D.5 The County shall continue to require developers to finance and install pedestrian walkways, equestrian trails, and multi-purpose paths in new development, as appropriate.

Policy 3.D.8 The CDRA Engineering and Surveying Division and the Department of Public Works shall view all transportation

improvements as opportunities to improve safety, access, and mobility for all travelers and recognize cycling, pedestrian, and transit modes as integral elements of the transportation system.

Funding Sources/Fee Programs

The following provides a discussion of the South Placer Regional Transportation Authority (SPRTA) and the County's Traffic Impact Fee Program and Capital Improvement Program (CIP).

South Placer Regional Transportation Authority

The SPRTA is a Joint Powers Authority (JPA) formed by Placer County and the cities of Lincoln, Rocklin, and Roseville for the purpose of implementing a Regional Transportation and Air Quality Mitigation Fee to fund specified regional transportation projects. SPRTA funding is directed towards projects such as the Placer Parkway, Sierra College Boulevard widening, the Lincoln Bypass, the I-80/Douglas Boulevard interchange, SR 65 widening, the I-80/Rocklin Road interchange, Auburn Folsom Road widening, and HOV lanes on I-80 through the City of Roseville.

Locally, SPRTA funding is part of the ultimate plan for improving Sierra College Boulevard from SR 193 to the Sacramento County line. While the SPRTA program outlines the ultimate improvements that will eventually be provided, actual implementation is directed by member agencies in a phased manner.

Countywide Traffic Impact Fee Program and Capital Improvement Program

In April 1996, the Placer County Board of Supervisors adopted the Countywide Traffic Impact Fee Program, which required new development within the County to mitigate impacts to the roadway system by paying traffic impact fees.

The fees collected through the program, in addition to other funding sources, make it possible for the County to construct roads and other transportation facilities and improvements needed to accommodate new development. The fee was last updated in August of 2017.

Placer County Transportation Planning Agency (PCTPA)

The PCTPA is the State-designated Regional Transportation Planning Agency for Placer County and is responsible for making decisions about the County's transportation system. In addition to developing and adopting the regional transportation plans and strategies, the PCTPA also allocates the local transportation fund and has entered into a Memorandum of Understanding with Caltrans and SACOG to govern federal transportation planning and programming in Placer County.

10.4 IMPACTS AND MITIGATION MEASURES

This section describes the standards of significance and methodology utilized to analyze and determine the proposed project's potential impacts related to transportation and circulation.

Standards of Significance

According to CEQA guidelines and the County's Initial Study Checklist, a significant impact would occur if the proposed project would result in the following:

- An increase in traffic which may be substantial in relation to the existing and/or planned future year traffic load and capacity of the roadway system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections);
- Exceeding, either individually or cumulatively, an LOS standard established by the County General Plan and/or Community Plan for roads affected by project traffic;
- Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);
- Inadequate emergency access or access to nearby uses;
- Insufficient parking capacity on-site or off-site;
- Hazards or barriers for pedestrians or bicyclists;
- Conflicts with adopted policies, plans, or programs supporting alternative transportation (i.e. bus turnouts, bicycle lanes, bicycle racks, public transit, pedestrian facilities, etc.) or otherwise decrease the performance or safety of such facilities; and/or
- Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

Placer County Standards of Significance

Placer County has adopted methodologies for determining the significance of traffic impacts within the context of the LOS goals established by the General Plan and various community plans. The County's minimum standard for roadway and intersections is LOS C except within one half-mile of a State highway, where LOS D is acceptable. Methodologies for evaluating roadway segments and intersections within Placer County are described in the following sections.

Roadway Segments

A project may be considered to exceed the minimum LOS policies if:

- A roadway segment operating at or above the established Placer County LOS standard without the project would decrease to an unacceptable LOS with the project;
- A roadway segment currently operating below the established Placer County LOS standard would experience an increase in V/C of 0.05 or greater; or
- A roadway segment currently operating below the established Placer County LOS standard experiences an increase in ADT of 100 or more project-generated vehicle trips per lane (vpl).

Signalized Intersections

A project may be considered to exceed the minimum LOS policies if:

- An intersection operating at or above the established Placer County LOS standard without the project would decrease to an unacceptable LOS with the project;
- An intersection currently operating below the established Placer County LOS standard would experience an increase in V/C of 0.05 (5 percent) or greater; or
- An intersection currently operating below the established Placer County LOS standard would experience an increase in overall average intersection delay of 4.0 seconds or greater.

Unsignalized Intersections

A project may be considered to exceed the minimum LOS policies if:

- An all-way stop or side-street stop (i.e., two-way stop) controlled intersection which currently operates at or above the established Placer County LOS standard without the project would deteriorate to an unacceptable LOS with the project and cause the intersection to meet the *California Manual of Uniform Traffic Control Devices* (MUTCD) traffic signal warrant(s); or
- An all-way stop or side-street stop-controlled intersection which currently operates below the established Placer County LOS standard and meets MUTCD traffic signal warrant(s) would experience an overall increase of 2.5 seconds or more with the project.

Further consideration is given in situations where the existing LOS is just above or at the approved minimum LOS and any increase in vehicle trips, or even daily fluctuations in traffic, would deteriorate the LOS to an unacceptable level. In such cases, the County may determine the second and third bullet points of the above exceptions are more applicable and should be used to analyze a project's impacts.

Issues Not Discussed Further

The only public use airport within the winery/farm brewery sub-regions is the Auburn Municipal Airport, which is located within the North Auburn sub-region. The Airport Land Use Compatibility Plan (ALUCP) for the Auburn Municipal Airport determines land use compatibility depending on type of use and proximity to the airport. None of the existing study facilities are located within an area covered by the ALUCP, and any future study facilities that may be located within areas covered by the ALUCP would be subject to all applicable land use restrictions and other regulations included in the ALUCP. The nearest existing study facility, Vina Castellano Winery, is located approximately 2.2 miles west of the airport property. The winery/farm brewery sub-regions do not contain any private airstrips. Therefore, the proposed project would result in no impact related to the following:

- Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

Accordingly, impacts related to the above are not further analyzed or discussed in this EIR chapter.

Method of Analysis

The analysis methodology provided in the Traffic Impact Analysis prepared for the proposed project by KD Anderson & Associates, Inc. is discussed below, along with planned improvements/funding sources for the roadway system in the winery/farm brewery sub-regions.

Analysis Scenarios

The following analysis scenarios are included in this chapter:

- **Existing Condition:** LOS based on current (2017) traffic counts, existing roadway geometry, and existing traffic control.
- **Existing Plus Project Condition:** Existing traffic volumes, roadway geometry, and traffic control plus potential vehicle trips that could result from existing study facilities subject to the proposed Zoning Text Amendment.

Project Characteristics

The following section provides an overview of trip generation, trip distribution, and trip assignment.

Existing Event Trip Generation at Wineries/Farm Breweries

In order to establish a baseline of typical trip generation associated with promotional events currently occurring within the winery/farm brewer sub-regions, the amount of vehicle traffic associated with events observed at existing wineries and farm breweries was isolated based on hourly traffic counts at entrances to the facilities (see Table 10-10). As shown in the table, some information regarding the events was available from social media, and in some cases review of the traffic volume counts suggested locations where an event was likely held based on high traffic volumes. The observed events generated wide ranges of daily trip totals and peak hour traffic volumes.

The total number of trips generated during the time periods when persons would have been traveling for an event ranged from a low of 34 trips (Dads Taste Free event at Lone Buffalo Vineyard) to a high of 212 trips (wine release party at Mt. Vernon Winery). A few observations are notable for the benefit dinner counted at Pescatore Vineyard and Winery, for which event capacity was available online. Pescatore Vineyard and Winery held a benefit dinner where, according to social media, attendance was limited to 45 people. A total of 43 trips were counted during the event travel period. This event would be considered an Agricultural Promotional Event under the proposed Zoning Text Amendment.

Table 10-10					
Existing Event Trip Generation at Wineries/Farm Breweries					
Winery/Farm Brewery	Type of Event	Travel Period	Event Description	Traffic Volume	
				Total Trips During Event Travel Period	Highest-Volume Hour During Travel Period
Dono dal Cielo Vineyard and Winery	Concert	12 PM to 5 PM	Live music (1 PM to 4 PM)	90	34
	Food	6 PM to 9 PM	Doggistyle Hotdogs (6:30 to 8 PM)	44	24
Mt. Vernon Winery	Party	11 AM to 6 PM	Wine release party (12 to 5 PM)	212	45
	Dinner	6 PM to 10 PM	Wine cave dinner (7 PM)	21	10
Lone Buffalo Vineyards	Event	11 AM to 6 PM	Dads Taste Free (12 to 5 PM)	34	13
Rock Hill Winery	Concert	4 PM to 11 PM	Concert, details unknown	144	46
	Event	Unknown	Details unknown	182	53
Vina Castellano Winery	Event	11 AM to 6 PM	Detail unknown	106	25
Pescatore Vineyard and Winery	Dinner	5 PM to 10 PM	Benefit dinner limited to 45 people (6 PM)	43	19
Ciotti Cellars	Event	9 AM to 12 PM	Yin Yoga limited to 40 spots (9:30 to 11 am)	25	16
	Concert	1 PM to 6 PM	Live music: JP & Nowhere Man (2 PM to 5 PM)	77	39
Goathouse Brewery	Food	11 AM to 6 PM	Pizza, time unknown	157	42
	Event	Unknown	Father's Day at the Farm (58 guests)	194	51
<i>Source: KD Anderson & Associates, Inc., 2019.</i>					

While Pescatore Vineyard and Winery would be considered a small winery, which are not the focus of the analysis within this EIR, because the attendance of the benefit dinner is similar to the allowable attendance limit for Agricultural Promotional Events under the Ordinance, Pescatore Vineyard and Winery traffic was included in the traffic counts. The observed trips are generally consistent with the trip generation calculations for Agricultural Promotional Events discussed in greater detail below.

The highest hourly volumes associated with events ranged from 13 trips (Lone Buffalo Vineyards) to 53 trips (Rock Hill Winery). The observed event that was most representative of the 50-attendee maximum Agricultural Promotional Events permitted under the proposed Zoning Text Amendment was a benefit dinner held at Pescatore Vineyard and Winery. The event included 45 attendees and generated 43 total trips, including 19 trips during the highest-volume hour. The other larger events shown in Table 10-10 were more representative of the Special Events permitted under the proposed Zoning Text Amendment, which would have a maximum attendee limit of 200 persons.

Project Trip Generation

The existing Winery Ordinance restricts the number of promotional events at each facility to six per year, subject to first securing an Administrative Review Permit. The proposed project would redefine “event” to distinguish between Agricultural Promotional Events and Special Events. Agricultural Promotional Events would include events with 50 attendees or less at one time and would be directly related to the education and marketing of wine and craft beer to consumers. Special Events would include events with greater than 50 attendees where the agricultural-related component is subordinate to the primary purpose of the event. The proposed Zoning Text Amendment would allow the existing study facilities to hold an unlimited number of Agricultural Promotional Events. The medium parcel-sized facilities would be able to hold a total of six Special Events per year, and the two existing large parcel-sized study facilities to hold a total of 12 Special Events per year.

As discussed in Chapter 3, Project Description, of this EIR, the number of promotional events would be technically unlimited; however, this EIR conservatively assumes that each existing study facility would host up to two additional events per day on 105 operational days per year as a result of the proposed Zoning Text Amendment. As discussed in Chapter 3, Project Description, several factors limit a particular facility’s ability to host events, including number of staff, budget, parking capacity, overlap with regular tasting room hours, etc.

Though the existing study facilities vary in size, it is generally agreed that hosting Agricultural Promotional Events presents logistical challenges and requires staff capacity, as the study facilities are relatively small and, as such, have limited resources.⁵ Therefore, existing study facilities would not be likely to host back-to-back events all day, every day.

⁵ Placer County. *Meeting Summary, Placer County Community Development Resource Agency Meeting with Farm Breweries and Wineries*. July 14, 2017.

Event Trip Generation Rates

For the purposes of this analysis, trip generation for additional Agricultural Promotional Events permitted by the proposed Zoning Text Amendment was estimated based on attendance, attendee turnover (i.e., current attendees leaving and new attendees arriving during the same event) and typical automobile occupancy for vehicles transporting attendees to and from events. As shown in Table 10-11, based on a maximum allowable attendance of 50 persons and a vehicle occupancy of 2.5 persons/vehicle, an Agricultural Promotional Event without any attendee turnover would generate up to 20 inbound and 20 outbound trips over the course of a day, or a total of 40 daily trips. The characteristics of Special Events would be similar. Under these assumptions, a 100-person Special Event where guests turnover once would generate 40 inbound and 40 outbound trips, or 80 daily trips. Similarly, at these vehicle occupancy rates, a 200-person Special Event where guests only turnover once would generate 80 inbound and 80 outbound trips, or 160 daily trips.

Table 10-11									
Trip Generation Rates: Winery and Farm Brewery Events									
Description	Attendance	Trips Per Total Allowed Events							
		Weekday				Saturday			
		Daily	PM Peak Hour			Daily	Afternoon Peak Hour		
			In	Out	Total		In	Out	Total
Regular Ag Promo Event	50 persons	40	5	5	10	40	10	0	10
Rolling Ag Promo Event	50 persons	120	20	20	40	120	20	20	40
Special Event	100 persons	80	20	20	40	80	40	0	40
Special Event	200 persons	160	40	40	80	160	80	0	80
Note: Additional technical information related to development of these trip generation rates is included in the footnotes of Table 10 of the Traffic Impact Analysis (see Appendix G).									
Source: KD Anderson & Associates, Inc., 2019.									

Some events produce higher attendee turnover, wherein attendees come and go over the course of the event (rolling events). For the purpose of this analysis, it has been assumed that an event serving 50 persons at one time would turn over three times. Thus, a rolling 50-person event could generate 60 inbound and 60 outbound trips over the course of the event, or 120 daily trips.

Assumptions were made relative to peak hour travel on weekday evenings and Saturdays. Because multiple events are assumed at each facility, one of the events has been assumed to require travel in the two-hour window period of the peak hour, while the second event is assumed to occur during periods outside of the peak hour. Additional assumptions were made as to the direction of travel (i.e., inbound versus outbound trips) which differentiate between the weekday PM peak hour and Saturday afternoon peak hour. Additional supporting explanation is included in the Traffic Impact Analysis (see Appendix G).

Trip Generation Rates Per Facility

The total trip generation per winery/farm brewery has been estimated in a manner that accounts for the relative frequency of Special Events and Rolling Agricultural Promotional Events. Each medium and large parcel-sized winery or farm brewery has been assumed to host up to eight Rolling Agricultural Promotional Events. In addition, the proposed Zoning Text Amendment allows up to six Special Events with a maximum attendance of 100 persons for medium parcel-sized facilities and up to 12 Special Events with a maximum attendance of 200 persons for large parcel-sized facilities. The frequency of such events can be suggested in relation to the overall number of total event days that are available to each facility. For the purposes of this analysis, each facility was assumed to be open three days per week (i.e., Friday, Saturday and Sunday) and events were assumed to occur over the 35-week period that generally encompasses spring, summer, and fall, when wineries and farm breweries are most likely to host events. Therefore, within the 35-week period, the Traffic Impact Analysis assumed that a total of 105 days would be considered “event days,” with a Special Event or Rolling Agricultural Promotional Event occurring on 14 of the 105 days for medium parcel-sized facilities, or roughly 13 percent of the time, and 20 of the 105 days for large facilities, or 19 percent of the time.

Because the nature of events at any individual winery would vary from day to day, an overall weighted trip generation rate per facility was estimated which accounts for event frequency. Table 10-12 and Table 10-13 below demonstrate the methodology used for medium and large parcel sized wineries/farm breweries, respectively. As shown in Table 10-12, for the weighted average event at a medium parcel-sized winery or farm brewery, the estimate was the sum of trips associated with an Agricultural Promotional Event occurring 86.7 percent of the time, a Rolling Agricultural Promotional Event occurring 7.6 percent of the time, and a Special Event occurring 5.7 percent of the time.

The total trip generation at the facility would be the sum of the weighted average event plus the trips associated with the 2nd regular Agricultural Promotional Event. Each medium parcel-sized winery/farm brewery with two daily events would generate approximately 88 daily trips with 24 trips in the peak hour.

As noted in Table 10-13, a similar approach was taken for large parcel-sized wineries. Because the size of a Special Event at a large parcel-sized winery is greater (i.e., 200 persons versus 100 persons) and Special Events are permitted more frequently at large wineries (i.e., 12 annually versus six annually) the overall weighted average trip generation rates are greater for large parcel-sized wineries than for medium parcel-sized wineries and farm breweries.

Table 10-12 Weighted Average Trip Generation Rates – Medium Parcel-Sized Wineries and Farm Breweries													
Facility Size	Description	Quantity (persons)	Number of Annual Events (35 weeks)	Event Frequency		Trips per Total Allowed Events							
						Weekday				Saturday			
						Daily	PM Peak Hour			Daily	Afternoon Peak Hour		
							In	Out	Total		In	Out	Total
Medium Parcel-Sized Facility	Regular Agricultural Promotional Event	50	91	91/105	Average Rate	40	5	5	10	40	10	0	10
				86.7%	Weighted	34.7	4.3	4.3	8.7	34.7	8.7	0.0	8.7
	Rolling Agricultural Promotional Event	50	8	8/105	Average Rate	120	20	20	40	120	20	20	40
				7.6%	Weighted	9.1	1.5	1.5	3.0	9.1	1.5	1.5	3.0
	Special Event	100	6	6/105	Average Rate	80	20	20	40	80	40	0	40
				5.7%		4.6	1.1	1.1	2.3	4.6	2.3	0	2.3
	Sum of Weighted Average of Special, Rolling, and regular Agricultural Promotional Events		105	100%		48.4	6.9	6.9	13.8	48.4	12.5	1.5	14.0
	2 nd regular Agricultural Promotional Event	50	105	100%	Average Rate	40	5	5	10	40	10	0	10
	Overall trip generation rates for a medium parcel-sized winery/farm brewery (sum of weighted event and 2 nd Agricultural Promotional Event)					88	12	12	24	88	22	2	24

Source: KD Anderson & Associates, Inc., 2019.

Table 10-13 Weighted Average Trip Generation Rates – Large Parcel-Sized Wineries and Farm Breweries													
Facility Size	Description	Quantity (persons)	Number of Annual Events (35 weeks)	Event Frequency		Trips per Total Allowed Events							
						Weekday				Saturday			
						Daily	PM Peak Hour			Daily	Afternoon Peak Hour		
							In	Out	Total		In	Out	Total
Large Parcel-Sized Facility	Regular Agricultural Promotional Event	50	85	85/105	Average Rate	40	5	5	10	40	10	0	10
				81.0%	Weighted	32.4	4.1	4.1	16.2	32.4	8.1	0	8.1
	Rolling Agricultural Promotional Event	50	8	8/105	Average Rate	120	20	20	40	120	20	20	40
				7.6%	Weighted	9.1	1.5	1.5	3.0	9.1	1.5	1.5	3.0
	Special Event	200	12	12/105	Average Rate	160	40	40	80	160	80	0	80
				11.4%	Weighted	18.2	4.6	4.6	9.2	18.2	9.1	0	9.1
	Sum of Weighted Average of Special, Rolling, and regular Agricultural Promotional Events		105	100		59.7	10.2	10.2	20.4	59.7	18.7	1.5	20.2
	2 nd regular Agricultural Promotional Event	50	105	100	Average Rate	40	5	5	10	40	10	0	10
	Overall trip generation rates for a large parcel-sized winery/farm brewery (sum of weighted event and 2 nd Agricultural Promotional Event)					100	15	15	30	100	28	2	30
Source: KD Anderson & Associates, Inc., 2019.													

Trip Generation Forecasts

The overall average weighted trip generation rates associated with the Agricultural Promotional Events and Special Events supported by the proposed Zoning Text Amendment was applied to the existing study facilities to identify associated increases in vehicle trip generation. As shown in Table 10-14 below, events at the existing study facilities would generate approximately 904 daily trips on a weekday or Saturday. Of the 904 total trips, 252 trips would occur in the weekday PM peak hour and 320 trips would occur in the Saturday peak hour.

Table 10-14									
Project Trip Generation at Existing Study Facilities									
Study Facility Parcel Size	# of Existing Facilities	Trips Per Total Allowed Events							
		Weekday				Saturday			
		Daily	PM Peak Hour			Daily	Afternoon Peak Hour		
			In	Out	Total		In	Out	Total
Medium (winery)	6	528	72	72	144	528	132	12	144
Large (winery)	2	200	30	30	60	200	56	4	60
Medium (farm brewery)	2	176	24	24	48	176	44	4	48
Subtotal	10	904	126	126	252	904	232	20	252
<i>Source: KD Anderson & Associates, Inc., 2019.</i>									

These trip generation estimates shown in Table 10-14 present a very conservative scenario, as each existing study facility would already be generating traffic that is included in current baseline traffic counts. It is likely that guests attending the additional Agricultural Promotional Events and Special Events would displace some other persons who might have attended as part of regular winery or farm brewery activity. Consider for example that one of the wineries counted in June 2017 generated 38 trips on a Saturday with no event taking place. Assuming the facility was open for eight hours, it averaged four trips per hour that day. If an event was to occupy 3-4 hours at such a facility, that represents 12-16 daily trips that could be displaced by the event. Because attempts have not been made to discount the trip generation forecasts for this “double counting” of trips, the overall estimate is conservative.

Trip Distribution and Assignment

For wineries and farm breweries, the distribution of trips generated by such facilities generally reflects the population distribution within the trade area for wineries. As noted in Table 10-15, the majority of visitors at the existing study facilities originate in the Sacramento/Roseville, San Francisco Bay Area, which are much larger than the local Auburn area, with lesser shares traveling from areas to the north and east.

Table 10-15		
Project Trip Distribution Assumptions		
Direction	Route	Percent of Total Trips
North	SR 49 north of Lone Star Road	5%
	SR 65 north of Wise Road	5%
East	City of Auburn	15%
	Interstate 80 east of study area	10%
West-South	Sacramento/San Francisco Bay Area	65%
Total:		100%
<i>Source: KD Anderson & Associates, Inc., 2019.</i>		

The assignment of project traffic to the local area street system reflects the alternative routes available between various existing and future study facility locations and ultimate destinations. The choice of access route was determined based on the relative difference in travel time along each route. Using the regional trip distribution assumptions noted previously, project trips were assigned to the local street system based on the least time path to each destination. Lane configurations and “project only” traffic volumes resulting from additional Agricultural Promotional Events and Special Events at existing are shown in Figure 10-4.

Project-Specific Impacts and Mitigation Measures

The impacts of the proposed Zoning Text Amendment on the local transportation system are evaluated in this section based on the thresholds of significance and methodology described above.

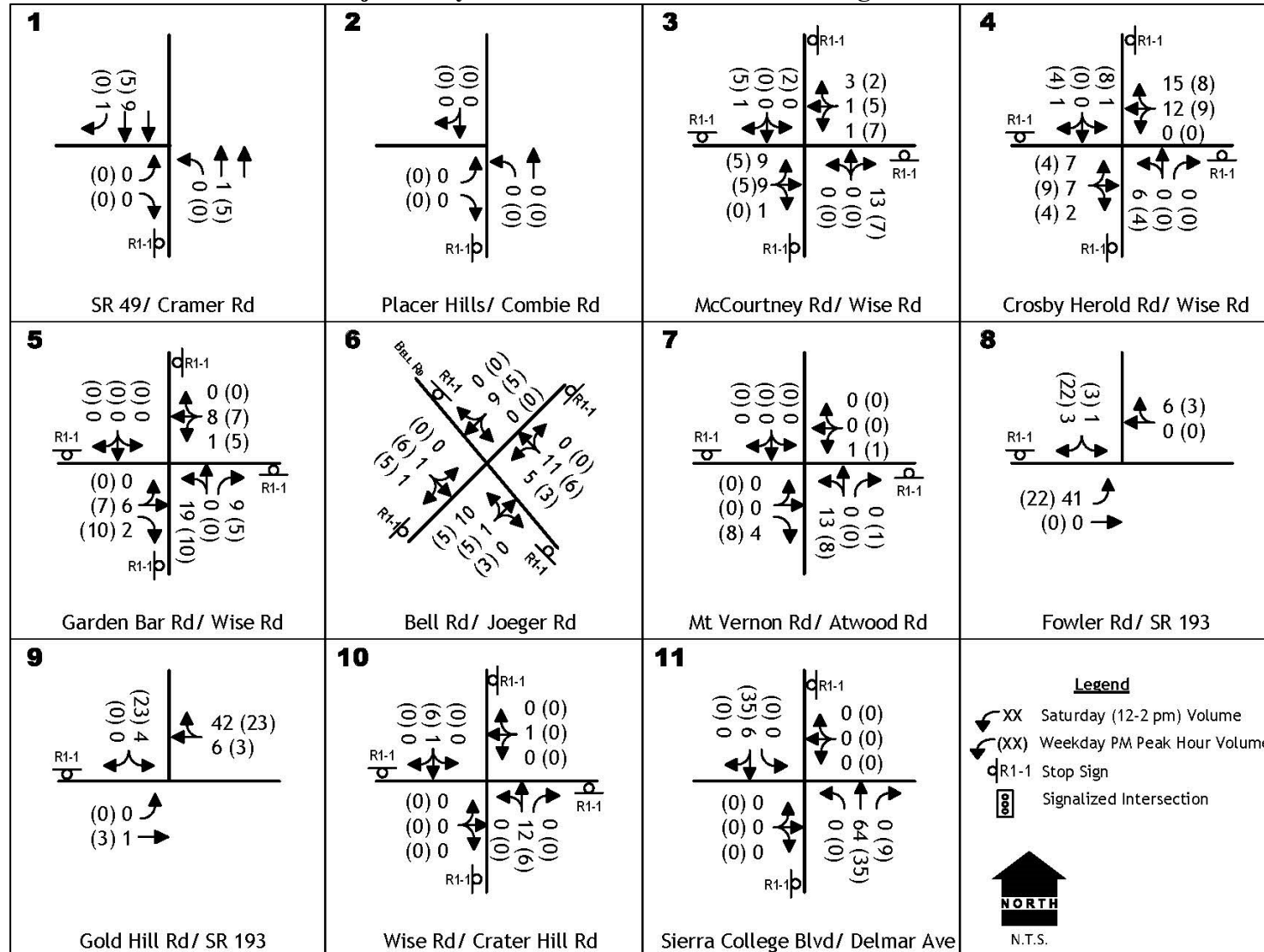
10-1 Study roadway segments under the Existing Plus Project Condition. Based on the analysis below, the impact would be *less than significant*.

Table 10-16 below summarizes operations at each of the study roadway segments under the Existing and Existing Plus Project Conditions. As shown in the table, vehicle trips generated by additional by-right Agricultural Promotional Events and Special Events at existing study facilities based on the trip generation methodology described in this chapter would not degrade any study roadway segments to an unacceptable LOS. Therefore, impacts to study roadway segments under the Existing Plus Project Condition would be *less than significant*.

Mitigation Measure(s)

None required.

Figure 10-4
Project Only Traffic Volumes and Lane Configurations



Source: KD Anderson & Associates, Inc., 2019.

Table 10-16 Study Roadway LOS – Existing Plus Project Condition													
#	Roadway	Segment	Class	Roadway Volume and Segment LOS									
				Weekday					Saturday				
				Existing		Existing Plus Project			Existing		Existing Plus Project		
				Daily Volume	LOS	Daily Volume		LOS	Daily Volume	LOS	Daily Volume		LOS
						Project	Total				Project	Total	
A	Auburn – Folsom Rd	South of King Rd	Rural Arterial	8,573	A	44	8,617	A	8,355	A	44	8,399	A
B	Ayers Holmes Rd	Mt. Vernon Rd to Wise Rd	Local Road	412	A	0	412	A	485	A	0	485	A
C	Bald Hill Rd	Wise Rd to Mt. Vernon Rd	Rural Collector	1,309	A	78	1,387	A	1,038	A	78	1,116	A
D	Baxter Grade Rd	Wise Rd to Mt. Vernon Rd	Rural Collector	971	A	26	997	A	634	A	26	660	A
E	Bell Rd	Lone Star Rd to Cramer Rd	Rural Collector	614	A	0	614	A	543	A	0	543	A
F	Bell Rd	Joeger Rd to Cramer Rd	Rural Collector	1,400	A	4	1,404	A	1,329	A	4	1,333	A
G	Chili Hill Rd	Lozanos Rd to Gold Hill Rd	Rural Collector	355	A	76	431	A	262	A	76	338	A
H	Combie Rd	Placer Hills Rd to end	Rural Collector	2,688	B	0	2,688	B	2,477	B	0	2,477	B
I	Cramer Rd	Bell Rd to SR 49	Local Road	558	A	2	560	A	549	A	2	551	A
J	Crosby Herold Rd	Wise Rd to Meadow Creek Rd	Local Road	525	A	88	613	A	582	A	88	670	A
K	Delmar Ave	Sierra College Blvd to Citrus Colony Rd	Rural Collector	1,126	A	0	1,126	A	1,171	A	0	1,171	A
L	Fowler Rd	SR 193 to Virginiatown Rd	Rural Collector	3,412	B	180	3,592	B	3,440	B	180	3,620	B
M	Fleming Rd	Gladding Rd to McCourtney Rd	Local Road	43	A	0	43	A	92	A	0	92	A
N	Fruitvale Rd	Fowler Rd to Gold Hill Rd	Rural Collector	1,486	A	70	1,556	A	1,186	A	70	1,256	A
O	Gold Hill Rd	SR 193 to Virginiatown Rd	Rural Collector	1,542	A	162	1,704	B	1,857	B	162	2,019	B
P	Horseshoe Bar Rd	Val Verde Rd to Auburn – Folsom Rd	Rural Collector	3,545	B	44	3,589	B	2,485	B	44	2,529	B
Q	Lone Star Rd	Bell Rd to SR 49	Local Road	1,328	A	2	1,330	A	1,223	A	2	1,225	A
R	McCourtney Rd	Wise Rd to Big Bend Rd	Rural Arterial	1,192	A	48	1,240	A	1,207	A	48	1,255	A
S	Millertown Rd	Wise Rd to Mt. Vernon Rd	Rural Collector	150	A	0	150	A	135	A	0	135	A
T	Mt. Vernon Rd	Wise Rd to Meyers Ln	Rural Collector	2,021	B	48	2,069	B	2,679	B	48	2,727	B
U	Mt. Vernon Rd	Vineyard Dr to Millertown Rd	Rural Collector	2,995	B	62	3,057	B	2,676	B	62	2,738	B
V	Nicolaus Rd	West of Dowd Rd	Rural Arterial	3,064	A	0	3,064	A	2,374	A	0	2,374	A
W	Placer Hills Rd	I-80 to Combie Rd	Rural Arterial	9,470	A	0	9,470	A	7,407	A	0	7,407	A
X	Ridge Rd	Gold Hill Rd to SR 193	Rural Collector	789	A	0	789	A	640	A	0	640	A
Y	Sierra College Blvd	South of King Rd	Rural Arterial	12,762	B	252	13,014	B	10,642	A	252	10,894	A
Z	SR 193	Sierra College Blvd to Fowler Rd	State Highway	6,700	A	158	6,858	A	6,700	A	158	6,858	A
AA	Virginiatown Rd	Lincoln limits to Fowler Rd	Rural Collector	773	A	22	795	A	994	A	22	1,016	A
BB	Wise Rd	McCourtney Rd to Crosby Herold Rd	Rural Arterial	2,575	A	122	2,697	A	2,714	A	124	2,838	A
CC	Wise Rd	Crosby Herold Rd to Garden Bar Rd	Rural Arterial	1,857	A	128	1,985	A	1,978	A	128	2,106	A
DD	Wise Rd	Garden Bar Rd to Mt. Vernon Rd	Rural Arterial	1,394	A	96	1,490	A	1,304	A	96	1,400	A
EE	Wise Rd	Baxter Grade Rd to Crater Hill Rd	Rural Collector	1,168	A	46	1,214	A	931	A	46	977	A
FF	Wise Rd	Bald Hill Rd to Ophir Rd	Rural Collector	1,000	A	16	1,016	A	915	A	16	931	A
Source: KD Anderson & Associates, Inc., 2019													

10-2 Study intersections under the Existing Plus Project Condition. Based on the analysis below, the impact would be *less than significant*.

The vehicle trips associated with additional by-right events enabled by the proposed Zoning Text Amendment were superimposed onto the current background traffic volumes to create the Existing Plus Project Conditions traffic volumes presented in Figure 10-5 below. Table 10-17 below summarizes operations at each of the study intersections under the Existing and Existing Plus Project Conditions. As previously indicated in Table 10-4 and also shown in Table 10-17, the Sierra College Boulevard/Delmar Avenue intersection would operate unacceptably (LOS D or worse) without project traffic during the weekday PM peak hour; all other study intersections would operate acceptably during the weekday PM and Saturday afternoon peak hours.

Because the Sierra College Boulevard/Delmar Avenue intersection operates unacceptably with and without the project, the significance of the impact to the intersection is determined based on change in overall average delay and satisfaction of peak hour traffic signal warrants. While the incremental change in delay caused by the project would be 7.2 seconds, which exceeds the 2.5 seconds allowed under Placer County criteria, traffic signal warrants at the intersection would not be satisfied. Because both criteria must be met under County guidelines for significant impact to occur, the project's impact to the intersection would be less than significant.

Based on the above, impacts to study intersections under the Existing Plus Project Condition would be *less than significant*.

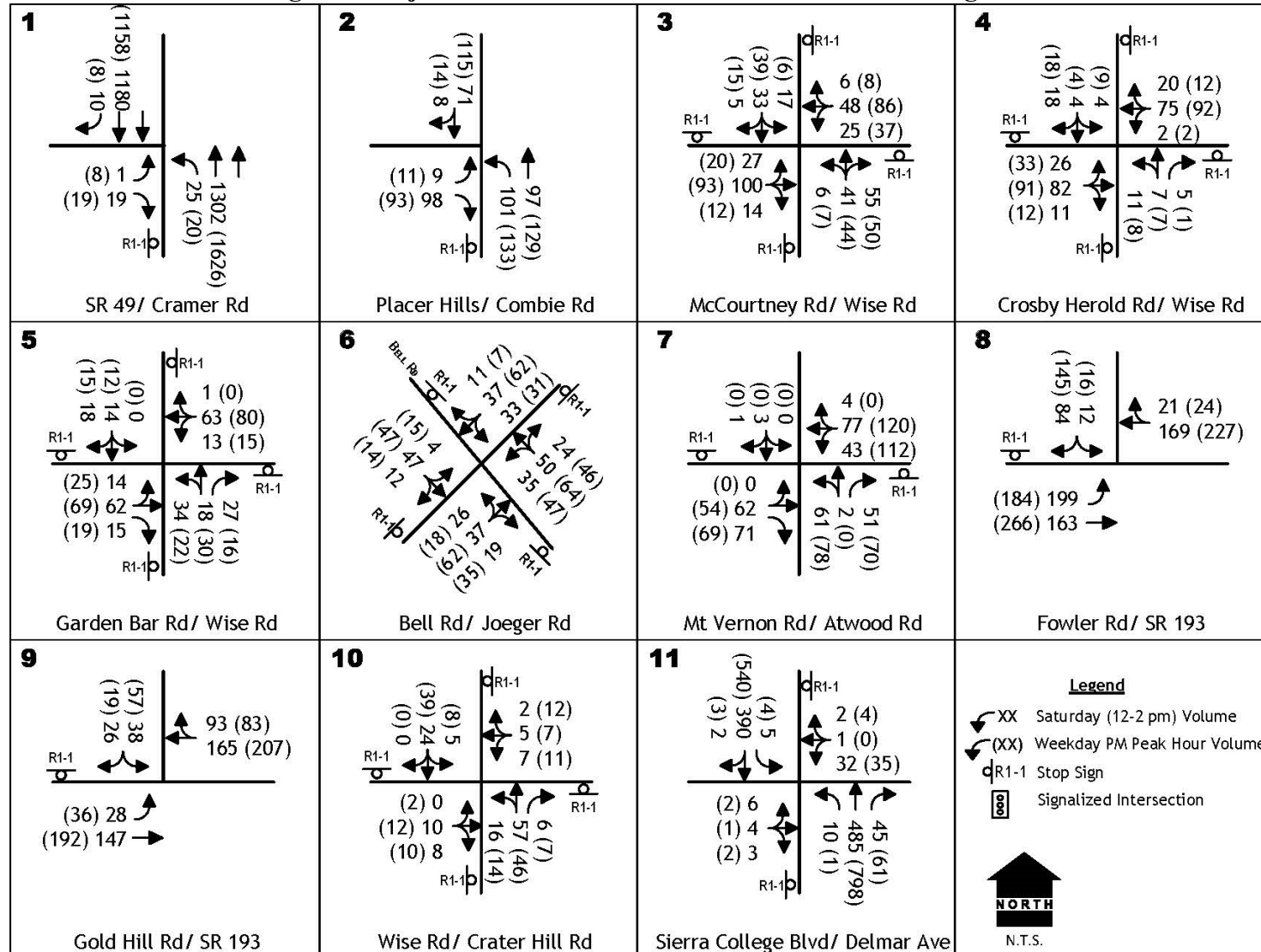
Mitigation Measure(s)

None required.

10-3 Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), or result in inadequate emergency access or access to nearby uses. Based on the analysis below, the impact is *less than significant*.

As noted previously, data collected over a three-year period from January 2014 to December 2016 was obtained as part of the Traffic Impact Analysis and used to tabulate roadway collision rates based on the number of collisions per MVM of travel. This method permits comparison of roadways carrying different traffic volumes. Based on the 3-year collision history, the collision rates on local study area roadways are generally consistent with what might be expected for typical rural roads. While the proposed Zoning Text Amendment would add more traffic to the study roadways, all study roadway segments would operate acceptably under the Existing Plus Project Condition.

Figure 10-5
Existing Plus Project Condition Traffic Volumes and Lane Configurations



Source: KD Anderson & Associates, Inc., 2019.

Table 10-17
Study Intersection LOS – Existing Plus Project Condition

Intersection	Control	Weekday PM Peak Hour				Saturday Afternoon Peak Hour			
		Existing		Existing Plus Project		Existing		Existing Plus Project	
		Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS
1. SR 49/Cramer Rd (overall) Eastbound Approach	EB Stop	(14.4) 18.5	(C) C	(15.6) 18.8	(C) C	(12.9) 14.5	(B) B	(13.1) 14.7	(B) B
2. Placer Hills Rd/Combie Rd (overall) Southbound Approach	SB Stop	(8.9) 10.2	(A) B	(8.9) 10.2	A B	(8.6) 9.5	(A) A	(8.6) 9.5	(A) A
3. Wise Rd/McCourtney Rd	AWS	8.2	A	8.4	A	8.2	A	8.4	A
4. Wise Rd/Crosby Herold Rd	AWS	7.7	A	7.8	A	7.5	A	7.7	A
5. Wise Rd/Garden Bar Rd	AWS	7.8	A	8.0	A	7.6	A	7.7	A
6. Bell Rd/Joeger Rd	AWS	8.3	A	8.5	A	7.8	A	8.0	A
7. Mt. Vernon Rd/Atwood Rd (overall) Northbound Approach	NB Stop	(8.6) 9.4	(A) A	(9.0) 10.1	(A) B	(7.8) 7.8	(A) A	(8.2) 10.2	(A) B
8. SR 193/Fowler Rd (overall) Southbound Approach	SB Stop	(9.9) 11.9	(A) B	(10.3) 12.5	(B) B	(9.0) 10.6	(A) B	(9.0) 11.0	(A) B
9. SR 193/Gold Hill Rd (overall) Southbound Approach	SB Stop	(10.4) 12.1	(B) B	(11.5) 13.1	(B) B	(9.8) 10.8	(A) B	(10.1) 11.0	(B) B
10. Wise Rd/Crater Hill Rd	AWS	7.6	A	7.6	A	7.6	A	7.6	A
11. Sierra College Blvd/Delmar Ave (overall) Westbound Approach	WB Stop	(38.7) 44.3	(E) E	(45.1) 51.8	(E) F	(16.9) 20.6	(C) C	(18.6) 22.8	(C) C

Notes:

- (XX) indicates overall weighted average delay and LOS for movements yielding right-of-way.
- **Bold** indicates applicable LOS threshold exceeded.
- AWS = all-way stop.

Source: KD Anderson & Associates, Inc., 2019.

The proposed Zoning Text Amendment would not directly result in any changes to the circulation systems within the winery/farm brewery sub-regions and would not alter access to existing study facilities. In addition, because the additional Agricultural Promotional Events and Special Events allowable under the proposed Zoning Text Amendment would be functionally similar to promotional events allowed under the existing Winery Ordinance, the proposed project would not introduce any incompatible uses to area roadways. Existing study facilities would continue to be required to comply with all applicable County standards related to roadway design and provision of adequate access for emergency vehicles. Therefore, the proposed Zoning Text Amendment would not cause increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), or result in inadequate emergency access or access to nearby uses. Thus, a *less-than-significant* impact related to such would occur.

Mitigation Measure(s)

None required.

10-4 Insufficient parking capacity on-site or off-site. Based on the analysis below, the impact is *less than significant*.

As discussed in Chapter 4, Agricultural Resources, of this EIR, the existing Winery Ordinance allows for temporary overflow parking to be used in conjunction with Temporary Outdoor Events (TOE), as described in Section 17.56.300(B)(1)(b). The proposed Zoning Text Amendment would continue to allow overflow parking for TOEs but would also allow temporary overflow parking for Special Events. Overflow parking for Agricultural Promotional Events would not be allowed; rather, the Ordinance would continue to require at least one parking space for every 2.5 event attendees, and event size would be limited to the number of available on-site parking spaces (see Table 4, Minimum Parking Requirements, of the proposed Winery and Farm Brewery Zoning Text Amendment included as Attachment A to this EIR). Any attempt to allow overflow parking for Agricultural Promotional Events would be a violation of the Placer County Code and would result in code enforcement.⁶

In summary, the proposed Zoning Text Amendment would give facility owners the ability to use temporary overflow parking for Special Events, which are limited to six per year for medium parcel-sized facilities and 12 per year for large parcel-sized facilities. Thus, on a yearly basis, the demand for overflow parking will be relatively minimal. While facility owners may choose to designate temporary overflow parking on their properties for Special Events, overflow parking would be temporary and, at the most, would be needed 12 times a year, for Special Events on large parcel-sized facilities. In addition, under the current Winery Ordinance and upon implementation of the proposed Zoning Text Amendment, existing study facilities would have the ability to expand permanent parking spaces within

⁶ Overflow parking could be allowed with a TOE, two of which could be obtained per year; however, this is currently allowed under the existing Winery Ordinance, and, thus, is not required to be addressed in this EIR.

the facilities to accommodate tasting room guests, agricultural activities, and event attendees.

Based on the above, the proposed Zoning Text Amendment would not result in insufficient parking capacity at existing study facilities, and a *less-than-significant* impact would occur.

Mitigation Measure(s)

None required.

10-5 Hazards or barriers for pedestrians or bicyclists or conflict with adopted policies, plans, or programs supporting alternative transportation (i.e. bus turnouts, bicycle lanes, bicycle racks, public transit, pedestrian facilities, etc.) or otherwise decrease the performance or safety of such facilities. Based on the analysis below, the impact is *less than significant*.

The extent to which the proposed Zoning Text Amendment may impact existing and planned transit networks, bicycle facilities, and pedestrian facilities within the winery/farm brewery sub-regions is based on the additional use of existing alternative transportation facilities by persons attending additional Agricultural Promotional Events and Special Events and the incremental increase in conflicts with automobiles created by net new vehicle trips indirectly generated by the proposed project at existing study facilities.

As discussed previously, none of the existing study facilities are currently served by PCT, the County's primary public transit service. As such, the proposed project would not conflict with public transit planning efforts or decrease the performance of existing public transit systems.

As noted in the Existing Setting section of this chapter, study area roads are used frequently by recreational bicyclists who share the roads, which lack bicycle lanes or wide paved shoulders. To the extent that event attendees might elect to bike to existing study facilities, the project could generate additional bicycle traffic on study area roads. Given the rural setting of the existing study facilities, the proposed Zoning Text Amendment would be unlikely to generate appreciable pedestrian activity as a result of additional Agricultural Promotional Events and Special Events. The slight increase in bicycle use on study area roadways would not substantially degrade the performance or safety of existing bicycle facilities. In addition, the various roadway improvements funded through the Countywide Traffic Impact Fee Program, including shoulder widening, could improve bicycle safety within the winery/farm brewery sub-regions.

It should be noted that in addition to indirectly adding bicycle traffic to area roadways, the proposed Zoning Text Amendment would add automobile traffic to rural roads that are already used by alternative transportation modes. As discussed previously, the additional Agricultural Promotional Events and Special Events could increase the traffic volume on rural collector roads within the winery/farm brewery sub-regions by up to 208 vehicles per day. However, the amount of traffic added to such roads would not result in a capacity

deficiency as measured in terms of roadway segment LOS, and the traffic increase would not appreciably worsen existing conditions for bicyclists.

Based on the above, the proposed project would not create hazards or barriers for pedestrians or bicyclists. In addition, the project would not conflict with adopted policies, plans, or programs supporting alternative transportation (i.e. bus turnouts, bicycle lanes, bicycle racks, public transit, pedestrian facilities, etc.) or otherwise decrease the performance or safety of such facilities. Thus, a *less-than-significant* impact would occur.

Mitigation Measure(s)

None required.

11. UTILITIES AND SERVICE SYSTEMS

11

UTILITIES AND SERVICE SYSTEMS

11.1 INTRODUCTION

The Utilities and Service Systems chapter of the EIR summarizes the setting information and identifies potential new water supply, wastewater, and solid waste disposal demands that could occur at existing wineries and farm breweries in Placer County with implementation of the proposed project. Information for the Utilities and Service Systems chapter was primarily drawn from the Placer County General Plan¹ and associated EIR,² as well as the San Juan Water District *2015 Urban Water Management Plan*.³

This chapter focuses on the ten existing medium (10- to 20-acre) and large (>20-acre) parcel-sized wineries and farm breweries that would be subject to the proposed Zoning Text Amendment, which are shown in Figure 3-1 of the Project Description chapter. Such facilities are referred to as *existing study facilities* throughout this EIR. Potential effects on utilities and service systems associated with future wineries and farm breweries that would be subject to the proposed Zoning Text Amendment are addressed in Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR.

11.2 EXISTING ENVIRONMENTAL SETTING

The following section describes the utilities serving existing study facilities within the areas of western Placer County, where wineries and farm breweries are currently concentrated. The section describes wastewater conveyance and treatment, water supply and delivery infrastructure, and solid waste.

Wastewater Conveyance and Treatment

The existing study facilities currently produce two types of wastewater: 1) process wastewater produced from wine/beer-making operations, which is tied to production levels at each facility; and 2) wastewater from bathrooms, sinks, and dishwashers at the study facilities. The latter of the two types is influenced by events and, thus, is the focus of this EIR. It should be noted that for the process wastewater, the existing study facilities currently have waivers for waste discharge requirements under Regional Water Quality Control Board (RWQCB) Resolution No. R5-2003-0106, Waiver of Waste Discharge Requirements for Small Food Processors, Including Wineries, Within the Central Valley Region.

¹ Placer County. *Countywide General Plan Policy Document*. August 1994 (updated May 2013).

² Placer County. *Countywide General Plan EIR*. July 1994.

³ San Juan Water District. *2015 Urban Water Management Plan* [pg. 6-3]. June 2016.

Many existing study facilities in Placer County are located in rural parts of the County where access to public sewer is not available. With the exception of Casque at Flower Farm, which is connected to the County's public sewer system, the existing study facilities are connected to private septic systems, or in the case of one facility, currently rely on portable toilets. The septic systems generally consist of an underground septic tank and associated leach field. Such septic systems are subject to Placer County permitting requirements, and maintenance of each septic system is the sole responsibility of the property owner. Ongoing use of the septic systems, as well as any alterations to the septic systems, is subject to the rules and regulations of the Placer County Environmental Health Department.

Sewer services at Casque at Flower Farm are provided by the Placer County Facilities Services Department, Environmental Engineering and Utilities, Sewer Maintenance District (SMD) 3. Within SMD 3, Placer County operates three sewer pump stations and approximately 16 miles of sewer piping, and approximately 46 septic tank effluent pump systems. The existing sewer pipeline system within unincorporated areas of the County in the facility vicinity are owned and maintained by Placer County. Sewer treatment is provided at the Dry Creek Wastewater Treatment Plant (Dry Creek WWTP), which is located within the southern edge of the City of Roseville. Under the Dry Creek WWTP's National Pollutant Discharge Elimination System (NPDES) Permit, Number CA0079502, the WWTP has a permitted average dry weather capacity (ADWF) of 18 million gallons per day (mgd) and a peak wet-weather flow (PWWF) of 45 mgd.⁴ As of 2016, the Dry Creek WWTP was operating at approximately 50 percent of the WWTP's permitted flow, with an ADWF of 9 mgd, and a PWWF under 25 mgd.⁵ Of the 18 mgd of ADWF currently being treated at the Dry Creek WWTP, approximately 40 percent, or 7.2 mgd originate from unincorporated portions of Placer County.⁶

Water Supply and Delivery Infrastructure

Of the ten existing study facilities within unincorporated Placer County, only Casque at Flower Farm receives domestic water supplies from a public water supply system. The remaining nine facilities rely on water supply wells for winery/farm brewery production operations, as well as wine/beer tasting events. Typical water uses associated with the wine/beer-making process include water for cleaning/sterilizing wine/beer manufacturing equipment and storage vessels, water added directly to grapes or milled grain, and water used for general facility maintenance and cleaning. It should be noted that most of the facilities rely on untreated water supplies from the Nevada Irrigation District (NID) and the Placer County Water Agency (PCWA) for irrigation of on-site crops. However, such water supplies are not used for events.

Both Goathouse Brewery and Wise Villa Winery and Bistro currently operate under Transient-Noncommunity (TNC) public water systems. A TNC public water system is a system that provides water in a place, such as a small market or campground, where people do not remain for

⁴ City of Roseville. *City of Roseville General Plan 2035*. August 17, 2016.

⁵ *Ibid.*

⁶ *Ibid.*

long periods of time.⁷ Such public water systems require a permit from the State Water Resources Control Board, Division of Drinking Water. Per U.S. Environmental Protection Agency (USEPA) regulations, a public water system is required if a facility serves more than 24 people daily, 60 days or more per year.⁸

Groundwater

The westernmost portion of Placer County is located within the 548-square-mile North American Sub-basin (NASb). The boundaries of the NASb are the Bear River to the north, the Feather and Sacramento rivers to the west, the American River to the south, and the foothill of the Sierra Nevada to the east. At the eastern boundary of the NASb, at the Sierra Nevada foothills, groundwater becomes available within fractured rock, rather than a continuous aquifer, thus delineating the extent of the NASb. The NASb is designated by the Sustainable Groundwater Management Act (SGMA) as a High Priority Basin.⁹ The NASb includes four exclusive Groundwater Sustainability Agencies (GSAs): RD1001 GSA; Sacramento Groundwater Authority (SGA) GSA; South Sutter Water District GSA; and Sutter County GSA. In addition, the NASb includes the proposed, but not yet formed, West Placer GSA. The four existing GSAs and the proposed West Placer GSA are currently coordinating to prepare a single Groundwater Sustainability Plan (GSP) for the NASb.¹⁰ SGA has been authorized by the NASb GSAs to submit the GSP Initial Notification to DWR. The process for developing the GSP will begin with completion of a communication and outreach plan by each GSA. Additionally, a webpage (nasbgroundwater.org) is currently under development that will be used for continued interested party engagement. When complete, interested parties will be able to sign up to receive notifications related to GSP development activities of any of the NASb GSAs. The next phase of GSP development will involve filling of critical data gaps to improve the understanding of conditions relative to groundwater in the Sub-basin and the development of a computer model of the NASb to assess current and future sustainability of the NASb groundwater resources. With such information, a draft GSP will be developed with a planned public draft release in early 2021 and a final GSP in mid-2021.

With the exception of Goathouse Brewery, which is located within the NASb, the existing study facilities are located within the Sierra Nevada Regional Study Unit.¹¹ Most of the Sierra Nevada consists of granitic and metamorphic rocks. Fractures in such rocks contain groundwater. The fracture systems may be interconnected or isolated, resulting in variability in water levels, well yields, and water quality on local and regional scales.¹²

⁷ U.S. EPA. *Information about Public Water Systems*. Available at: <https://www.epa.gov/dwreginfo/information-about-public-water-systems>. Accessed October 2018.

⁸ U.S. EPA. *Information about Public Water Systems*. Available at: <https://www.epa.gov/dwreginfo/information-about-public-water-systems>. Accessed October 2018.

⁹ Department of Water Resources. *SGMA Basin Prioritization Dashboard*. Available at: <https://gis.water.ca.gov/app/bp2018-dashboard/>. Accessed October 17, 2018.

¹⁰ West Placer Groundwater Sustainability Agency. *Notice of Intent to Begin Preparation of a Groundwater Sustainability Plan for the North American Subbasin of the Sacramento Valley Groundwater Basin*. 2018.

¹¹ Department of Water Resources. *Groundwater Basin Boundary Assessment Tool*. Available at <https://gis.water.ca.gov/app/bbat/>. Accessed October 17, 2018.

¹² U.S. Geological Service. *Groundwater Quality in the Sierra Nevada, California*. December 2014.

The primary aquifer is defined as those parts of the aquifer system tapped by wells and springs listed in the State of California database of public drinking-water supply sources. In the Sierra Nevada Regional Study Unit, approximately 25 percent of such sources are springs. Most wells are drilled to depths of 150 to 600 feet, consist of solid casing or a seal from the land surface to a depth of about 50 to 200 feet, and are open or have perforated casing below that depth. Water quality in the primary aquifer system may differ from that in the shallower and deeper parts of the aquifer system.

Recharge to fractured-bedrock aquifers is mainly from stream-channel infiltration and direct infiltration of precipitation and snow melt. Sedimentary basin aquifers also are recharged by mountain-front recharge at the margins of the basins. Groundwater exits the aquifer system when water is pumped for water supply, flows into streams and lakes, discharges from springs, or leaves areas with a shallow depth to groundwater by evapotranspiration.

It should be noted that per the San Juan Water District *2015 Urban Water Management Plan*, the North American Subbasin, within which Goathouse Brewery is located, is not identified by the Department of Water Resources (DWR) as being in a state of overdraft.¹³ Groundwater overdraft is a condition within a developed groundwater basin in which the amount of water pumped from the basin exceeds the sustainable yield of the basin over the long term. According to the Northern California Water Association, the eastern portion of the subbasin is interconnected with permeable soils near the ground surface within the mountainfront area, which allows small streams in the Sierra Nevada foothills to contribute large amounts of recharge to groundwater aquifers. Along the foothills of the Sierra, many wells never declined at all due to the recent 2016 drought and the 2017 rains, along with reduced pumping, filled aquifers above where they were prior, if not higher.¹⁴

Solid Waste

Solid waste collection services in Western Placer County are provided by private companies under contract with the Western Placer Waste Management Authority (WPWMA). The WPWMA is a regional agency established in 1978 through a Joint Exercise of Powers Agreement between the County of Placer and the cities of Roseville, Rocklin, and Lincoln to acquire, own, operate, and maintain a sanitary landfill site and all related improvements. All of the existing medium and large winery/farm brewery facilities are located within Franchise Area 1 of the WPWMA service area, which receives solid waste collection services from Recology Auburn Placer.¹⁵

The WPWMA designed and built a Material Recovery Facility (MRF) to divert solid waste from being disposed at the landfill. A majority of the solid waste collected in western Placer County is first processed at the WPWMA MRF. The MRF recovers, processes, and markets recyclable materials from the waste stream. The MRF also processes source-separated wood waste and

¹³ San Juan Water District. *2015 Urban Water Management Plan* [pg. 6-3]. June 2016.

¹⁴ Northern California Water Association. *Drought resilience and conjunctive use in West Placer County: what more can (should?) be done?* 2017.

¹⁵ Placer County. *Solid Waste Franchise Areas*. September 24, 2013.

green waste and accepts separated recyclables, including electronics and other universal wastes (e.g. batteries and fluorescent lamps), at the recycling drop-off and buy-back center. The compost portion of the MRF has an annual processing capacity of 82,000 tons (averaged over the year and does not account for seasonal peaks). The MRF is permitted to have up to 75,000 cubic yards (approximately 37,500 tons) of compost material at the facility at any one time.

Residual waste from the MRF is transported to the Western Regional Sanitary Landfill (WRSL). The landfill is specified as a Class II/Class III non-hazardous site. Hazardous waste from households and Conditionally Exempt Small Quantity Generators is accepted at the Permanent Household Hazardous Waste Collection Facility (PHHWCF), located next to the MRF. Recovered materials are sold throughout the world, helping to conserve natural resources. Non-recyclable materials are sent to the landfill for disposal. The current space available, together with recovery efforts by the MRF, will delay the WRSL from reaching capacity.¹⁶ The WPWMA owns and oversees the operations of the WRSL, MRF, compost facility, and PHHWCF, which are located near SR 65, between Roseville and Lincoln, at the corner of Athens Avenue and Fiddymont Road. A private firm, under contract to WPWMA, manages the day-to-day operation of the facilities.

Permit Limits and Site Constraints

The 320-acre WRSL is permitted to accept 1,900 tons per day and 624 vehicles per day. Given that the WRSL currently receives an average of 1,077 tons per weekday, the remaining daily capacity of the facility is approximately 823 tons.¹⁷ The WRSL has a permitted design capacity of 36,350,000 cubic yards and, as of December 2017, has a remaining capacity of 24,468,271 cubic yards. According to the most recent Joint Technical Document available for the landfill, which was revised August 2017, the WRSL has a permitted lifespan extending to 2058 under current land use and development conditions.¹⁸

The MRF has a permitted processing limit of 1,750 tons per day.¹⁹ According to Placer County, for the fiscal year 2016-2017, the average weekday tonnage received at the MRF was 1,191 tons.²⁰ The MRF expanded in 2007, increasing its processing capacity of municipal solid waste and construction and demolition debris to 2,200 tons per day.²¹

¹⁶ Western Placer Waste Management Authority. *About WPWMA*. Available at: <http://www.wpwma.com/about-wpwma/>. Accessed March 2017.

¹⁷ Western Placer Waste Management Authority. *Comment Letter: Lincoln Meadows Draft Environmental Impact Report*. December 11, 2017.

¹⁸ Placer County Department of Facility Services, Environmental Engineering Division (Solid Waste). *EIR Guidance Document*. July 2014.

¹⁹ California Department of Resources Recycling and Recovery (CalRecycle). *Western Placer Waste Mgmt Authority MRF (31-AA-0001)*. Available at <http://www.calrecycle.ca.gov/SWFacilities/Directory/31-AA-0001/>. Accessed December 2017.

²⁰ Western Placer Waste Management Authority. *Comment Letter: Lincoln Meadows Draft Environmental Impact Report*. December 11, 2017.

²¹ Western Place Waste Management Authority. *Joint Technical Document* [pg. 2-5]. Revised August 2017.

11.3 REGULATORY CONTEXT

Many agencies regulate utilities and services systems. The following discussion contains a summary review of regulatory controls pertaining to utilities and service systems, including State and local laws and ordinances.

State Regulations

The following are the State environmental laws and policies relevant to utilities and service systems.

Urban Water Management Planning Act

In 1983, the California Legislature enacted the Urban Water Management Planning Act (Water Code Sections 10610 – 10656). The Act requires that every urban water supplier that provides water to 3,000 or more customers, or that provides over 3,000 acre-feet of water annually shall prepare and adopt an UWMP within a year of becoming an urban water supplier and update the plan at least once every five years. The Act specifies the content that is to be included in an UWMP, and states that urban water suppliers should make every effort to ensure the appropriate level of reliability in its water service sufficient to meet the needs of its various categories of customers during normal, dry, and multiple dry-years. The Act also states that the management of urban water demands and the efficient use of water shall be actively pursued to protect both the people of the State and their water resources.

Sustainable Groundwater Management Act

On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package, composed of AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley), collectively known as the SGMA. For the first time in its history, California was provided with a framework for sustainable, groundwater management - “management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results.”

The SGMA requires governments and water agencies of high- and medium-priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, such basins should reach sustainability within 20 years of implementing sustainability plans. For critically over-drafted basins, the deadline year is set at 2040. For the remaining high- and medium-priority basins, 2042 is the deadline. Through the Sustainable Groundwater Management Program, DWR provides ongoing support to local agencies through guidance and financial and technical assistance. SGMA empowers local agencies to form GSAs to manage basins sustainably and requires such GSAs to adopt GSPs for crucial groundwater basins in California.

California Integrated Waste Management Act - Assembly Bill 939

To minimize the amount of solid waste that must be disposed of by transformation (i.e., recycling) and land disposal, the State Legislature passed the California Integrated Waste Management Act of 1989 (AB 939), effective January 1990. According to AB 939, all cities and counties are required to divert 25 percent of all solid waste from landfill facilities by January 1, 1995, and 50 percent by January 1, 2000. Solid waste plans are required to explain how each city's AB 939 plan will be integrated within the respective county plan. The plans must promote (in order of priority) source reduction, recycling and composting, and environmentally safe transformation and land disposal. Cities and counties that do not meet this mandate are subject to \$10,000-per-day fines.

Senate Bill 1016

In 2007, SB 1016 amended portions of AB 939, which allows the California Integrated Waste Management Board (CIWMB) to use per capita disposal as an indicator in evaluating compliance with the requirements of AB 939. Jurisdictions track and report their per capita disposal rates to CalRecycle.

Assembly Bill 341

In 2011, AB 341 modified the California Integrated Waste Management Act and directed CalRecycle to develop and adopt regulations for mandatory commercial recycling. The resulting Mandatory Commercial Recycling Regulation (2012) requires that on and after July 1, 2012, certain businesses that generate 4 cubic yards or more of commercial solid waste per week shall arrange for recycling services. To comply with this requirement, businesses may either separate recyclables and self-haul them or subscribe to a recycling service that includes mixed waste processing. WPWMA's facility includes a Materials Recovery Facility (MRF), which is a mixed waste processing facility. This facility receives and sorts waste to recover recyclable materials, assisting Placer County in meeting the state's waste reduction goal (WPWMA 2017).

AB 341 (2011) also established a statewide recycling goal of 75 percent; the 50 percent disposal reduction mandate still applies for cities and counties under AB 939 (1989). This law also requires certain businesses to recycle. To comply with this requirement, businesses may separate their recyclables and self-haul them to a recycling facility, recycle on-site, or subscribe to a mixed waste process service that diverts recyclables. The WPWMA MRF receives and sorts commercial waste to recover recyclable materials and accepts source-separated recyclables. Recology, under contract with the County, also provides commercial recycling collection for some material types.

Assembly Bill 1826

AB 1826 (2014) requires certain business, beginning in 2016, to recycle their organic waste. The law also requires jurisdictions to develop and implement an organics recycling program. To comply with this requirement, businesses may separate their organic waste and self-haul it to an organics recycling facility, recycle on-site, or subscribe to a service that recycles organic waste. The WPWMA MRF receives and sorts commercial waste to recover organic materials, such as

green waste and wood waste, and accepts separated green waste and wood waste. Recology, under contract with the County, offers food waste recycling collection.

Senate Bill 605

SB 605 (2014) directed the California Air Resources Board (CARB) to develop a comprehensive Short-Lived Climate Pollutant (SLCP) strategy in coordination with CalRecycle and other state and local agencies to reduce statewide emissions of SLCPs. SB 1383 (2016) directed the CARB to approve and start implementing the SLCP strategy by 2018. Since methane is a SLCP produced from the decomposition of organic waste in landfills, the bill established targets to achieve a statewide 50-percent reduction in the level of the disposal of organic waste from the 2014 level by 2020, a 75-percent reduction in the level of the disposal of organic waste from the 2014 level by 2025, and no less than 20 percent recovery of edible food currently disposed by 2025. The bill required CalRecycle, in coordination with the CARB, to adopt regulations to achieve the organic waste reduction targets. The CARB approved a Short-Lived Climate Pollutant Strategy in 2017. CalRecycle is currently developing regulations.

California Building Standards Code

California Building Standards Code (Title 24) require that where a local jurisdiction has not adopted a more stringent construction and demolition (C&D) ordinance, certain construction activities are required to implement Section 5.408 of the CALGreen Code. Under Section 5.408, construction activities are required to recycle and/or salvage for reuse a minimum of 65 percent of their nonhazardous C&D waste as of January 1, 2017. Applicable projects are required to prepare and implement a Construction Waste Management Plan, which is submitted to the local jurisdiction prior to issuance of building permits. The WPWMA MRF accepts mixed and separated construction debris for recycling. Contractors may also separate and self-haul debris to a recycler of their choice. Recology, under contract with the County, provides debris box collection services to aid in the separation of recyclable debris.

Local Regulations

The following local goals and policies are applicable to the proposed project.

Placer County General Plan

The following applicable goals and policies related to utilities and service systems are from the Placer County General Plan.

- | | |
|--------------|--|
| Goal 4.A | To ensure the timely development of public facilities and the maintenance of specified service levels for these facilities. |
| Policy 4.A.2 | The County shall ensure through the development review process that adequate public facilities and services are available to serve new development. The County shall not |

approve new development where existing facilities are inadequate unless the following conditions are met:

- a. The applicant can demonstrate that all necessary public facilities will be installed or adequately financed (through fees or other means);
- b. The facilities improvements are consistent with applicable facility plans approved by the County or with agency plans where the County is a participant; and,
- c. The facilities improvements are designed and built to the current standards of the agency providing service.

Goal 4.C To ensure the availability of an adequate and safe water supply and the maintenance of high quality water in water bodies and aquifers used as sources of domestic supply.

Policy 4.C.1 The County shall require proponents of new development to demonstrate the availability of a long-term, reliable water supply. The County shall require written certification from the service provider that either existing services are available or needed improvements will be made prior to occupancy. Where the County will approve groundwater as the domestic water source, test wells, appropriate testing, and/or report(s) from qualified professionals will be required substantiating the long-term availability of suitable groundwater.

Policy 4.C.2 The County shall approve new development based on the following guidelines for water supply:

- a. Urban and suburban development should rely on public water systems using surface supply.
- b. Rural communities should rely on public water systems. In cases where parcels are larger than those defined as suburban and no public water system exists or can be extended to the property, individual wells may be permitted.
- c. Agricultural areas should rely on public water systems where available, otherwise individual water wells are acceptable.

Policy 4.C.6 The County shall promote efficient water use and reduced water demand by:

- a. Requiring water-conserving design and equipment in new construction;

- b. Encouraging water-conserving landscaping and other conservation measures;
- c. Encouraging retrofitting existing development with water-conserving devices; and,
- d. Encouraging water-conserving agricultural irrigation practices.

Goal 4.D The County shall require wastewater conveyance and treatment facilities that are sufficient to serve the Placer County General Plan proposed density of residential, commercial, and public/institutional uses in a way which protects the public and environment from adverse water quality or health impacts.

Policy 4.D.4 The County shall require developments needing new connections to construct wastewater conveyance facilities which are sized and located to provide sewer service based on permitted densities and applicable sewer shed area. Wastewater conveyance systems shall be designed for gravity flow. Where gravity conveyance systems are not feasible, the agency providing service may approve pumping service where a site specific engineering analysis demonstrates the long-term cost effectiveness of pumped facilities.

Policy 4.D.5 The County shall require developments needing new connections to pay their fair share of the cost for future public wastewater facilities which support development based on the Placer County General Plan. The fair share will be based on the demand for these facilities attributable to the new development.

Policy 4.D.6 The County shall promote efficient water use and reduced wastewater system demand by:

- a. Requiring water-conserving design and equipment in new construction as required in California law (AB 1881);
- b. Encouraging retrofitting with water-conserving devices; and
- c. Designing wastewater systems to minimize inflow and infiltration.

Policy 4.D.9 The County shall promote functional consolidation of wastewater facilities.

Policy 4.D.10 The County shall require all public wastewater facilities to be designed and built to the current standards of the agency providing service.

Goal 4.G To ensure the safe and efficient disposal or recycling of solid waste generated in Placer County.

Policy 4.G.1 The County shall require all new urban/suburban development, excluding rural development, to include provisions for solid waste collection.

Policy 4.G.7 The County shall require that all new development complies with applicable provisions of the Placer County Integrated Waste Management Plan.

Placer County Winery Ordinance

Section 17.56.330 of the Placer County Code contains the County's Winery Ordinance, as approved in 2008. The Winery Ordinance contains specific standards related to water use and waste discharge at wineries. Per Section 17.56.330(D)(4), if a winery is served by well water and there are more than 25 people on-site in a 60-day period, employees and guests must be provided with bottled water for consumption, unless otherwise approved by the County Environmental Health Division. Well water must meet potable water standards for the purposes of dishwashing and hand washing. Per Section 17.56.330(D)(5)(c), if public sanitary sewer is not available, on-site sewage disposal systems at wineries must be designed in compliance with Chapter 8.24 of the Placer County Code and sized to accommodate employee, tasting room, and commercial sewage flows. Portable toilets may be approved by the County Environmental Health Division for temporary and promotional events.

Regional Water Quality Control Board Resolution No. R5-2015-0005 Waiver of Waste Discharge Requirements for Small Food Processors, Wineries and Related Agricultural Processors Within the Central Valley Region

Central Valley Regional Water Quality Control Board (CVRWQCB) Resolution No. R5-2015-0005 waives the requirement to obtain WDRs for small food processor dischargers who comply with specific terms and conditions and who receive a waiver notification signed by the Executive Officer. Discharges authorized under the waiver are grouped into three regulatory tiers based on the wastewater management practices employed and the amount of waste discharged to land. Wastewater and residual solids storage and land application methods must comply with the established Specific and General Conditions listed in Resolution No. R5-2015-0005.

11.4 IMPACTS AND MITIGATION MEASURES

The following section describes the standards of significance and methodology used to analyze and determine the proposed project's potential impacts related to utilities and service systems. In addition, a discussion of the project's impacts, as well as mitigation measures where necessary, is also presented.

Standards of Significance

Consistent with Appendix G of the CEQA Guidelines and the County's Initial Study Checklist, the effects of a project are evaluated to determine if they would result in a significant adverse impact on the environment. For the purposes of this EIR, an impact is considered significant if the proposed project would:

- Require or result in the relocation or construction of new or expanded water or wastewater delivery, collection or treatment facilities, the construction or relocation of which could cause significant environmental effects;
- Require or result in the construction of new on-site sewage systems;
- Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;
- Have sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry and multiple dry years;
- Require sewer service that may not be available by the area's waste water treatment provider;
- Result in significant adverse impacts related to project energy requirements;
- Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with all applicable laws; or
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Issues Not Discussed Further

The proposed Zoning Text Amendment would allow for an increased number of events at existing wineries/farm breweries within the County; however, such events would not include the creation of impervious surfaces or otherwise increase stormwater runoff associated with existing facilities. As such, the project would not be expected to result in the construction of new storm water drainage facilities. For the aforementioned reasons, the Initial Study (see Appendix D) prepared for the proposed project determined that implementation of the Zoning Text Amendment would result in a less-than-significant impact related to the following, and, accordingly, such topics are not discussed further:

- Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Method of Analysis

Determinations of the significance of the proposed project's impacts were made based on the ability of the existing utilities to accommodate Agricultural Promotional Events and Special

Events allowed by right, using the above significance criteria. The specific methodology used to calculate water and wastewater demand is described below.

Water Demand

The water demand calculations for the existing study facilities focused on the potential water demand increase associated with events allowable under the proposed Zoning Text Amendment. The methodology used to calculate water demand is as follows (from Chapter 3, Project Description, of this EIR):

- Duration of Winery/Farm Brewery Peak Season of Activity is seven months, or 35 total weeks.
- Up to two events per day occur three days per week (Friday, Saturday, and Sunday), for a total of 210 events.

For additional parameters, medium- and large-parcel size facilities need to be considered separately, as follows:

Medium Winery/Farm Brewery (Annual)

- Six 100-person Special Events;
- 196 50-person Agricultural Promotional Events; and
- Eight Rolling Agricultural Promotional Events (no more than 50 people at one time, but assumes the event turns over three times for total attendance of 150 people).

Large Winery/Farm Brewery (Annual)

- 12 200-person Special Events;
- 190 50-person Agricultural Promotional Events; and
- Eight Rolling Agricultural Promotional Events (no more than 50 people at one time, but assumes the event turns over three times for total attendance of 150 people).

Rates for water demand per event guest were based on Napa County standard rates provided in their guidance document for Water Availability Analysis.²²

Wastewater

Wastewater generation estimates were based on consultation with Lindbloom Septic Design, Inc. and a review of wastewater generation associated with existing wineries in the project region.

²² Napa County. *Water Availability Analysis (WAA)*. Adopted May 12, 2015.

Project Impacts and Mitigation Measures

The following discussion of impacts is based on the implementation of the proposed project in comparison with the standards of significance identified above.

11-1 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. Based on the analysis below, the impact is *less than significant*.

As discussed above, with the exception of Casque at Flower Farm, which receives sewer service from the Placer County Facilities Services Department, Environmental Engineering and Utilities, the existing study facilities within the County are connected to private septic systems. The following sections provide an analysis of potential increases in demand occurring on such septic systems as a result of the proposed project, as well as the wastewater infrastructure which serves Casque at Flower Farm. It should be noted that wastewater generation directly associated with the wine/beer-making process would not increase as a result of the Zoning Text Amendment, as wine and beer production would not be expected to increase as a result of allowance to hold a greater number of events. Rather, any increase in wastewater generation would be limited to wastewater from tasting room and event facilities.

Septic Systems

Agricultural Promotional Events and Special Events enabled by the proposed project would increase demand on septic systems at existing study facilities. Based on consultation with Lindbloom Septic Design, Inc.,²³ as well as a review of studies prepared for septic systems for existing wineries in the region,²⁴ each event would generate wastewater at a rate of approximately five gallons per attendee. Per Lindbloom Septic Design, Inc., septic systems are designed to accommodate peak flows that would be handled by the system, rather than the total daily or monthly flows. Such design requirements reflect the fact that sewage discharged into a septic system is able to infiltrate the associated leachfield between event occurrences.

The maximum event size allowable under the proposed Zoning Text Amendment would be 200 attendees for large parcel-sized facilities (during Special Events) and 150 attendees for medium parcel-sized facilities (during Rolling Agricultural Promotional Events). As discussed in Chapter 10, Transportation and Circulation, of this EIR, this analysis assumes that under a worst-case scenario, medium parcel-sized study facilities could host one regular Agricultural Promotional Event and one Rolling Agricultural Promotional Event during the same day, resulting in a total of 200 daily attendees. Large

²³ Lindbloom, Marc, R.E.H.S., Lindbloom Septic Design, Inc. Personal communication [phone] with Nick Pappani, Vice President, Raney Planning & Management, Inc. September 27, 2018.

²⁴ For example, Applied Civil Engineering, Inc. *Onsite Wastewater Disposal Feasibility Study for the Titus Winery*. October 2, 2013.

parcel-sized facilities could host one regular Agricultural Promotional Event and one Special Event during the same day, resulting in a total of 250 daily attendees.

Therefore, in order to accommodate peak wastewater flows associated with events at the existing study facilities, a minimum septic tank size of 1,250 gallons is required for large parcel-sized facilities, and a minimum tank size of 1,000 gallons is required for medium parcel-sized facilities. Of the nine existing study facilities which are not connected to a public sewer system, five include septic tanks greater than or equal to 1,250 gallons, and thus, could accommodate the peak wastewater flows generated by a maximum attendance event that could occur under the Zoning Text Amendment. The remaining four facilities do not have septic systems capable of accommodating the maximum attendance event allowable under the proposed Zoning Text Amendment.

It is in the best interest of the owners of such facilities to manage events proportional to the limitations of their wastewater systems. Specifically, the operators would either limit attendance based on the capacity of the existing septic system, or provide portable toilets on-site during events. If a commercial septic system fails, the facility is considered non-operational per the Placer County Environmental Health Department and the owner must repair/replace the system to ensure public safety. The public may not enter the site until adequate repairs are made and safety of the site is restored.

Dry Creek WWTP

Only Casque at Flower Farm is connected to a public sewer system. Thus, this discussion is appropriately focused on the potential wastewater treatment needs associated with events at Casque at Flower Farm. Based on consultation with Lindbloom Septic Design, Inc., average wastewater generation associated with the type of events allowable under the proposed Zoning Text Amendment is approximately five gallons per attendee per event.²⁵ As discussed in greater detail below, the total estimated annual attendance for Casque at Flower Farm would be approximately 11,600 patrons. Thus, Agricultural Promotional Events and Special Events at the facility would result in approximately 0.058 million gallons per year (mgd) of wastewater (11,600 attendees/year X 5 gallons/attendee), or 0.00016 mgd.

Sewer treatment within the SMD 3 service area is provided at the Dry Creek Wastewater Treatment Plant (Dry Creek WWTP), which is located within the southern edge of the City of Roseville. The WWTP has a permitted ADWF of 18 mgd and a PWWF of 45 mgd.²⁶ As of 2016, the Dry Creek WWTP was operating at approximately 50 percent of the WWTP's permitted flow, with an ADWF of 9 mgd, and a PWWF under 25 mgd.²⁷ Therefore, the Dry Creek WWTP would have adequate capacity to accommodate the

²⁵ Lindbloom, Marc, R.E.H.S., Lindbloom Septic Design, Inc. Personal communication [phone] with Nick Pappani, Vice President, Raney Planning & Management, Inc. September 27, 2018.

²⁶ City of Roseville. *City of Roseville General Plan 2035*. August 17, 2016.

²⁷ *Ibid.*

0.00016 mgd of additional wastewater that could be generated at Casque at Flower Farm as a result of the proposed project in addition to the WWTP's existing commitments.

The Dry Creek WWTP discharges tertiary treated effluent to Dry Creek under an existing NPDES permit. The NPDES permit includes Waste Discharge Requirements, which include stringent effluent limitations for ammonia, aluminum, cadmium, carbon tetrachloride, cyanide, dibromochloromethane, dichlorobromomethane, iron, manganese, mercury, total chlorine residual, and zinc. Dry Creek WWTP is currently in compliance with all existing permitting, and, thus, effluent meets the RWQCB requirements within the NPDES permit. By permitting the Dry Creek WWTP for a maximum ADWF of 18 mgd and a PWWF of 45 mgd, the RWQCB has determined that the Dry Creek WWTP can treat the foregoing volume of wastewater without exceeding the NPDES discharge requirements. Considering that the Dry Creek WWTP has adequate capacity to serve the additional wastewater generation at Casque at Flower Farm, in addition to the provider's existing commitments, the proposed Zoning Text Amendment would not result in the Dry Creek WWTP exceeding permitted capacity or the RWQCB's treatment requirements.

Conclusion

Based on the above, the additional wastewater generation that could occur at the existing study facilities as a result of the proposed Zoning Text Amendment would either be accommodated by existing wastewater treatment systems or, for facilities which do not include sufficiently-sized septic systems, be managed in accordance with the facilities' existing limitations. As noted previously, it is in the best interest of the owners of such facilities to manage events proportional to the limitations of their wastewater systems; if a commercial septic system fails, the public is prohibited from entering the site until adequate repairs are made and safety of the site is restored. Therefore, the proposed project would 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, and a *less-than-significant* impact would result.

Mitigation Measure(s)

None required.

- 11-2 Require or result in the relocation or construction of new or expanded water or wastewater delivery, collection or treatment facilities, the construction or relocation of which could cause significant environmental effects, or require or result in the construction of new on-site sewage systems. Based on the analysis below, the impact is less than significant.**

The following sections provide a discussion of additional demands on water and wastewater conveyance infrastructure that could occur as a result of the proposed project at existing study facilities.

Water Conveyance Infrastructure

The currently adopted Winery Ordinance requires the facility owner to provide bottled water for consumption if more than 25 people in a 60-day period are served, unless otherwise approved by the County Environmental Health Division. The proposed project would clarify potable water standards in accordance with State regulations. For example, if a facility serves more than 24 people daily, 60 days or more per year, then a public water system shall be required, pursuant to Section E.7 of the proposed Zoning Text Amendment and the California Safe Drinking Water Act (Section 116275 of the California Health and Safety Code).

The type of public water system required would be a Transient-Noncommunity water system, which includes restaurants, campgrounds, small wineries, motels and other non-residential facilities. Such a public water system requires a permit from the SWRCB, Division of Drinking Water. Consequently, existing study facilities seeking to host more than 24 people daily, 60 days or more per year, as result of the proposed Zoning Text Amendment, would be required to install a public water system and obtain a permit from the SWRCB. Any new public water wells would need to be constructed in accordance with the California Department of Water Resources Bulletin 74-81, “Water Well Standards, State of California.” If a new public water system is required, the existing study facility owner would select a location and design a system with oversight from the County Environmental Health Department in compliance with Article 13.08, Water Wells, of the Placer County Code and applicable State water well requirements. New public wells are not generally drilled near existing wells in order to avoid hydraulic conductivity between the two wells. Rather, for existing study facilities that would require installation of a new public well, the well would be drilled at a separate location on the subject property, subject to approval by the County Environmental Health Department. County review of future public well plans and required compliance with applicable local and State regulations related to well installation would ensure that adverse environmental effects associated with such would be avoided. Therefore, Agricultural Promotional Events and Special Events occurring at existing study facilities as a result of the proposed project would not require or result in the construction of new water delivery, collection or treatment facilities or expansion of existing facilities such that significant environmental effects would occur.

Wastewater Conveyance

As noted under Impact 11-1 above, with the exception of Casque at Flower Farm, which receives sewer service from the Placer County Facilities Services Department, Environmental Engineering and Utilities, the existing study facilities within the County are connected to private septic systems. The proposed Zoning Text Amendment would not result in the construction of new wastewater conveyance infrastructure; rather, increased wastewater generation occurring at such facilities during Agricultural Promotional Events and Special Events would be accommodated by existing septic systems or, in the case of Casque at Flower Farm, existing SMD 3 wastewater conveyance infrastructure. As discussed previously, only four of the existing study

facilities do not include on-site septic systems capable of managing wastewater from larger events allowable under the proposed Zoning Text Amendment; such facilities would be required to either provide on-site portable toilets during events or restrict attendance based on septic system capacity.

Conclusion

Based on the above, the proposed project would not require or result in the relocation or construction of new or expanded water or wastewater delivery, collection or treatment facilities, the construction or relocation of which could cause significant environmental effects, or require or result in the construction of new on-site sewage systems. Therefore, a *less-than-significant* impact would occur.

Mitigation Measure(s)

None required.

- 11-3 Have sufficient water supplies available to serve the project and reasonably foreseeable development during normal, dry and multiple dry years; or substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Based on the analysis below, the impact is *less than significant*.**

The proposed Zoning Text Amendment would allow the existing study facilities to hold an unlimited number of Agricultural Promotional Events, and for the two existing facilities on parcels greater than 20 acres, a total of 12 Special Events per year. A total of six Special Events would be permitted at medium parcel-sized study facilities. Chapter 10, Transportation and Circulation, includes a detailed discussion of the total number of visitors anticipated to attend each event and the number of events anticipated to occur every year. As noted therein, a portion of the Agricultural Promotional Events would be Rolling Agricultural Promotional Events, wherein attendees come and go over the course of the event (rolling events). The 50-person occupancy associated with a Rolling Agricultural Promotional Event has been assumed to turn over three times at a rolling event. The total number of Agricultural Promotional Events, Rolling Agricultural Promotional Events, and Special Events that have been assumed to occur at existing study facilities are discussed in the Method of Analysis section of this Chapter.

Agricultural Promotional Events (including Rolling Agricultural Promotional Events) and Special Events would result in an increase in demand for water supplies beyond what currently occurs under the adopted Winery Ordinance. Existing water use associated directly with the wine/beer production process would not be affected by the proposed Zoning Text Amendment. The relatively small quantity of wine/beer purchased and consumed during Agricultural Promotional Events and Special Events would not necessitate an associated increase in production levels at the existing study facilities, as mass quantities are not typically consumed at such events.

Typical water usage for winery events and marketing with on-site catering is approximately 15 gallons per event per visitor.²⁸ Table 11-1 below provides a summary of the estimated net increase in yearly water demand that could occur with implementation of the proposed project. As shown in the table, the project could result in an increase in water demand of up to 1.786 mgy. It is important to note that actual water demands would likely be considerably less, as the existing study facilities would likely host fewer than 202 Agricultural Promotional Events and Rolling Agricultural Promotional Events per year. In addition, this analysis does not account for events that can already be held at existing study facilities under the adopted Winery Ordinance, as it is difficult to accurately estimate water demand from such events in the absence of defined attendance limits. Typically, under CEQA, an EIR is only required to analyze the change from existing conditions. However, this analysis assumes a worst-case scenario, which provides a worst-case estimate.

As noted previously, Goathouse Brewery is located within the NASb of the Sacramento Valley Groundwater Basin, which is characterized as a High Priority Basin under the SGMA. However, the NASb is not identified by the DWR as being in a state of overdraft.²⁹ As of 2004, the groundwater body water balance for the basin was positive, indicating that inflows to the subbasin exceeded outflows.³⁰ According to the Northern California Water Association, the eastern portion of the subbasin is interconnected with permeable soils near the ground surface within the mountainfront area, which allows small streams in the Sierra Nevada foothills to contribute large amounts of recharge to groundwater aquifers. Along the foothills of the Sierra, many wells never declined at all due to the recent 2016 drought and the 2017 rains, along with reduced pumping, filled aquifers above where they were prior, if not higher.³¹

As shown in Table 11-1, the estimated annual water demand associated with events at Goathouse Brewery would be approximately 0.174 mgy, which is relatively modest relative to the overall capacity of the NASb and the existing water demands of the region. Therefore, adequate groundwater supplies would be available to meet the increase in demand created by the additional Agricultural Promotional Events allowed at Goathouse Brewery under the proposed Zoning Text Amendment.

²⁸ Napa County. *Water Availability Analysis (WAA)* [pg. 19]. Adopted May 12, 2015.

²⁹ San Juan Water District. *2015 Urban Water Management Plan* [pg. 6-3]. June 2016.

³⁰ West Placer County Groundwater Management Plan Partners. *Western Placer County Sustainable Yield, Appendix A, Western Placer County Groundwater Balances and Storage Estimates* [pg. 46]. July 2013.

³¹ Northern California Water Association. *Drought resilience and conjunctive use in West Placer County: what more can (should?) be done?* 2017.

**Table 11-1
Net Increase in Water Demand (Annual)**

Winery/Farm Brewery Facility	Rolling Agricultural Promotional Events		Agricultural Promotional Events		Special Events		Total Attendees	Water Demand/Attendee (gal)	Addnl. Water Demand (mgd)
	Events/yr	Max. Attendees	Events/yr	Max. Attendees	Events/yr	Max. Attendees			
Dono dal Cielo Vineyard and Winery	8	150	190	50	12	200	13,100	15	0.197
Lone Buffalo Vineyards	8	150	196	50	6	100	11,600	15	0.174
Rancho Roble Vineyards	8	150	196	50	6	100	11,600	15	0.174
Vina Castellano Winery	8	150	196	50	6	100	11,600	15	0.174
Wise Villa Winery & Bistro	8	150	196	50	6	100	11,600	15	0.174
Ciotti Cellars	8	150	196	50	6	100	11,600	15	0.174
Mt. Vernon Winery	8	150	190	50	12	200	13,100	15	0.197
Casque at Flower Farm	8	150	196	50	6	100	11,600	15	0.174
Goathouse Brewery	8	150	196	50	6	100	11,600	15	0.174
Hillenbrand Farmhaus Brewery	8	150	196	50	6	100	11,600	15	0.174
Total:							119,000		1.786

The remaining nine existing study facilities are located within the Sierra Nevada Regional Study Unit. Most of the Sierra Nevada, including the Study Unit, consists of granitic and metamorphic rocks. Fractures in such rocks can contain groundwater. The fracture systems may be interconnected or isolated, resulting in variability in water levels, well yields, and water quality on local and regional scales.³² Because groundwater systems in the Sierra Nevada Regional Study Unit may be discontinuous, drawdown of groundwater levels in one well is less likely to affect groundwater levels in neighboring wells in the area. Furthermore, the maximum net increase in water demand occurring as a result of the events enabled by the proposed Zoning Text Amendment would be 0.174 mgd for each medium parcel-sized facility and 0.197 for each large parcel-sized facility. Such increases in water use would be relatively modest. Therefore, adequate groundwater supplies would be available to meet the increase in demand created by the Agricultural Promotional Events and Special Events allowed at the nine existing study facilities under the proposed Zoning Text Amendment using wells within fractured-rock aquifers.

Based on the above, with implementation of the proposed Zoning Text Amendment, sufficient water supplies would be available to serve the existing study facilities. In addition, the implementation of the proposed Zoning Text Amendment would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management. Thus, a *less-than-significant* impact would occur. It is noted that water supplies needed to serve reasonably foreseeable development, in conjunction with the proposed project, is evaluated in Impact 12-11 of Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR.

11-4 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, or fail to comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Based on the analysis below, the impact is *less than significant*.

Most solid waste collected in unincorporated Placer County is delivered to the WPWMA MRF where waste is processed, recyclables are recovered, and residuals are disposed. As a result of the proposed project, Agricultural Promotional Events and Special Events occurring at existing wineries and farm breweries within the County could increase the operational solid waste generation associated with such facilities. Solid waste collection services would be provided by Recology Auburn Placer and the WRSL and MRF.

As described above, the 320-acre WRSL has a remaining capacity of 24,468,271 cubic yards,³³ a maximum daily throughput of 1,900 tons, and a permitted lifespan extending to

³² U.S. Geological Service. *Groundwater Quality in the Sierra Nevada, California*. December 2014.

³³ Western Placer Waste Management Authority. *Comment Letter: Lincoln Meadows Draft Environmental Impact Report*. December 11, 2017.

2058.³⁴ The remaining daily capacity of the facility is approximately 823 tons. The MRF has a permitted processing limit of 2,200 tons per day and 1,014 vehicles per day. The average weekday tonnage received at the MRF for 2016/2017 was 1,191 tons, which is 1,009 tons per day less than the permitted amount.³⁵ Considering the remaining daily capacity at the MRF is 1,009 tons, the MRF has a remaining annual capacity of at least 368,285 tons.

According to a targeted waste characterization study prepared by the California Environmental Protection Agency (CalEPA) Integrated Waste Management Board, public venues and events typically result in a waste disposal rate of approximately 172 pounds per 100 visitors. Based on a conservative estimate of 119,000 additional event attendees per year (see Table 11-1), the Agricultural Promotional Events and Special Events occurring as a result of the proposed project would be expected to produce approximately 102.23 tons of solid waste annually, or approximately 0.28 tons per day. The project's anticipated daily production would represent approximately 0.034 percent of the WRSL's remaining daily capacity and approximately 0.028 percent of the MRF's remaining daily capacity. Therefore, the project would not be considered to contribute significant amounts of waste to the WRSL or the MRF, and both facilities have sufficient capacity to handle the estimated increase in waste generation resulting from the project.

Based on the above, solid waste generated as a result of the proposed Zoning Text Amendment would not exceed the permitted capacity of the WRSL and MRF; as a result, the proposed project would be served by a landfill with adequate capacity and a *less-than-significant* impact would result.

Mitigation Measure(s)

None required.

³⁴ Western Placer Waste Management Authority. *About WPWMA*. Available at <http://www.wpwma.com/about-wpwma/>. Accessed March 2017.

³⁵ Western Placer Waste Management Authority. *Joint Technical Document* [pg. 2-5]. Revised August 2017.

12. CUMULATIVE IMPACTS AND OTHER CEQA SECTIONS

12

CUMULATIVE IMPACTS AND OTHER CEQA SECTIONS

12.1 INTRODUCTION

The Cumulative Impacts and Other CEQA Sections chapter of the EIR includes discussions regarding those topics that are required to be included in an EIR, pursuant to the CEQA Guidelines Section 15126.2. The chapter includes an evaluation of the project’s contribution toward cumulative impacts for each environmental topic evaluated in Chapters 4 through 11 of this EIR, as well as discussions of the project’s significant irreversible environmental changes, significant environmental effects which cannot be avoided, and growth-inducing impacts.

12.2 CUMULATIVE IMPACTS

CEQA Guidelines Section 15130 requires that an EIR discuss the cumulative and long-term effects of the proposed project that adversely affect the environment. “Cumulative impacts” are defined as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts” (CEQA Guidelines Section 15355; see also Pub. Resources Code, Section 21083, subd. [b]). Stated another way, “[...] a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts.” (CEQA Guidelines Section 15130, subd. [a][1])

“[I]ndividual effects may be changes resulting from a single project or a number of separate projects.” (CEQA Guidelines Section 15355, subd. [a]) “The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.” (CEQA Guidelines Section 15355, subd. [b])

The need for cumulative impact assessment reflects the fact that, although a project may cause an “individually limited” or “individually minor” incremental impact that, by itself, is not significant, the incremental effect may be “cumulatively considerable” and, thus, significant when viewed together with environmental changes anticipated from past, present, and probable future projects (CEQA Guidelines Section 15064, subd. [h(1)], Section 15065, subd. [c], and Section 15355, subd. [b]). This formulation indicates that particular impacts may be less-than-significant on a project-specific basis, but significant on a cumulative basis, because their small incremental contribution, viewed against the larger backdrop, is cumulatively considerable.

The lead agency should define the relevant geographic area of inquiry for each impact category (id., Section 15130, subd. [b][3]), and should then identify the universe of “past, present, and probable future projects producing related or cumulative impacts” relevant to the various

categories, either through the preparation of a “list” of such projects or through the use of “a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact” (id., subd. [b][1]).

The possibility exists that the “cumulative impact” of multiple projects will be significant, but that the incremental contribution to that impact from a particular project may not itself be “cumulatively considerable.” Thus, CEQA Guidelines Section 15064, Subdivision (h)(5) states, “[...] the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project’s incremental effects are cumulatively considerable.” Therefore, it is not necessarily true that, even where cumulative impacts are significant, any level of incremental contribution must be deemed cumulatively considerable.

In accordance with CEQA Guidelines section 15130(b), “the discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone.”

Cumulative Setting

All future winery/farm brewery applications would be subject to the proposed Winery and Farm Brewery Zoning Text Amendment. Under the proposed project, future facilities on medium- and large-sized parcels would now be afforded the ability to host an unlimited number of Agricultural Promotional Events, and medium and large parcel-size wineries/breweries would be afforded the ability to host a limited number of Special Events each year. As a result, this EIR will evaluate the potential environmental effects associated with the ability to conduct Agricultural Promotional Events and Special Events at future wineries/farm breweries subject to the proposed project. Potential environmental effects associated with events at existing facilities are analyzed in Chapters 1 through 11 of this EIR.

However, this EIR is not required to evaluate the physical environmental effects of construction of new facilities, because the Zoning Text Amendment would not result in the direct development of additional medium or large wineries/farm breweries, as they are already permitted by-right in certain zones, and the project is not expanding the number of zones where by-right development can occur.

As noted in Chapter 3, Project Description, of this EIR, the County has assumed, based on recent growth trends within Placer County and other nearby counties, an annual growth rate of 1.5 new facilities per year for wineries or farm breweries. Consistent with industry standard practice, the cumulative study period for this EIR is 20 years. Assuming 1.5 new facilities per year, the total cumulative growth evaluated in this EIR equates to 30 future facilities.

In order to provide a conservative, worst-case analysis of this Zoning Text Amendment’s potential cumulative impacts, this EIR assumes that future winery/farm brewery growth will be concentrated in western Placer County, in and around the areas where current facilities are

located. This will result in greater combined, related effects as the majority of future facilities would be nearer to one another, as well as existing facilities, thus increasing the intensity of combined effects, such as vehicle traffic, roadway noise, etc. In contrast, if the EIR were to assume that future facilities would be spread throughout the County, separate from one another, their effects would be more isolated, and thus, potentially underestimated. As further discussed in Chapter 3, Project Description, of this EIR, assuming that future winery/farm brewery growth would be concentrated in western Placer County, accords well with the geographical and climatic characteristics of western Placer County and their conduciveness to high quality grape growth.

As a component part of the EIR winery/farm brewery growth analysis, Placer County identified unofficial “sub-regions” where winery and farm brewery growth is primarily anticipated to occur in western Placer County over the 20-year cumulative horizon (see Figure 3-2 of Chapter 3, Project Description, of this EIR). While the sub-region boundaries generally follow the established boundaries of the County’s Municipal Advisory Councils (MACs), select adjustments have been made to better reflect the concentrations of existing wineries and follow the primary access roads to these areas. The sub-regions anticipated to experience the greatest growth in wineries and farm breweries in the County are as follows:

- North Wise Road;
- South Wise Road;
- Newcastle/Ophir;
- Northwest Auburn; and
- Horseshoe Bar/Penryn.

Table 12-1 below, presents the allocation of future facilities within the foregoing sub-regions.

For cumulative traffic purposes, because the winery/farm brewery sub-regions are rural with relatively limited development prospects, Placer County assumed a uniform annual growth rate of 2.0 percent on each roadway segment, based upon review of regional traffic model forecasts. This growth rate is in addition to the cumulative winery and farm brewery growth discussed above. Refer to the Transportation and Circulation section of this chapter for more detail. The resulting 20-year growth factor (i.e., 1.49) has been applied to the traffic volume on each roadway and at study intersections.

The limited reasonably foreseeable projects included in the cumulative analysis consist of the proposed Hidden Falls Regional Park Expansion and the Sierra College Boulevard/SR 193 Retail Center.

The County recognizes that this Zoning Text Amendment applies countywide, and thus, one or more future wineries or farm breweries could be developed outside of the sub-regions listed in Table 12-1 and shown in Figure 3-2 of the Project Description chapter. However, the County further recognizes that even if future facilities were to be established outside of these sub-regions, potential future facilities outside of the foregoing sub-region would most likely occur in relatively remote locations, where additional by-right events allowable at the facility under this Zoning Text Amendment would produce isolated effects. For example, as shown in Figure 3-2,

within Chapter 3, of this EIR, existing population centers within the unincorporated County have very few parcels with the proper zoning to accommodate by-right development and operation of future facilities. The population centers and immediate environs are dominated by Residential-Agriculture zoning, wherein any winery or farm brewery would require a Minor Use Permit (MUP).

**Table 12-1
Winery/Farm Brewery Growth by Sub-Region**

Winery Sub-Region	Existing Med/Large (parcel-size) Facilities	% of Existing Med/Large Facilities per Sub-Region¹	Future Growth Allocation by Sub-Region²	Allocation of Large Facilities by Sub-Region³
North Wise Road	2	20%	6	2
South Wise Road	4	40%	12	4
Newcastle/Ophir	1	10%	3	0
Northwest Auburn	2	20%	6	2
Horseshoe Bar/Penryn	1	10%	3	0
Total	10	100%	30	8
¹ Percentages calculated as follows: # in sub-region/total number med/large. For example: 2 (North Wise)/10 (total facilities) = 20%. ² The percentage of existing medium/large facilities in each sub-region is used to estimate how many of the 30 future facilities would reasonably be expected to occur within each sub-region. For example, the South Wise Sub-Region contains 40% of the total number of existing facilities - assuming 40% of the 30 future facilities would occur within the South Wise Sub-Region results in a total 12 additional facilities. ³ The total of eight (8) future large facilities is included in the overall total of 30 wineries/farm breweries. The methodology is as follows. Approximately 20% (2/10) of the existing med/large facilities are located on large parcel sizes – this analysis uses a slightly more conservative assumption of 25%. Assuming 25% of the 30 future facilities would occur on large parcel sizes results in a total of approximately eight (8) future large facilities. Currently, one (1) large parcel size winery is located in the North Wise Sub-Region and one (1) large parcel size winery is located in the South Wise Sub-Region. Using this data to allocate the eight (8) future large facilities would result in four (4) in North Wise and four (4) in South Wise. However, rather than allocating four (4) future large facilities to South Wise, two (2) of these were allocated to Northwest Auburn given the abundance of 20+ acre parcels in this Sub-Region, and the fact that this Sub-Region also contains 20% of the existing facilities, similar to the North Wise Sub-Region.				

As noted above, the proposed Zoning Text Amendment would not directly induce the development of additional medium or large wineries/farm breweries, as they are already permitted by-right in certain zones, and the project is not expanding the number of zones where by-right development can occur. Rather, the proposed project would redefine “event” to distinguish between Agricultural Promotional Events and Special Events. Agricultural Promotional Events would include events with 50 attendees or less at one time and would be directly related to the education and marketing of wine and craft beer to consumers. Special Events would include events with greater than 50 attendees at one time, but not more than 200, attendees, where the agricultural-related component is subordinate to the primary purpose of the event. The number of allowable attendees at any Special Event would be scaled based on the size of the particular facility holding the event. Considering that the proposed Zoning Text Amendment would not directly induce development of additional wineries/farm breweries and would instead result in greater flexibility regarding events at such facilities, the cumulative analysis presented within this chapter focuses on the potential for greater event flexibility at future and existing facilities to result in environmental impacts.

While the majority of the cumulative analysis within this chapter focuses on the geographic setting of the grape growing sub-regions of western Placer County listed above, limited situations exist where the geographic setting differs. For example, the geographic setting for air quality is the Sacramento Valley Air Basin (SVAB). Global climate change is, by nature, a cumulative impact. Emissions of GHG contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change (e.g., sea level rise, impacts to water supply and water quality, public health impacts, impacts to ecosystems, impacts to agriculture, and other environmental impacts). A single project could not generate enough GHG emissions to contribute noticeably to a change in the global average temperature. However, the combination of GHG emissions from a project in combination with other past, present, and future projects could contribute substantially to the world-wide phenomenon of global climate change and the associated environmental impacts. Although the geographical context for global climate change is the Earth, for analysis purposes under CEQA, and due to the regulatory context pertaining to GHG emissions and global climate change applicable to the proposed project, the geographical context for global climate change in this EIR is limited to the State of California.

For environmental resource areas that have a different cumulative setting from that discussed above, the specific cumulative setting for that resource area is presented along with the cumulative impact discussion in the relevant section below.

Cumulative Impacts and Mitigation Measures

The technical chapters of this EIR (Chapters 4 through 11) describe the Existing Environmental Setting, Regulatory Context, and Impacts and Mitigation Measures, while the Cumulative Impacts and Other CEQA Sections chapter of the EIR includes cumulative analyses as shown below. As stated above, GHG emissions and global climate change is, by nature, a cumulative impact. Thus, the proposed project's impacts related to GHG emissions and global climate change are included in this chapter.

Agricultural Resources

Table 12-2 below provides a summary of the total amount of land characterized as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland within each of the winery/farm brewery sub-regions in western Placer County. In addition, the table provides a summary of the total amount of land zoned for agricultural uses. As shown in Table 12-2, all of the five sub-regions where future winery/farm brewery growth is anticipated to occur currently include land characterized as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program (FMMP). Only approximately 19 percent of the Farm (F), Agricultural Exclusive (AE), and Forest (FOR) zoned areas of the South Wise Road sub-region, within which the greatest amount of future winery/farm brewery growth is assumed to occur, is currently characterized as Prime Farmland (574.59 acres), Unique Farmland (1,085.95 acres), and Farmland of Statewide Importance (264.12 acres).

**Table 12-2
Existing Agricultural Resources Within Winery/Farm Brewery Sub-Regions**

Winery/Farm Brewery Sub- Regions	Total Prime Farmland (acres)	Total Farmland of Statewide Importance (acres)	Total Unique Farmland (acres)	Total Land Zoned for Agriculture (F, AE, FOR) (acres)	Total Land Zoned for Residential Agriculture (RA, RF) (acres)	Williamson Contracts (acres)	Number of Existing Wineries/ Farm Breweries*	Wine Grape Cultivation (acres)	Hop Cultivation (acres)
North Wise	2,355.93	488.36	328.21	28,747.01	0.00	4,985.65	4	7.16	0.00
South Wise	574.59	264.12	1,085.95	10,093.92	10.59	776.27	4	30.16	2.18
Newcastle/Ophir	80.68	129.89	74.25	8381.78	3,325.85	579.37	2	10.86	0.00
Horseshoe Bar/Penryn	115.47	1,180.70	269.18	3,044.54	14,473.93	360.13	2	47.18	0.00
Northwest Auburn	0.00	91.50	234.25	17,762.39	696.69	3,148.69	3	48.72	0.00
Total:	3,126.67	2,154.57	1,991.84	68,029.64	18,507.06	9,850.11	15	144.08	2.18
* Includes small, medium, and large parcel-sized wineries and farm breweries.									

12-1 Involve changes in the existing environment which, due to their location or nature, could cumulatively result in loss of Farmland to non-agricultural use. Based on the analysis below, the cumulative impact is *less than significant*.

The proposed Zoning Text Amendment would not directly induce the development of additional medium or large wineries/farm breweries, because such facilities are already permitted by-right in certain zones, and the project would not expand the number of zones where by-right development can occur. Rather, the proposed project would provide greater flexibility with respect to the amount of Agricultural Promotional Events and Special Events that may occur at existing and future wineries/farm breweries. As a result, this EIR evaluates the potential environmental effects associated with the ability to conduct Agricultural Promotional Events and Special Events at existing and future wineries/farm breweries subject to the proposed Zoning Text Amendment.

As discussed in Chapter 4, Agricultural Resources, of this EIR, public concerns have been raised during the Notice of Preparation (NOP) review period regarding the potential for the proposed increase in Agricultural Promotional Events and Special Events to result in indirect effects to agricultural resources, such as disturbance of Farmland for overflow parking purposes. Specifically, commenters have suggested that an increase in the number of allowable events would increase the number of people driving to the study facilities, which could result in event organizers choosing to allow overflow parking on land that could be considered agricultural in order to accommodate the additional vehicles, thereby limiting the potential for such land to be used for agricultural purposes.

The existing Winery Ordinance allows for temporary overflow parking to be used in conjunction with Temporary Outdoor Events (TOE), as described in Section 17.56.300(B)(1)(b). The proposed Zoning Text Amendment would continue to allow overflow parking for TOEs but would also allow temporary overflow parking for Special Events.

Overflow parking for Agricultural Promotional Events would not be allowed. Any attempt to allow overflow parking for Agricultural Promotional Events would be a violation of the Placer County Code and would result in code enforcement.¹

As discussed in Chapter 4, because the proposed Zoning Text Amendment would give existing facility owners the ability to use temporary overflow parking for Special Events, facility owners may choose to create temporary overflow parking on their properties for Special Events. Given the agricultural nature of existing wineries and farm breweries, overflow parking may temporarily result in use of agricultural areas for overflow parking purposes, thus rendering these areas unusable for agricultural purposes. Importantly, overflow parking is temporary, and at the most, would be needed 12 times a year, for Special Events on large parcel-sized facilities. Furthermore, per Section E(1)(a) of the

¹ Overflow parking could be allowed with a TOE, two of which could be obtained per year; however, this is currently allowed under the existing Winery Ordinance, and, thus, is not required to be addressed in this EIR.

proposed Zoning Text Amendment, overflow parking would not be permitted on active agricultural land. Thus, it is reasonable to conclude that farmland and associated operations would not be permanently affected by temporary overflow parking. Even if one were to assume that a fallow agricultural area was used for overflow parking for all 12 special events, thus, at least temporarily precluding it from being rotated back into active agricultural production, the County would not consider this to constitute conversion of Farmland to non-agricultural use, as the temporary overflow parking would be intended to support agricultural uses. In addition, as discussed above, only half of the existing studies facilities have Farmland considered important by Appendix G of the CEQA Guidelines.

Chapter 4 also acknowledges that operators of existing study facilities would have the ability to expand permanent parking spaces to meet their parking needs under the proposed Zoning Text Amendment. Expansion of permanent parking spaces could occur on agricultural land; however, the land may not be in current commercial crop production. Section E(1)(a) of the proposed Zoning Text Amendment states, in part, that "...Parking shall not be proposed in existing agriculturally productive land." However, agricultural land not currently in commercial crop production (i.e., fallow land) could be converted for parking purposes. The County does not consider the expansion of permanent parking spaces on the existing study facility sites to constitute conversion of Farmland to non-agricultural use, as the additional parking would be intended to support agricultural uses.

For cumulative winery and farm brewery growth over the next 20 years, the Zoning Text Amendment requires submittal of a site plan to the County for any new winery and farm brewery building permit application, showing proposed permanent parking locations for the use types described in Table 4 of the Zoning Text Amendment. The use types include tasting room, outdoor seating, offices, production or warehousing areas, and event parking. Permanent parking shall not be proposed in existing agriculturally productive land. This requirement would enable County staff to ensure that adequate permanent parking would be provided to meet the primary parking needs of proposed facility. Because the minimum parking requirements for permanent parking would not change under the Zoning Text Amendment, there would be no net increase in land disturbance that needs to be considered in this EIR for future winery and farm brewery development.

Per revised language in Section E(1)(a) of the Ordinance, the minimum parking requirements do not account for Special Events because the Zoning Text Amendment recognizes that the use of overflow parking may be desirable during Special Events. In other words, operators may only want to install permanent parking spaces sufficient to meet the needs of the primary uses of the facility throughout the year, rather than the occasional Special Event, which will be subject to limitations in number. This will also minimize the impact footprint of the future winery and farm brewery facilities.

Similar to the overflow parking discussion for the existing study facilities, given the general agricultural nature of the sub-regions wherein future wineries and farm breweries are anticipated, overflow parking may temporarily result in use of agricultural areas for

overflow parking purposes, thus rendering these areas unusable for agricultural purposes. Importantly, overflow parking is temporary, and at the most, would be needed 12 times a year, for Special Events on large parcel-sized facilities. Thus, farmland and associated operations would not be permanently affected by temporary overflow parking. Overall, accounting for potential expansion of permanent parking at the ten existing study facilities, as well as temporary overflow parking at the combined 41 existing, pending, and future study facilities, events occurring at existing, pending, and future study facilities would not result in a cumulatively considerable impact to agricultural resources.

With respect to other cumulative development (i.e., in addition to cumulative winery/farm brewery growth), only two reasonably foreseeable projects have been identified, whereas the remaining amount of cumulative growth assumed in this EIR is not location specific, but rather, is based on an applied two percent growth rate. While it is reasonable to assume that some of this cumulative development could result in the loss of some important farmland, this section provides substantial evidence that the proposed project's incremental effects are not cumulatively considerable.

Furthermore, the County's existing Winery Ordinance requires that within the Residential, Resource and Agricultural zoning districts where wineries are allowed, at least one acre of on-site planted vineyard is required, unless the Agricultural Commissioner makes a determination that a functional equivalent occurs (i.e. winery is contracted to receive a substantial portion of the winery production capacity from locally produced vineyards). The proposed Zoning Text Amendment would increase the minimum acreage requirement for future facilities to two acres of grapes for wineries and two acres of hops or barley for farm breweries. As such, Agricultural Promotional Events and Special Events enabled by the proposed project would be more closely tied to the promotion and marketing of local agricultural products, and the proposed Zoning Text Amendment would continue to promote cultivation of grapes and hops, as well as production of wine and beer, as the primary use associated with winery/farm brewery operations. Thus, compared to the existing Winery Ordinance, the Zoning Text Amendment would ensure that a greater amount of land would be used for agricultural production.

Based upon the above analysis, the increased number of allowable Agricultural Promotional Events and Special Events as a result of the proposed Zoning Text Amendment, in combination with other cumulative development, would result in a ***less-than-significant*** cumulative impact related to the conversion of Farmland to non-agricultural uses.

Mitigation Measure(s)

None required.

Air Quality

A project's emissions may be individually limited, but cumulatively considerable when taken in combination with past, present, and future development projects. The geographic context for the

cumulative air quality analysis includes Placer County and surrounding areas within the portion of the Sacramento Valley Air Basin (SVAB) that is designated nonattainment for ozone and respirable particulate matter (PM₁₀).

12-2 Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard. Based on the analysis below, the project's incremental contribution to this significant cumulative impact is *less than cumulatively considerable*.

Placer County is within a nonattainment area for ozone and PM₁₀. By nature, air pollution is largely a cumulative impact. The vehicle usage within the nonattainment area related to future events at existing and potential future study facilities resulting from the proposed project, in combination with other sources of emissions from past, present, and reasonably foreseeable projects within Placer County and surrounding areas, contributes to the region's adverse air quality impacts on a cumulative basis, and could either delay attainment of ambient air quality standards (AAQS) or require the adoption of additional controls on existing and future air pollution sources to offset emission increases. Thus, the emission of criteria air pollutants related to future events following adoption of the proposed Zoning Text Amendment would contribute to cumulative regional air quality effects.

The Placer County Air Pollution Control District (PCAPCD) directs lead agencies to use the region's existing attainment plans as a basis for analysis of cumulative emissions. If a project would interfere with an adopted attainment plan, the project would inhibit the future attainment of AAQS, and thus result in a significant incremental contribution to cumulative emissions. As discussed throughout Chapter 5, Air Quality, of this EIR, the PCAPCD's recommended thresholds of significance for ozone precursors and PM₁₀ are based on attainment plans for the region. Thus, the PCAPCD concluded that if a project's ozone precursor and PM₁₀ emissions would be less than PCAPCD project-level thresholds, the project would not be expected to conflict with any relevant attainment plans, and would not result in a cumulatively considerable contribution to a significant cumulative impact. As a result, the operational phase cumulative-level emissions thresholds established by PCAPCD are identical to the project-level operational emissions thresholds; the operational/cumulative thresholds are presented in Table 12-3.

<p style="text-align: center;">Table 12-3 PCAPCD Thresholds of Significance</p>	
Pollutant	Operational/Cumulative Threshold (lbs/day)
ROG	55
NO _x	55
PM ₁₀	82
<p><i>Source: Placer County Air Pollution Control District. Placer County Air Pollution Control District Policy. Review of Land Use Projects Under CEQA. August 2017.</i></p>	

Accordingly, if emissions related to implementation of the proposed Zoning Text Amendment under cumulative conditions would result in an increase of ROG, NO_x or PM₁₀ in excess of PCAPCD's operational phase cumulative-level emissions threshold, which are identical to PCAPCD's project-level operational emissions thresholds, the proposed project could potentially result in a significant incremental contribution towards cumulative air quality impacts.

Similar to the discussion of potential impacts to existing facilities presented in Chapter 5 of this EIR, under the cumulative setting the proposed Zoning Text Amendment would not be anticipated to result in direct physical alteration to existing or future facilities. Thus, this EIR is not required to evaluate physical environmental effects associated with construction of future facilities, as such facilities could be developed without approval of the proposed Zoning Text Amendment. Rather, the proposed Zoning Text Amendment would result in changes to the regulation of events at existing and future facilities. As discussed in further depth in Chapter 5 of this EIR, changes to events at existing and future study facilities would primarily result in potential changes to mobile-sourced emissions related to the operations of existing and future facilities. Although slight changes to emissions from non-mobile sources may occur due to the changes in event regulations, such changes are not anticipated to be substantive. Considering the changes included in the proposed Zoning Text Amendment, and similar to the analysis presented in Chapter 5 of this EIR, only mobile source emissions were estimated using California Emissions Estimator Model (CalEEMod). Emissions estimates were conducted based on the methodology discussed in the Method of Analysis section of Chapter 5, as well as the trip generation rates presented in Table 12-14 of the Transportation and Circulation section of this chapter. It should be noted that although the cumulative study period for this EIR is 20 years, which would result in a cumulative operational year of 2039, the operational years available for emissions estimation within CalEEMod are limited, with the closest operational years available being 2035 and 2040. Due to efficiency improvements in vehicle fleets modeled emissions for 2035 are inherently more intensive than emissions that would occur in 2040. In order to provide a conservative analysis of potential mobile emissions resulting from implementation of the proposed Zoning Text Amendment in the year 2035 was chosen as the operational year in this case. Despite the use of the year 2035 for air quality emissions modeling, the total number of wineries and farm breweries anticipated to be in operation, and the resulting mobile emissions, were based on the total 20-year cumulative growth as presented in Table 12-1 above.

The results of the emissions calculation for mobile sources under the cumulative condition, including all existing and anticipated future wineries and farm breweries, are presented in Table 12-4 below.

As shown in Table 12-4, mobile emissions of ROG, NO_x, and PM₁₀ related to potential future events at facilities anticipated under the cumulative project setting would be below the PCAPCD's applicable thresholds of significance. Considering the above, the proposed Zoning Text Amendment would not result in a significant incremental contribution to a cumulative violation of any air quality standards, contribute substantially to an existing or projected air quality violation, or conflict with and/or

obstruct implementation of the PCAPCD's air quality planning efforts. As such, the proposed project's incremental contribution to regional air quality impacts would be *less than cumulatively considerable*.

Table 12-4 Maximum Unmitigated Project Contribution of Mobile-Sourced Emissions to Cumulative Conditions (lbs/day)		
Pollutant	Cumulative Event-Related Emissions	PCAPCD Cumulative Significance Threshold
ROG	3.08	55
NO _x	23.19	55
PM ₁₀	9.49	82
<i>Source: CalEEMod, October 2018 (see Appendix E).</i>		

Mitigation Measure(s)
None required.

Biological Resources

12-3 Cumulative loss of habitat in the Placer County area for special-status species. Based on the analysis below, the cumulative impact is *less than significant*.

The proposed Zoning Text Amendment would not directly induce the development of additional medium or large wineries/farm breweries, as such facilities are already permitted by-right in certain zones, and the project would not expand the number of zones where by-right development can occur. A combined total of approximately 30 wineries and farm breweries are anticipated for development within the winery sub-regions of the County during the next 20 years. The winery sub-regions within the County are generally within the foothill region, which contains diverse habitat types such as oak woodlands, annual grasslands, riparian woodlands, and aquatic habitat types that provide habitat for special-status species. As discussed above, future facilities could be developed with or without approval of the proposed Zoning Text Amendment and the proposed project would not result in direct development of any such facilities. Therefore, the proposed Zoning Text Amendment would not directly lead to the loss of any of the foregoing habitat types.

While the proposed Zoning Text Amendment would not result in the direct inducement of winery and farm brewery development within the County, the proposed Zoning Text Amendment would provide greater flexibility with respect to the amount of Agricultural Promotional Events and Special Events that may occur at existing and future wineries/farm breweries. As a result, this EIR evaluates the potential environmental effects associated with the ability to conduct additional Agricultural Promotional Events and Special Events at existing and future wineries/farm breweries subject to the proposed Zoning Text Amendment.

As discussed in Chapter 6, because the proposed Zoning Text Amendment would give existing facility owners the ability to use temporary overflow parking for Special Events,

facility owners may choose to create temporary overflow parking on their properties for Special Events. Under the proposed Zoning Text Amendment overflow parking for Agricultural Promotional Events would not be allowed. Any attempt to allow overflow parking for Agricultural Promotional Events would be a violation of the Placer County Code and would result in code enforcement.²

The Zoning Text Amendment requires Special Event overflow parking to occur in designated areas. Because overflow parking is used to meet temporary parking demand it is reasonable to expect that facility owners would use those portions of their property that are already disturbed, in order to accommodate overflow parking needs. Given the general agricultural nature of existing wineries and farm breweries, it is common for operators to use agricultural fields to temporarily accommodate overflow parking. Thus, overflow parking would not have a substantial adverse effect on riparian habitat or other sensitive natural habitat.

Chapter 6 also acknowledges that operators of existing study facilities would have the ability to expand permanent parking spaces to meet their parking needs under the proposed Zoning Text Amendment. As discussed in more detail in Chapter 6, the Placer County Code contains regulations that prohibit disturbance of sensitive aquatic habitats and protected trees during grading operations, which would serve to protect those resources and the special-status species that are dependent upon them. Nevertheless, Mitigation Measures 6-2(a) and (b) have been included in the EIR to require the County to place biological resource protection measures on any future grading permits and tree removal permits issued for the purpose of expanding parking at existing study facilities.

For cumulative winery and farm brewery growth over the next 20 years, the Zoning Text Amendment requires submittal of a site plan to the County for any future winery and farm brewery building permit application, showing proposed permanent parking locations for the use types described in Table 4 of the Zoning Text Amendment. The use types include tasting room, outdoor seating, offices, production or warehousing areas, and event parking. This requirement would enable County staff to ensure that adequate permanent parking would be provided, in areas where valuable habitat is not present, to meet the primary parking needs of proposed facility. Because the minimum parking requirements for permanent parking would not change under the Zoning Text Amendment, there would be no net increase in land disturbance that needs to be considered in this EIR for future winery and farm brewery development.

Per revised language in Section E(1)(a) of the Ordinance, the minimum parking requirements do not account for Special Events because the Zoning Text Amendment recognizes that the use of overflow parking may be desirable during Special Events. In other words, operators may want to install permanent parking spaces sufficient to meet the needs of the primary uses of the facility throughout the year, rather than the

² Overflow parking could be allowed with a TOE, two of which can be obtained per year; however, this is currently allowed under the existing Winery Ordinance, and thus is not required to be addressed in this EIR.

occasional Special Event, which will be subject to limitations in number. This will also minimize the impact footprint of the future winery and farm brewery facilities.

Similar to the overflow parking discussion for the existing study facilities, the Zoning Text Amendment requires overflow parking to occur in designated areas. Because overflow parking is used to meet temporary parking demand it is reasonable to expect that facility owners would use those portions of their property that are already disturbed, in order to accommodate overflow parking needs. This could consist of fallow agricultural fields, graveled areas associated with driveways or the farm complex in general, etc. Thus, overflow parking at the 41 existing, pending, and future facilities would not have a substantial adverse effect on riparian habitat or other sensitive natural habitat.

With respect to other cumulative development (i.e., in addition to cumulative winery/farm brewery growth), only two reasonably foreseeable projects have been identified, whereas the remaining amount of cumulative growth assumed in this EIR is not location specific, but rather, is based on an applied 2% growth rate. While it is reasonable to assume that some of this cumulative development could result in impacts to biological resources, this section provides substantial evidence that the proposed project's incremental effects are not cumulatively considerable.

In summary, the proposed Zoning Text Amendment would give facility owners the ability to use temporary overflow parking for Special Events, which are limited to six per year for medium parcel-sized facilities and 12 per year for large parcel-sized facilities. Thus, on a yearly basis, the demand for overflow parking would be relatively minimal. On the occasions that Special Events require overflow parking, parking would be restricted to the designated overflow parking areas, which would likely be relatively level areas suitable for vehicle parking, and would not be anticipated to include any drainage features or large amounts of vegetation, as such features would be considered functionally unsuitable for attendee parking. The limitation of overflow parking to designated areas and the infrequent nature of the use of overflow parking would reduce the potential for overflow parking to result in any substantial disturbance of areas within existing or future facilities.

Based upon the above analysis, the increased number of allowable Agricultural Promotional Events and Special Events as a result of the proposed Zoning Text Amendment, in combination with other cumulative development, would result in a ***less-than-significant*** cumulative impact related to the loss of habitat for special-status species.

Mitigation Measure(s)
None required.

Cultural Resources

12-4 Cumulative loss of cultural resources. Based on the analysis below, the cumulative impact is *less than significant*.

Impacts to cultural resources related to implementation of the proposed Zoning Text Amendment are analyzed in Chapter 7, Cultural Resources, of this EIR. Generally, while some cultural resources may have regional significance, the resources themselves are site-specific, and impacts to them are project-specific. For example, impacts to a subsurface archeological find at one project site would not generally be made worse by impacts to a cultural resource at another site due to development of another project. Rather the resources and the effects upon them are generally independent. A possible exception to the aforementioned general conditions would be where a cultural resource represents the last known example of its kind or is part of larger cultural resources such as a single building along an intact historic Main Street. For such a resource, cumulative impacts, and the contribution of a project to them, may be considered cumulatively significant.

As described in detail in Chapter 7 of this EIR, and discussed generally throughout this chapter, the proposed Zoning Text Amendment would not result in the direct physical disturbance or development of land within the County, given that wineries and farm breweries are already permitted by-right in certain zones, and the project is not expanding the number of zones where by-right development can occur. Rather, the proposed project would provide greater flexibility with respect to the amount of Agricultural Promotional Events and Special Events that may occur at existing and future wineries/farm breweries. As a result, this EIR evaluates the potential environmental effects associated with the ability to conduct additional Agricultural Promotional Events and Special Events at existing and future wineries/farm breweries subject to the proposed Zoning Text Amendment.

As discussed in Chapter 7, because the proposed Zoning Text Amendment would give existing facility owners the ability to use temporary overflow parking for Special Events, facility owners may choose to create temporary overflow parking on their properties for Special Events. Under the proposed Zoning Text Amendment overflow parking for Agricultural Promotional Events would not be allowed. Any attempt to allow overflow parking for Agricultural Promotional Events would be a violation of the Placer County Code and would result in code enforcement.³

The Zoning Text Amendment requires Special Event overflow parking to occur in designated areas. Because overflow parking is used to meet temporary parking demand it is reasonable to expect that facility owners would use those portions of their property that are already disturbed, in order to accommodate overflow parking needs. Given the general agricultural nature of existing wineries and farm breweries, it is common for operators to

³ Overflow parking could be allowed with a TOE, two of which can be obtained per year; however, this is currently allowed under the existing Winery Ordinance, and thus is not required to be addressed in this EIR.

use agricultural fields to temporarily accommodate overflow parking. In general, the process of vehicle parking does not result in substantial amounts of ground-disturbance. While some surficial soil particles may be disturbed by vehicle tires during parking activity, parking would not result in substantial amounts of ground-disturbance, and would not be considered likely to impact subsurface cultural resources.

Chapter 7 also acknowledges that operators of existing study facilities would have the ability to expand permanent parking spaces to meet their parking needs under the proposed Zoning Text Amendment. As discussed in more detail in Chapter 7, the expansion of parking areas would be subject to all relevant County, State, and federal regulations. For instance, Article 15.48 of the Placer County Code regulates all grading activity within the County, which includes grading activity associated with the establishment of parking spaces. Grading is prohibited from adversely impacting watercourses and stream environment zones, the locations of which have the highest sensitivity for cultural resources. Nevertheless, Mitigation Measures 7-1(a) and (b) have been included in the EIR to require the County to place cultural resource protection measures on any future grading permits issued for the purpose of expanding parking at existing study facilities.

For cumulative winery and farm brewery growth over the next 20 years, the Zoning Text Amendment requires submittal of a site plan to the County for any future winery and farm brewery building permit application, showing proposed permanent parking locations for the use types described in Table 4 of the Zoning Text Amendment. The use types include tasting room, outdoor seating, offices, production or warehousing areas, and event parking. This requirement would enable County staff to ensure that adequate permanent parking would be provided, in areas where cultural resource sensitivity could be highest, to meet the primary parking needs of proposed facility. Because the minimum parking requirements for permanent parking would not change under the Zoning Text Amendment, there would be no net increase in land disturbance that needs to be considered in this EIR for future winery and farm brewery development.

Per revised language in Section E(1)(a) of the Ordinance, the minimum parking requirements do not account for Special Events because the Zoning Text Amendment recognizes that the use of overflow parking may be desirable during Special Events. In other words, operators may want to install permanent parking spaces sufficient to meet the needs of the primary uses of the facility throughout the year, rather than the occasional Special Event, which will be subject to limitations in number. This will also minimize the impact footprint of the future winery and farm brewery facilities.

Similar to the overflow parking discussion for the existing study facilities, the Zoning Text Amendment requires overflow parking to occur in designated areas. Because overflow parking is used to meet temporary parking demand it is reasonable to expect that facility owners would use those portions of their property that are already disturbed, in order to accommodate overflow parking needs. This could consist of fallow agricultural fields, graveled areas associated with driveways or the farm complex in

general, etc. Thus, overflow parking at the 41 existing, pending, and future facilities would not have a substantial adverse effect on cultural resources.

With respect to other cumulative development (i.e., in addition to cumulative winery/farm brewery growth), only two reasonably foreseeable projects have been identified, whereas the remaining amount of cumulative growth assumed in this EIR is not location specific, but rather, is based on an applied two percent growth rate. While it is reasonable to assume that some of this cumulative development could result in impacts to cultural resources, this section provides substantial evidence that the proposed project's incremental effects are not cumulatively considerable.

Based on the above, the proposed project, in combination with other cumulative development, would have a *less than-significant* cumulative impact.

Mitigation Measure(s)

None required.

Greenhouse Gas Emissions

Greenhouse gases (GHGs) are gases that absorb and emit radiation within the thermal infrared range, trapping heat in the earth's atmosphere. Some GHGs occur naturally and are emitted into the atmosphere through both natural processes and human activities. Other GHGs are created and emitted solely through human activities. The principal GHGs that enter the atmosphere due to human activities are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated carbons. Other common GHGs include water vapor, ozone, and aerosols. Since the beginning of the Industrial Revolution, global atmospheric concentrations of GHGs have increased due to human activities such as the burning of fossil fuels, clearing of forests and other activities. The increase in atmospheric concentrations of GHG due to human activities has resulted in more heat being held within the atmosphere, which is the accepted explanation for global climate change.⁴

The primary GHG emitted by human activities is CO₂, with the next largest components being CH₄ and N₂O. The primary sources of CH₄ emissions include domestic livestock sources, decomposition of wastes in landfills, releases from natural gas systems, coal mine seepage, and manure management. The main human activities producing N₂O are agricultural soil management, fuel combustion in motor vehicles, nitric acid production, manure management, and stationary fuel combustion. Emissions of GHG by economic sector indicate that energy-related activities account for the majority of U.S. emissions. Electricity generation is the largest single-source of GHG emissions, and transportation is the second largest source, followed by industrial activities. The agricultural, commercial, and residential sectors account for the remainder of GHG emission sources.⁵ Emissions of GHG are partially offset by uptake of carbon

⁴ U.S. Environmental Protection Agency. Climate Change Indicators: Atmospheric Concentrations of Greenhouse Gases. Available at <https://www.epa.gov/climate-indicators/climate-change-indicators-atmospheric-concentrations-greenhouse-gases>. Accessed November 17, 2016.

⁵ U.S. Environmental Protection Agency. *Sources of Greenhouse Gas Emissions*. Available at: <http://epa.gov/climatechange/ghgemissions/sources/industry.html>. Accessed August 2016.

and sequestration in forests, trees in urban areas, agricultural soils, landfilled yard trimmings and food scraps, and absorption of CO₂ by the earth's oceans; however, the rate of emissions of GHGs currently outpaces the rate of uptake, thus causing global atmospheric concentrations to increase.⁶ Attainment concentration standards for GHGs have not been established by the federal or State government.

Global Warming Potential

Global Warming Potential (GWP) is one type of simplified index (based upon radiative properties) that can be used to estimate the potential future impacts of emissions of various gases. According to the U.S. Environmental Protection Agency (USEPA), the global warming potential of a gas, or aerosol, to trap heat in the atmosphere is the “cumulative radiative forcing effects of a gas over a specified time horizon resulting from the emission of a unit mass of gas relative to a reference gas.” The reference gas for comparison is CO₂. GWP is based on a number of factors, including the heat-absorbing ability of each gas relative to that of CO₂, as well as the decay rate of each gas relative to that of CO₂. Each gas's GWP is determined by comparing the radiative forcing associated with emissions of that gas versus the radiative forcing associated with emissions of the same mass of CO₂, for which the GWP is set at one. Methane gas, for example, is estimated by the USEPA to have a comparative global warming potential 25 times greater than that of CO₂, as shown in Table 12-5.

Table 12-5 Global Warming Potentials and Atmospheric Lifetimes of Select GHGs		
Gas	Atmospheric Lifetime (years)	Global Warming Potential (100 year time horizon)
Carbon Dioxide (CO ₂)	50-200 ¹	1
Methane (CH ₄)	12	25
Nitrous Oxide (N ₂ O)	114	298
HFC-23	270	14,800
HFC-134a	14	1,430
HFC-152a	1.4	124
PFC: Tetrafluoromethane (CF ₄)	50,000	7,390
PFC: Hexafluoroethane (C ₂ F ₆)	10,000	12,200
Sulfur Hexafluoride (SF ₆)	3,200	22,800
¹ For a given amount of CO ₂ emitted, some fraction of the atmospheric increase in concentration is quickly absorbed by the oceans and terrestrial vegetation, some fraction of the atmospheric increase will only slowly decrease over a number of years, and a small portion of the increase will remain for many centuries or more.		
<i>Source: USEPA, Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2013, April 15, 2015.</i>		

⁶ U.S. Environmental Protection Agency. Climate Change Indicators: Atmospheric Concentrations of Greenhouse Gases. Available at <https://www.epa.gov/climate-indicators/climate-change-indicators-atmospheric-concentrations-greenhouse-gases>. Accessed November 17, 2016.

As shown in the table, at the extreme end of the scale, sulfur hexafluoride is estimated to have a comparative GWP 22,800 times that of CO₂. The “specified time horizon” is related to the atmospheric lifetimes of such GHGs, which are estimated by the USEPA to vary from 50 to 200 years for CO₂, to 50,000 years for tetrafluoromethane. Longer atmospheric lifetimes allow GHG to buildup in the atmosphere; therefore, longer lifetimes correlate with the global warming potential of a gas. The common indicator for GHG is expressed in terms of metric tons of CO₂ equivalents (MTCO_{2e}).

Effects of Global Climate Change

Uncertainties exist as to exactly what the climate changes will be in various local areas of the Earth. According to the Intergovernmental Panel on Climate Change’s Working Group II Report, *Climate Change 2007: Impacts, Adaptation and Vulnerability*,⁷ as well as the California Natural Resources Agency’s report *Safeguarding California: Reducing Climate Risk*⁸ climate change impacts to California may include:

- Increasing evaporation;
- Rearrangement of ecosystems as species and ecosystems shift northward and to higher elevations;
- Increased frequency, duration, and intensity of conditions conducive to air pollution formation (particularly ozone);
- Reduced precipitation, changes to precipitation and runoff patterns, reduced snowfall (precipitation occurring as rain instead of snow), earlier snowmelt, decreased snowpack, and increased agricultural demand for water;
- Increased experiences of heat waves;
- Increased growing season and increased growth rates of weeds, insect pests and pathogens;
- Inundation by sea level rise, and exacerbated shoreline erosion; and
- Increased incidents and severity of wildfire events and expansion of the range and increased frequency of pest outbreaks.

Analysis of GHGs and Global Climate Change

Analysis of global climate change presents the challenge of analyzing the relationship between local and global activities. GHGs are not generally thought of as traditional air pollutants because GHGs, and their impacts, are global in nature, while air pollutants affect the health of people and other living things at ground level, in the general region of their release to the atmosphere. Accordingly, the issue of global climate change is different from any other areas of air quality impact analysis. A global climate change analysis must be conducted on a global level, rather than the typical local or regional setting, and requires consideration of not only

⁷ Intergovernmental Panel on Climate Change. *Climate Change 2007: Impacts, Adaptation, and Vulnerability*. 2007.

⁸ California Natural Resources Agency. *Safeguarding California: Reducing Climate Risk*. July 2014.

emissions from the project under consideration, but also the extent of the displacement, translocation, and redistribution of emissions.

In the usual context, where air quality is linked to a particular location or area, considering the creation of new emissions in that specific area to be an environmental impact whether or not the emissions are truly “new” emissions to the overall globe is appropriate. In fact, the approval of a new developmental plan, project, or regulation does not necessarily create new automobile drivers – the primary source of a project’s emissions. Rather, the proposed project may result in the redistribution of mobile emissions. In the case of the proposed Zoning Text Amendment for example, future event attendees may already attend events at wineries in nearby counties such as El Dorado, Nevada, or Yolo counties. The change in event destination may result in shorter or longer associated trips, but may not result in the introduction of new vehicle trips to the overall region. Accordingly, the use of models that measure overall emissions increases without accounting for existing emissions may overstate the impact of the development project on global climate change. Nevertheless, presenting all GHG emissions resulting from vehicle trips to potential future by-right events at existing and future facilities, including those emissions that may simply be relocated from other areas of the region to the existing and future facilities, provides a worst-case analysis, and allows decision makers and the public to consider the full scope of GHG emissions that would result from the changes in event regulation included in the proposed Zoning Text Amendment.

Regulatory Context

Global climate change and energy are monitored through the efforts of various international, federal, State, and local government agencies. Agencies work jointly and individually to improve current conditions through legislation, regulations, planning, policy-making, education, and a variety of programs. The agencies responsible for regulating global climate change and energy within the project area are discussed below.

Federal

The most prominent federal regulation is the Federal Clean Air Act (FCAA), which is implemented and enforced by the USEPA.

FCAA and USEPA

The federal Clean Air Act (FCAA) requires the USEPA to set NAAQS and designate areas with air quality not meeting NAAQS as nonattainment. The USEPA is responsible for enforcement of NAAQS for atmospheric pollutants and regulates emission sources that are under the exclusive authority of the federal government including emissions of GHGs. The USEPA’s air quality mandates are drawn primarily from the FCAA, which was signed into law in 1970. Congress substantially amended the FCAA in 1977 and again in 1990. The USEPA has adopted policies consistent with FCAA requirements demanding states to prepare State Implementation Plans (SIPs) that demonstrate attainment and maintenance of the NAAQS.

The USEPA has been directed to develop regulations to address the GHG emissions of cars and trucks. The Mandatory Reporting of Greenhouse Gases Rule requires reporting of GHG emissions from large sources and suppliers in the U.S., and is intended to collect accurate and timely emissions data to inform future policy decisions. Under the rule, suppliers of fossil fuels or industrial GHG, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons or more per year of GHG emissions are required to submit annual reports to the USEPA. To track the national trend in emissions and removals of GHG since 1990, USEPA develops the official U.S. GHG inventory each year.

On December 7, 2009, USEPA issued findings under Section 202(a) of the FCAA concluding that GHGs are pollutants that could endanger public health. Under the so-called Endangerment Finding, USEPA found that the current and projected concentrations of the six key well-mixed GHGs – CO₂, CH₄, N₂O, PFCs, SF₆, and HFCs – in the atmosphere threaten the public health and welfare of current and future generations. These findings do not, by themselves, impose any requirements on industry or other entities.

State Regulations

California has adopted a variety of regulations aimed at reducing GHG emissions. Only the most prominent and applicable California GHG-related legislation are included below; however, an exhaustive list and extensive details of California air quality legislation can be found at the California Air Resources Board (CARB) website (<http://www.arb.ca.gov/html/lawsregs.htm>).

AB 1493

California AB 1493 (Stats. 2002, ch. 200) (Health & Safety Code, §§42823, 43018.5), known as Pavley I, was enacted on July 22, 2002. AB 1493 requires that the CARB develop and adopt regulations that achieve “the maximum feasible reduction of GHGs emitted by passenger vehicles and light-duty truck and other vehicles determined by the CARB to be vehicles whose primary use is noncommercial personal transportation in the state.” On June 30, 2009, the USEPA granted a waiver of FCAA preemption to California for the State’s GHG emission standards for motor vehicles, beginning with the 2009 model year. Pursuant to the FCAA, the waiver allows for the State to have special authority to enact stricter air pollution standards for motor vehicles than the federal government’s. On September 24, 2009, the CARB adopted amendments to the Pavley regulations (Pavley I) that reduce GHG emissions in new passenger vehicles from 2009 through 2016. The second phase of the Pavley regulations (Pavley II) is expected to affect model year vehicles from 2016 through 2020. The CARB estimates that the regulation would reduce GHG emissions from the light-duty passenger vehicle fleet by an estimated 18 percent in 2020 and by 27 percent in 2030.

Renewable Portfolio Standard (RPS)

Established in 2002 under Senate Bill (SB) 1078, accelerated in 2006 under SB 107, and expanded in 2011 under SB 2, California's Renewables Portfolio Standard (RPS) is one of the most ambitious renewable energy standards in the country. The RPS program requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020.

Since the inception of the RPS program, the program has been extended and enhanced multiple times. In 2015, SB 350 extended the State's RPS program by requiring that publicly owned utilities procure 50 percent of their electricity from renewable energy sources by 2030. The requirements of SB 350 were expanded and intensified in 2018 through the adoption of SB 100, which mandated that all electricity generated within the State by publicly-owned utilities be generated through carbon-free sources by 2045. In addition, SB 100 increased the previous renewable energy requirement for the year 2030 by 10 percent; thus, requiring that 60 percent of electricity generated by publicly owned utilities originate from renewable sources by 2030.

Executive Order S-03-05

On June 1, 2005, then-Governor Schwarzenegger signed Executive Order S-03-05, which established total GHG emission targets. Specifically, emissions are to be reduced to year 2000 levels by 2010, 1990 levels by 2020, and to 80 percent below 1990 levels by 2050. The Executive Order directed the Secretary of the California Environmental Protection Agency (Cal-EPA) to coordinate a multi-agency effort to reduce GHG emissions to the target levels. The Secretary is also directed to submit biannual reports to the governor and state legislature describing: (1) progress made toward reaching the emission targets; (2) impacts of global warming on California's resources; and (3) mitigation and adaptation plans to combat these impacts.

To comply with the Executive Order, the Secretary of the Cal-EPA created a Climate Act Team (CAT) made up of members from various State agencies and commissions. In March 2006, CAT released their first report. In addition, the CAT has released several "white papers" addressing issues pertaining to the potential impacts of climate change on California.

Assembly Bill 32

In September 2006, Assembly Bill (AB) 32, the California Climate Solutions Act of 2006, was enacted (Stats. 2006, ch. 488) (Health & Saf. Code, §38500 et seq.). AB 32 delegated the authority for its implementation to the CARB and directs CARB to enforce the State-wide cap. Among other requirements, AB 32 required CARB to (1) identify the State-wide level of GHG emissions in 1990 to serve as the emissions limit to be achieved by 2020, and (2) develop and implement a Scoping Plan. Accordingly, the CARB has prepared the *Climate Change Scoping Plan* (Scoping Plan) for California, which was

approved in 2008 and updated in 2014 and 2017.⁹ The following sections present further information regarding plans and programs that have been introduced in order to meet the statutory requirements of AB 32.

California Scoping Plan

The 2008 Scoping Plan identified GHG reduction measures that would be necessary to reduce statewide emissions as required by AB 32. Many of the GHG reduction measures identified in the 2008 Scoping Plan have been adopted, such as the Low Carbon Fuel Standard, Pavley, Advanced Clean Car standards, RPS, and the State's Cap-and-Trade system.

Building upon the 2008 Scoping Plan, the 2013 and 2017 Scoping Plan Updates introduced new strategies and recommendations to continue GHG emissions reductions. The 2013 Scoping Plan Update created a framework for achievement of 2020 GHG reduction goals, and identified actions that may be built upon to continue GHG reductions past 2020, as required by AB 32. Following the 2013 Scoping Plan, the 2017 Scoping Plan sets a path for the achievement of California's year 2030 GHG reduction goals.

California GHG Cap-and-Trade Program

California's GHG Cap-and-Trade Program was originally envisioned in the 2008 Scoping Plan as a key strategy to achieve GHG emissions reductions mandated by AB 32. The Cap-and-Trade Program is intended to put California on the path to meet the GHG emission reduction goal of 1990 levels by the year 2020, and ultimately achieving an 80 percent reduction from 1990 levels by 2050. Under cap-and-trade, an overall limit on GHG emissions from capped sectors has been established and facilities or industries subject to the cap are able to trade permits (allowances) to emit GHGs. The CARB designed the California Cap-and-Trade Program to be enforceable and to meet the requirements of AB 32.¹⁰ The Program started on January 1, 2012, with an enforceable compliance obligation beginning with the 2013 GHG emissions. On January 1, 2014 California linked the state's cap-and-trade plan with Quebec's, and on January 1, 2015 the program expanded to include transportation and natural gas fuel suppliers.¹¹ AB 398 was adopted by the State's legislature in July 2017, which reauthorized the Cap-and-Trade program through December 31, 2030. The reauthorization and continued operation of the Cap-and-Trade program represents a key strategy within the

⁹ California Air Resources Board. *AB 32 Scoping Plan*. Available at: <https://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>. Accessed February 2018.

¹⁰ California Air Resources Board. *Overview of ARB Emissions Trading Program*. Available at: https://www.arb.ca.gov/cc/capandtrade/guidance/cap_trade_overview.pdf. Accessed February 2018.

¹¹ California Air Resources Board. *Overview of ARB Emissions Trading Program*. Available at: https://www.arb.ca.gov/cc/capandtrade/guidance/cap_trade_overview.pdf. Accessed February 2018.

State's 2017 Scoping Plan Update for the achievement of California's year 2030 GHG reduction goals.

Executive Order S-01-07

On January 18, 2007, then-Governor Schwarzenegger signed Executive Order S-01-07, which mandates that a State-wide goal be established to reduce carbon intensity of California's transportation fuels by at least 10 percent by 2020. The Order also requires that a Low Carbon Fuel Standard (LCFS) for transportation fuels be established for California.

SB 97

As amended, SB 97, signed in August 2007, acknowledges that climate change is an important environmental issue that requires analysis under CEQA. The bill directed the Governor's Office of Planning and Research (OPR) to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. As directed by SB 97, the OPR amended the CEQA Guidelines to provide guidance to public agencies regarding the analysis and mitigation of GHG emissions and the effects of GHG emissions in CEQA documents. The amendments included revisions to the *Appendix G Initial Study Checklist* that incorporated a new subdivision to address project-generated GHG emissions and contribution to climate change. The new subdivision emphasizes that the effects of GHG emissions are cumulative, and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis. Under the revised CEQA Appendix G checklist, an agency should consider whether a project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and whether a project conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing emission of GHGs.

Further guidance based on SB 97 suggests that the lead agency make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of GHG emissions resulting from a project. When assessing the significance of impacts from GHG emissions on the environment, lead agencies should consider the extent to which the project may increase or reduce GHG, as compared to the existing environmental setting, whether the project emissions exceed a threshold of significance determined applicable to the project, and/or the extent to which the project complies with adopted regulations or requirements to implement a state wide, regional, or local plan for the reduction or mitigation of GHG emissions. Feasible mitigation under SB 97 includes on-site and off-site measures, such as GHG emission-reducing design features and GHG sequestration.

SB 375

In September 2008, SB 375, known as the Sustainable Communities and Climate Protection Act of 2008, was enacted, which is intended to build on AB 32 by attempting

to control GHG emissions by curbing sprawl. SB 375 enhances CARB's ability to reach goals set by AB 32 by directing CARB to develop regional GHG emission reduction targets to be achieved by the State's 18 metropolitan planning organizations (MPOs), including the Sacramento Area Council of Governments (SACOG). Under SB 375, MPOs must align regional transportation, housing, and land-use plans and prepare a "Sustainable Communities Strategy" (SCS) to reduce the amount of vehicle miles traveled in their respective regions and demonstrate the region's ability to attain its GHG reduction targets. SB 375 provides incentives for creating walkable and sustainable communities and revitalizing existing communities, and allows home builders to get relief from certain environmental reviews under CEQA if they build projects consistent with the new sustainable community strategies. Furthermore, SB 375 encourages the development of alternative transportation options, which will reduce traffic congestion.

Executive Order S-13-08

Then-Governor Arnold Schwarzenegger issued Executive Order S-13-08 on November 14, 2008. The Executive Order is intended to hasten California's response to the impacts of global climate change, particularly sea level rise, and directs state agencies to take specified actions to assess and plan for such impacts, including requesting the National Academy of Sciences to prepare a Sea Level Rise Assessment Report, directing the Business, Transportation, and Housing Agency to assess the vulnerability of the State's transportation systems to sea level rise, and requiring the Office of Planning and Research and the Natural Resources Agency to provide land use planning guidance related to sea level rise and other climate change impacts.

The order also required State agencies to develop adaptation strategies to respond to the impacts of global climate change that are predicted to occur over the next 50 to 100 years. The adaptation strategies report summarizes key climate change impacts to the State for the following areas: public health; ocean and coastal resources; water supply and flood protection; agriculture; forestry; biodiversity and habitat; and transportation and energy infrastructure. The report recommends strategies and specific responsibilities related to water supply, planning and land use, public health, fire protection, and energy conservation.

AB 197 and SB 32

On September 8, 2016, AB 197 and SB 32 were enacted with the goal of providing further control over GHG emissions in the State. SB 32 built on previous GHG reduction goals by requiring that the CARB ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by the year 2030. Additionally, SB 32 emphasized the critical role that reducing GHG emissions would play in protecting disadvantaged communities and the public health from adverse impacts of climate change. Enactment of SB 32 was predicated on the enactment of AB 197, which seeks to make the achievement of SB 32's mandated GHG emission reductions more transparent to the public and responsive to the Legislature. Transparency to the public is achieved by AB 197 through the publication of an online inventory of GHG and TAC emissions from facilities

required to report such emissions pursuant to Section 38530 of California's Health and Safety Code. AB 197 further established a six-member Joint Legislative Committee on Climate Change Policies, which is intended to provide oversight and accountability of the CARB, while also adding two new legislatively-appointed, non-voting members to the CARB. Additionally, AB 197 directs the CARB to consider the "social costs" of emission reduction rules and regulations, with particular focus on how such measures may impact disadvantaged communities.

California Building Standards Code

California's building codes (California Code of Regulations [CCR], Title 24) are published on a triennial basis, and contain 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 California Building Standards Commission is responsible for the administration and implementation of each cycle of the California Building Standards Code (CBSC), which includes the proposal, review, and adoption process. Supplements and errata are issued throughout the cycle to make necessary mid-term corrections. The 2016 code has been prepared and became effective January 1, 2017. The California Building Code standards apply State-wide; however, a local jurisdiction may amend a building code standard if the jurisdiction makes a finding that the amendment is reasonably necessary due to local climatic, geological, or topographical conditions.

California Green Building Standards Code

The 2016 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11), is a portion of the CBSC, which became effective with the rest of the CBSC on January 1, 2017. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California.

The CALGreen Code encourages local governments to adopt more stringent voluntary provisions, known as Tier 1 and Tier 2 provisions, to further reduce emissions, improve energy efficiency, and conserve natural resources. If a local government adopts one of the tiers, the provisions become mandates for all new construction within that jurisdiction. Placer County has not adopted any voluntary provisions of the CALGreen Code to date.

Building Energy Efficiency Standards

The 2016 Building Energy Efficiency Standards is a portion of the CBSC, which expands upon energy efficiency measures from the 2013 Building Energy

Efficiency Standards resulting in a 28 percent reduction in energy consumption from the 2013 standards for residential structures. Energy reductions relative to previous Building Energy Efficiency Standards would be achieved through various regulations including requirements for the use of high efficacy lighting, improved water heating system efficiency, and high-performance attics and walls.

The 2019 Building Energy Efficiency Standards will take effect on January 1, 2020. The 2019 Building Energy Efficiency Standards are intended to improve upon the 2016 standards for residential and non-residential buildings. Energy use related to operations of nonresidential buildings constructed in compliance with the 2019 standards would be reduced by approximately 30 percent as compared to nonresidential structures designed to the 2016 Standards.¹²

Local Regulations

The PCAPCD is the principal agency involved with the regulation of GHG emissions within Placer County.

Placer County Air Pollution Control District

Various local, regional, State and federal agencies share the responsibility for air quality management in Placer County. The PCAPCD operates at the local level and is tasked with enforcing the implementation of federal and State programs and regulations. The PCAPCD works jointly with the USEPA, CARB, other air districts in the region, county and city transportation and planning departments, and various non-governmental organizations to work towards improving global climate change through a variety of programs. Programs include the adoption of regulations, policies and guidance, extensive education and public outreach programs, as well as emission reducing incentive programs.

Standards of Significance

Nearly all development projects in the region have the potential to generate air pollutants that may increase global climate change. On October 13, 2016, the PCAPCD adopted GHG emissions thresholds. The thresholds were designed to analyze a project's compliance with applicable state laws including AB 32 and SB 32.¹³ The GHG thresholds include a bright-line threshold for the construction and operational phases of land use projects and stationary source projects, a screening level threshold for the operational phase of land use projects, and efficiency thresholds for the operational phase of land use projects that result in GHG emissions that fall between the bright-line threshold and the screening level threshold. The bright-line threshold of

¹² California Energy Commission, Efficiency Division. *2019 Building Energy Efficiency Standards Frequently Asked Questions*. March 2018.

¹³ Placer County Air Pollution Control District. *California Environmental Quality Act Thresholds of Significance: Justification Report*. October 2016.

10,000 MTCO_{2e}/yr represents the level at which a project's GHG emissions would be substantially large enough to contribute to cumulative impacts and mitigation to lessen the emissions would be mandatory. The PCAPCD further recommends use of the 10,000 MTCO_{2e}/yr for analysis of construction-related GHG emissions for land use projects. Any project with GHG emissions below the screening level threshold of 1,100 MTCO_{2e}/yr is judged by the PCAPCD as having a less-than-significant impact related to GHG emissions, and would not conflict with any State or regional GHG emissions reduction goals. Projects that would result in GHG emissions above the 1,100 MTCO_{2e}/yr screening level threshold, but below the bright-line threshold of 10,000 MTCO_{2e}/yr, must result in GHG emissions below the efficiency thresholds in order to be considered to result in a less-than-significant impact related to GHG emissions and not conflict with any State or regional GHG emissions reduction goals. The GHG efficiency thresholds, which are in units of MTCO_{2e}/yr per capita or per square-foot, are presented in Table 12-6.

Table 12-6			
PCAPCD Operational GHG Efficiency Thresholds of Significance			
Residential (MTCO_{2e}/capita)		Non-Residential (MTCO_{2e}/1,000 sf)	
Urban	Rural	Urban	Rural
4.5	5.5	26.5	27.3
<i>Source: Placer County Air Pollution Control District. Placer County Air Pollution Control District Policy. Review of Land Use Projects Under CEQA. October 13, 2016.</i>			

In accordance with CARB and PCAPCD recommendations, the County, as lead agency, uses the currently adopted PCAPCD GHG thresholds of significance as presented above. Therefore, if implementation of the proposed Zoning Text Amendment would result in operational GHG emissions in excess of 1,100 MTCO_{2e}/yr and is unable to show that emissions would achieve the efficiency thresholds presented in Table 12-6, the proposed Zoning Text Amendment would be considered to result in a cumulatively considerable contribution to global climate change.

Although the proposed Zoning Text Amendment would not directly result in any construction activity, as discussed throughout this EIR, the proposed project could potentially lead to the construction of additional permanent parking within existing facilities. However, the construction of permanent parking is considered speculative at this time, and the degree to which new parking would be constructed due to implementation of the proposed Zoning Text Amendment as opposed to resulting from pre-existing plans for expansion or other operational factors cannot be known. In any case, should additional permanent parking be provided at existing study facilities, the construction of such parking areas would be anticipated to be generally limited in scope and would not be anticipated to result in the emission of substantial amounts of GHGs. Facilities constructed in the cumulative setting following implementation of the proposed project would be designed to include adequate parking for future operational activities including events. While overflow parking at future facilities may require the use of overflow parking, the use of overflow parking and the construction of permanent parking areas within future facilities would not be considered substantial sources of GHG emissions.

Given that the proposed project would not involve direct construction activity, and the potential effect of the project on the provision of permanent parking areas within existing or future

facilities is speculative, implementation of the proposed project is not considered to have the potential to result in construction related emissions and emissions related to construction activity are not further considered within this analysis

Methods and Assumptions

As discussed throughout this EIR, and specifically within the Method of Analysis section of Chapter 5, Air Quality, the proposed Zoning Text Amendment would apply to the regulation of events and other aspects of the operation of wineries and farm breweries within the County. While the proposed Zoning Text Amendment would provide greater flexibility in the number of allowable events at existing study facilities, the proposed Zoning Text Amendment would not alter other aspects of operations at existing study facilities. For instance, the allowance for production volumes of existing study facilities would remain unchanged under the proposed Zoning Text Amendment, and, thus, the proposed Zoning Text Amendment would not allow for increased production activity not already permitted for such facilities. Additionally, the ability to operate a tasting room within existing study facilities would not be affected by the proposed project. Considering that production and other operational aspects of existing study facilities would remain unchanged under the proposed Zoning Text Amendment, GHG emissions from non-event related operations of existing study facilities is anticipated to remain unchanged following implementation of the proposed Zoning Text Amendment.

Similar to the analysis presented in Chapter 5, Air Quality, the majority of GHG emissions related to events is anticipated to originate from mobile sources, primarily, the vehicles traveling to and from event locations. Although other event related activities, such as the consumption of energy, would result in GHG emissions, emissions from non-mobile sources would be substantively similar to emissions that would occur during normal tasting room operations. Events occurring under the proposed Zoning Text Amendment would be limited to the hours of 10:00 AM to 10:00 PM on Friday and Saturday and from 10:00 AM to 8:00 PM Sunday through Thursday. Thus, events would generally coincide with normal tasting hours at the study facilities (10:00 AM to 6:00 PM daily). Therefore, approximately the same amount of heating/cooling energy would be used whether the facility is conducting tasting room operations only or hosting an event and emissions from such activity would be substantively similar.

The proposed project's GHG emissions were estimated using the CalEEMod version 2016.3.2 software. In keeping with the methodology used in the analysis of potential impacts related to transportation, presented in the Transportation and Circulation section of this Chapter as well as Chapter 10 of this EIR, the overall weighted average trip generation rates associated with Agricultural Promotional Events and Special Events enabled by the proposed Zoning Text Amendment were applied to the existing study facilities to identify vehicle trips associated with such events. As shown in Table 12-14 of the Transportation and Circulation section of this Chapter, the total daily weighted average trip rate resulting from events at all existing facilities would be 904 daily trips, while the average trip rate resulting from events at all existing and anticipated future facilities would be 3,728 daily trips. Consequently, the CalEEMod inputs were adjusted to produce an emissions estimate representing the sum of potential emissions that would occur across all existing study facilities during an event day, as well as an emissions estimate representing the sum of potential emissions that would occur across all existing and anticipated

future facilities. The estimation of emissions across all existing study facilities represents a project-level analysis, while the emissions estimation across all existing and anticipated future study facilities represents an analysis under cumulative conditions. As discussed in the Project Description chapter of this EIR, a total of 105 event days per year were estimated to occur; thus, the estimated emissions for existing facilities and all anticipated future facilities per event day were multiplied by 105 to reflect the anticipated annual emissions resulting from potential future events. As noted in the Air Quality section of this chapter, due to limitations of the CalEEMod software, the operational year for the cumulative setting for the proposed project was set to the year 2035. Because vehicle fleet efficiency improves from year to year and associated mobile-source emissions are reduced, the selection of the year 2035 represents a conservative assumption for the purposes of emissions estimation from event-related vehicle trips.

Furthermore, to provide full public disclosure, the GHG emissions anticipated from events held at existing facilities under existing conditions were estimated separately and are analyzed below. The methods used to estimate emissions from events at existing study facilities are discussed within the Method of Analysis section of Chapter 5, Air Quality, of this EIR.

All CalEEMod modeling results are included in Appendix E to this EIR.

Impacts and Mitigation Measures

The following discussion of GHG emissions impacts is based on implementation of the proposed Zoning Text Amendment in comparison to the standards of significance presented above.

12-5 Generation of GHG emissions that may have a significant impact on the environment or conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. Based on the analysis below, the project's incremental contribution to this significant cumulative impact is less than cumulatively considerable.

The estimated mobile-source emissions resulting from concurrent events at existing facilities under existing conditions, as well as the anticipated emissions of events held at all existing and future facilities under cumulative conditions are presented in Table 12-7.

Table 12-7		
Maximum Unmitigated Mobile Source GHG Emissions (MTCO_{2e}/yr)		
Scenario	Estimated Event-Related Emissions	PCAPCD Screening Threshold
Existing	208.53	1,100
Cumulative ¹	556.44	1,100
¹ The Cumulative scenario presented above includes emissions resulting from events at all existing facilities as well as events at the anticipated future facilities shown in Table 12-14.		
<i>Source: CalEEMod, October 2018 (see Appendix E).</i>		

As shown in the table, concurrent event activity at existing study facilities under existing conditions would result in mobile-sourced GHG emissions well below the PCAPCD's 1,100 MTCO₂e/yr operational threshold of significance.

Additionally, under the cumulative scenario, combined mobile-sourced emissions from the 41 existing, pending, and future facilities would result in GHG emissions below the PCAPCD's 1,100 MTCO₂e/yr operational threshold of significance.

Therefore, the proposed Zoning Text Amendment, under both existing conditions and cumulative conditions, would not be considered to generate GHG emissions, through proposed changes in the frequency of events at wineries and farm breweries, that would have a significant impact on the environment, or conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Consequently, the proposed project would not result in a cumulatively considerable incremental contribution to impacts related to GHG emissions or climate change and the project's impact would be *less than cumulatively considerable*.

Mitigation Measure(s)

None required.

Land Use and Planning

12-6 Cumulative land use and planning incompatibilities. Based on the analysis below, the cumulative impact is *less than significant*.

The geographic context for the cumulative analysis of land use compatibility impacts is each of the five winery/farm brewery sub-regions within which future study facilities are likely to be developed. Cumulative development occurring within such sub-regions, including future wineries and farm breweries, would result in increased development intensity near rural residential and agricultural areas. However, as noted previously, while the proposed project would increase the number of allowable events at existing and future study facilities, the proposed project would not directly induce the development of additional medium or large wineries/farm breweries, as they are already permitted by-right in certain zones, and the project would not expand the number of zones where by-right development can occur.

As shown in Table 12-8, proposed changes to the permit requirements for wineries and farm breweries are generally more restrictive than the current Winery Ordinance. Specifically, as noted in Chapter 8, Land Use and Planning, of this EIR, a MUP and a Conditional Use Permit (CUP) both require a public hearing prior to approval, whereas an Administrative Review Permit (ARP) does not. Chapter 8 provides a summary of the differences between the CUP, MUP, ARP, and Zoning Clearance (C) land use permit requirements referenced in Table 12-8.

Similar to the existing study facilities within Placer County, future medium and large parcel size wineries and farm breweries at which by-right Agricultural Promotional

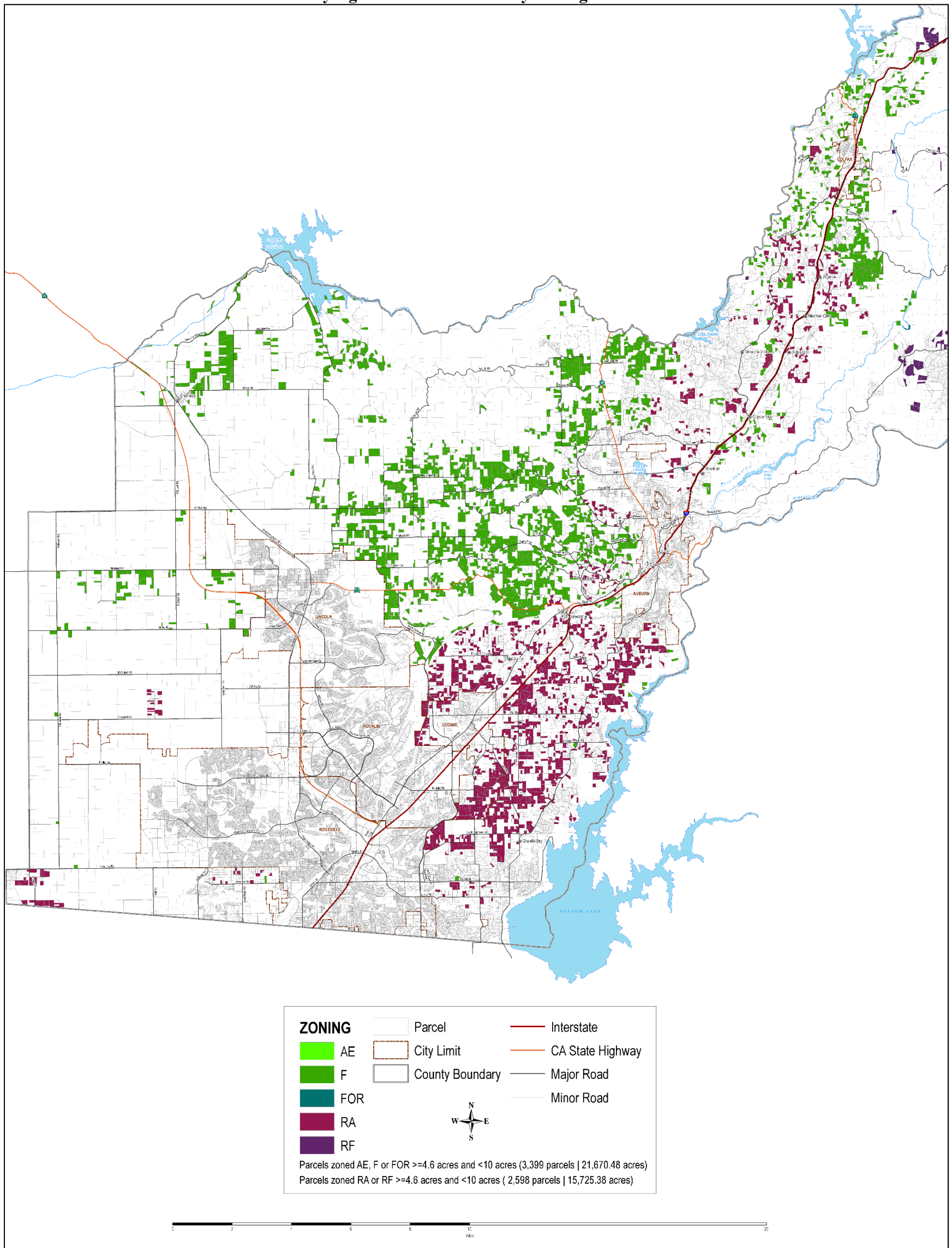
Events and Special Events could occur would be developed primarily on land zoned Farm (F) by the County. As shown in Table 12-8, future production facilities with tasting rooms within Residential Agricultural (RA) and Residential Forest (RF) zone districts subject to a CUP or an MUP and, thus, would require additional review, separate from the proposed project, in order to host such events.

Table 12-8 Proposed Changes to Permit Requirements		
Use	Existing Ordinance	Proposed Ordinance
Small Production (0 to 20,000 cases)	ARP required in RA and RF zone districts	MUP required
	Not allowed in RES zone district	Allowed with ARP in RES zone district
Wholesale and Retail Sales of Wine, Grape, and Beer Products	ARP required in RA and RF zone districts	MUP required in RA and RF zone districts
Tasting and Retail Sales of Wine- or Beer-Related Merchandise	ARP required in RA and RF zone districts	CUP required in RA and RF zone districts on 4.6- to less than 10-acre parcels
		MUP required in RA and RF zone districts on parcels 10 acres or larger.
	C required for AE, F, and FOR zone districts on 4.6-acre minimum parcel size	MUP required for AE, F, and FOR zone districts on 4.6- to less than 10-acre parcels Zoning Clearance allowed for AE, F, and FOR zone districts on parcels 10 acres or larger.

Source: Placer County Code, 2018.

As also shown in Table 12-8, under the currently adopted Winery Ordinance, the minimum parcel size for establishment of a new production facility with a tasting room without a Use Permit is 4.6 acres in the Agricultural and Resource (AE, F, FOR) zoning districts. Under the proposed project, a minimum parcel size of 10 acres would be required for any new production facility with a tasting room to be established without a use permit in the AE, F, and FOR zoning districts. For existing parcels sized between 4.6 and less than 10 acres, and zoned AE, F, or FOR, an MUP would be required, whereas a production facility with a tasting room is currently allowed by-right on such parcels. Within Placer County, a total of approximately 3,400 parcels (21,677 acres) sized between 4.6 and less than 10 acres are currently zoned AE, F, or FOR (Figure 12-1). A total of 3,860 parcels (455,577 acres) are sized 10 acres or larger and are currently zoned AE, F, or FOR. Thus, the proposed Zoning Text Amendment would preclude potential by-right development of production facilities with tasting rooms on approximately 47 percent of the parcels zoned AE, F, or FOR. Consequently, as generally shown in Figure 12-1, the total number of interfaces between parcels zoned AE, F, and FOR and parcels zoned RA or RF would be reduced.

Figure 12-1
West Placer County Agricultural and Forestry Zoning: Parcels 4.6 to 10 Acres



Source: Placer County GIS, 2017.

Therefore, Agricultural Promotional Events and Special Events permitted by-right at future wineries and farm breweries with tasting rooms would be less likely to occur adjacent to land zoned RA or RF, thereby reducing the potential for land use conflicts related to Agricultural Promotional Events and Special Events occurring in close proximity to single-family rural residences within RA and RF zoning districts.

Given that the exact locations of future wineries and farm breweries is currently unknown, potential land use incompatibility issues with existing development or other cumulative development in Placer County cannot be precisely determined at this time. However, as discussed previously, this EIR conservatively assumes that future study winery/farm brewery growth would include 30 future study facilities concentrated within the following five sub-regions: North Wise Road; South Wise Road; Newcastle/Ophir; Northwest Auburn; and Horseshoe Bar/Penryn. As shown in Table 12-2, the total amount of land zoned F, AE, or FOR within the winery/farm brewery sub-regions (68,030 acres) is substantially greater than the total amount of land zoned RA or RF (18,507 acres). The greatest number of future study facilities are anticipated to occur within the South Wise Road sub-region, which includes only 10.59 acres of land zoned RA or RF. Figure 3-3 in Chapter 3, Project Description, of this EIR provides an overview of the current zoning designations within each of the winery/farm brewery sub-regions. Given that future study facilities are less likely to occur adjacent to land zoned RA or RF, increased Agricultural Promotional Events and Special Events at future facilities, enabled by the proposed Zoning Text Amendment, is less likely to result in land use incompatibility issues.

With regard to present and planned land uses within the County, Section 17.56.330(D)(1)(a) of the Placer County Code currently requires wineries to include at least one acre of planted vineyard on-site. While existing facilities would continue to be subject to the current one-acre requirement, the proposed project would increase the minimum required acreage of planted crops to two acres for future wineries and farm breweries. As such, increased Agricultural Promotional Events and Special Events occurring at such future facilities as a result of the proposed project would be more closely tied to the promotion and marketing of local agricultural products. Furthermore, as shown in Table 8-6 of the Land Use and Planning chapter of this EIR, the proposed Zoning Text Amendment would be generally consistent with relevant policies in the Placer County General Plan related to planning and land use.

With respect to other cumulative development (i.e., in addition to cumulative winery/farm brewery growth), only two reasonably foreseeable projects have been identified, whereas the remaining amount of cumulative growth assumed in this EIR is not location specific, but rather, is based on an applied 2% annual background growth rate over 20 years. Land use conflicts are site-specific and would not result in a cumulative impact. Incompatibility issues are addressed and mitigated on a project-by-project basis. While the potential for land use conflicts to result from cumulative winery and farm brewery development is relatively unlikely, for the reasons discussed above, the County would review each building permit application for future facilities, during which time potential incompatibilities would be addressed.

Based on the above, a significant adverse cumulative effect with regard to land use compatibility associated with implementation of past, present, and reasonably foreseeable future projects would not occur, and the cumulative impact would be *less than significant*.

Mitigation Measure(s)

None required.

Noise

- 12-7 Result in exposure of persons to or generation of traffic noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies, or a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Based on the analysis below, the cumulative impact is *less than significant*.**

As discussed in Chapter 9, Noise, of this EIR, the Placer County General Plan Noise Element applies a 60 decibel (dB) day-night average (L_{dn})/ Community Noise Equivalent Level (CNEL) exterior noise level standard at the property lines of residential uses affected by transportation noise sources. In addition, for the purpose of this analysis, the proposed Zoning Text Amendment would result in a substantial permanent increase in ambient noise levels above levels existing without the project if project traffic noise would exceed the Federal Interagency Committee on Noise (FICON) noise level increase thresholds shown in Table 12-9 below.

Table 12-9 Significance of Changes in Cumulative Noise Exposure	
Ambient Noise Level Without Project, L_{dn} dB	Increase Required for Significant Impact
<60	+5.0 dB or more
60-65	+3.0 dB or more
>65	+1.5 dB or more
<i>Source: Federal Interagency Committee on Noise, 1992.</i>	

Future development within the Winery/Farm Brewery sub-regions, as well as events at future study facilities, would incrementally affect the future cumulative ambient noise environment. To assess noise impacts due to project-related traffic increases on the existing local roadway network, noise levels have been calculated for the Cumulative Plus Project Condition as part of the Environmental Noise Analysis prepared for the proposed project by Bollard Acoustical Consultants, Inc.¹⁴

¹⁴ Bollard Acoustical Consultants, Inc. *Environmental Noise Analysis, Proposed Winery and Farm Brewery Zoning Text Amendment Project*. April 2019.

Table 12-10 and Table 12-11 summarize the Cumulative No Project Condition and Cumulative Plus Project Condition traffic noise levels at a distance of 100 feet from the centerlines of roadway segments in the project area for the weekday and weekend scenarios, respectively. As noted in the Transportation and Circulation section of this chapter, the Cumulative Plus Project Condition includes trip generation associated with concurrent events at the 10 existing study facilities and 31 pending and future study facilities, as well as cumulative background growth.

As shown in the tables, traffic noise generated by concurrent events at each existing, pending, and future study facility, as well as other cumulative growth, would result in traffic noise level increases ranging from 0.0 to 2.2 dB L_{dn} on weekdays and 0.0 to 1.2 dB L_{dn} on weekends. Relative to the FICON significance criteria identified in Table 12-9, such increases would not be substantial. Therefore, off-site traffic generated by the proposed Zoning Text Amendment would not result in a substantial increase in traffic noise levels under cumulative conditions.

Based on the above, the proposed Zoning Text Amendment would not result in exposure of persons to or generation of off-site traffic noise levels in excess of standards established in the Placer County General Plan and Noise Ordinance, or applicable standards of other agencies, or result in a substantial permanent increase in ambient noise levels in the project vicinity above cumulative levels without the project. Thus, a *less-than-significant* cumulative impact would occur.

Mitigation Measure(s)

None required.

- 12-8 Result in exposure of persons to or generation of non-transportation noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies, or a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Based on the analysis below, with the implementation of mitigation, the cumulative impact is *less than significant*.**

The following sections include an analysis of non-transportation noise level increases associated with Agricultural Promotional Events and Special Events occurring at future study facilities under the proposed Zoning Text Amendment.

Agricultural Promotional Events

Under the proposed Zoning Text Amendment, Agricultural Promotional Events are directly related to the education and marketing of wine and craft beer to consumers including, but not limited to, winemaker/brewmaster dinners, release parties, membership club parties, and private parties where the only alcohol served is produced by the winery/farm brewery. An Agricultural Promotional Event accommodates 50 people or less at one time.

Table 12-10				
Cumulative Plus Project Weekday Traffic Volumes and Traffic Noise Modeling Results				
Roadway	Segment	Traffic Noise Level at 100 feet (L_{dn}, dB)		
		Cumulative	Cumulative Plus Project	Increase
Auburn Folsom Rd	Dick Cook Rd to Horseshoe Bar Rd	64.5	64.6	0.0
Ayers Holmes Rd	Mt. Vernon Rd to Wise Rd	48.9	49.6	0.7
Bald Hill Rd	Crater Hill Rd to Valle Vista Ct	53.8	54.0	0.2
Baxter Grade Rd	Wise Rd to Mt. Vernon Rd	52.7	53.3	0.6
Bell Rd	Coyote Ridge Ct to Miracle Ln	58.9	59.3	0.5
Bell Rd	Mallard Way to Cramer Rd	55.3	56.3	1.0
Chili Hill Rd	Lozanos Rd to Gold Hill Rd	48.1	49.0	0.9
Combie Rd	Placer Hills Rd to Wooley Creek Ln	56.9	56.9	0.0
Cramer Rd	Bell Rd to SR 49	51.2	52.1	0.8
Crosby Herold Rd	Wise Rd to Meadow Creek Rd	50.3	50.8	0.5
Del Mar Ln	Sierra College Blvd to Rock Hill Winery	53.1	53.1	0.0
Fowler Rd	Virginiatown Rd to SR 193	58.0	58.6	0.6
Fleming Rd	Gladding Rd to McCourtney Rd	39.0	41.3	2.2
Fruitvale Rd	Fowler Rd to Gold Hill Rd	59.1	59.5	0.4
Gold Hill Rd	Virginiatown Rd to SR 193	59.3	60.0	0.7
Horseshoe Bar Rd	Val Verde Rd to Auburn Folsom Rd	58.1	58.1	0.0
Lone Star Rd	Bell Rd to SR 49	54.4	54.6	0.2
McCourtney Rd	Wise Rd to Big Ben Rd	58.2	58.6	0.4
Millertown Rd	Wise Rd to Vada Ranch Rd	44.4	44.4	0.0
Mt. Vernon Rd	Hastings Ln to Meyers Ln	60.6	60.9	0.3
Mt. Vernon Rd	Vineyard Dr to Millerstown Rd	62.2	62.4	0.3
Nicolaus Rd	Canal to Maverick Ln	62.3	62.3	0.0
Placer Hills Rd	Pinewood Wy to Winchester Club Dr	65.0	65.0	0.0
Ridge Rd	Gold Hill Rd to Ophir Rd	51.6	51.6	0.0
Sierra College Blvd	Del Mar Rd to King Rd	67.9	68.1	0.2
SR 193	Sierra College Blvd to Fowler Rd	66.1	66.4	0.3
Virginiatown Rd	Coyote Ln to Fowler Rd	54.1	55.1	1.0
Wise Rd	McCourtney Rd to Crosby Herold Rd	61.5	62.3	0.8
Wise Rd	Crosby Herold Rd to Garden Bar Rd	60.2	60.7	0.5
Wise Rd	Garden Bar Rd to Wally Allan Rd	56.9	57.5	0.6
Wise Rd	County Lane to Crater Hill Rd	54.6	54.9	0.2
Wise Rd	Bald Hill Rd to Ophir Rd	52.6	52.7	0.1
<i>Source: Bollard Acoustical Consultants, Inc., 2019.</i>				

Table 12-11 Cumulative Plus Project Weekend Traffic Volumes and Traffic Noise Modeling Results				
Roadway	Segment	Traffic Noise Level at 100 feet (L_{dn}, dB)		
		Cumulative	Cumulative Plus Project	Increase
Auburn Folsom Rd	Dick Cook Rd to Horseshoe Bar Rd	64.4	64.4	0.0
Ayers Holmes Rd	Mt. Vernon Rd to Wise Rd	49.7	50.3	0.6
Bald Hill Rd	Crater Hill Rd to Valle Vista Ct	52.7	53.0	0.2
Baxter Grade Rd	Wise Rd to Mt. Vernon Rd	51.4	52.2	0.8
Bell Rd	Coyote Ridge Ct to Miracle Ln	59.7	60.1	0.4
Bell Rd	Mallard Way to Cramer Rd	54.9	56.0	1.1
Chili Hill Rd	Lozanos Rd to Gold Hill Rd	46.7	47.9	1.1
Combie Rd	Placer Hills Rd to Wooley Creek Ln	56.5	56.5	0.0
Cramer Rd	Bell Rd to SR 49	52.4	53.0	0.7
Crosby Herold Rd	Wise Rd to Meadow Creek Rd	51.5	51.9	0.4
Del Mar Ln	Sierra College Blvd to Rock Hill Winery	53.2	53.2	0.0
Fowler Rd	Virginiatown Rd to SR 193	58.1	58.7	0.6
Fleming Rd	Gladding Rd to McCourtney Rd	42.2	43.4	1.2
Fruitvale Rd	Fowler Rd to Gold Hill Rd	58.1	58.6	0.5
Gold Hill Rd	Virginiatown Rd to SR 193	60.0	60.6	0.6
Horseshoe Bar Rd	Val Verde Rd to Auburn Folsom Rd	56.5	56.6	0.0
Lone Star Rd	Bell Rd to SR 49	55.0	55.0	0.0
McCourtney Rd	Wise Rd to Big Ben Rd	58.2	58.6	0.4
Millertown Rd	Wise Rd to Vada Ranch Rd	43.9	43.9	0.0
Mt. Vernon Rd	Hastings Ln to Meyers Ln	61.8	62.1	0.2
Mt. Vernon Rd	Vineyard Dr to Millerstown Rd	61.6	61.9	0.3
Nicolaus Rd	Canal to Maverick Ln	61.1	61.1	0.0
Placer Hills Rd	Pinewood Wy to Winchester Club Dr	63.8	63.8	0.0
Ridge Rd	Gold Hill Rd to Ophir Rd	50.6	50.6	0.0
Sierra College Blvd	Del Mar Rd to King Rd	67.5	67.7	0.2
SR 193	Sierra College Blvd to Fowler Rd	66.3	66.6	0.3
Virginiatown Rd	Coyote Ln to Fowler Rd	55.1	55.9	0.8
Wise Rd	McCourtney Rd to Crosby Herold Rd	62.1	62.8	0.7
Wise Rd	Crosby Herold Rd to Garden Bar Rd	60.6	61.1	0.5
Wise Rd	Garden Bar Rd to Wally Allan Rd	57.0	57.6	0.5
Wise Rd	County Lane to Crater Hill Rd	53.6	53.9	0.3
Wise Rd	Bald Hill Rd to Ophir Rd	52.2	52.3	0.2
<i>Source: Bollard Acoustical Consultants, Inc., 2019.</i>				

Due to the relatively small size and nature of such events, it is considered unlikely that events such as winemaker's dinners would include amplified music similar to that which might occur at larger Special Events. If music is to be present at Agricultural Promotional Events, it is more likely that the music would be of the acoustic variety (acoustic guitar = 50 dBA at 100 feet). Furthermore, with 50 attendees or less present at one time, it is unlikely that a public address system would be required for the speakers to be heard (person speaking in loud voice = 43 dBA at 100 feet). With half of the attendees speaking in normal voices during casual conversation (58 dBA at 3 feet), the computed hourly average noise level at a reference distance of 100 feet would be 41 dBA. The combined noise level of such noise sources would be approximately 51 dBA at a distance of 100 feet from the event, assuming the event occurs outdoors. Sound generated by events held indoors would be substantially contained within the building. Therefore, noise generated by Agricultural Promotional Events at future study facilities is predicted to comply with the County's Noise Ordinance standards provided such events occur beyond 100 feet from the property line of a noise-sensitive land use if the events are held outdoors. For events located within the unincorporated areas of the Auburn/Bowman Community Plan Area, the noise generated by Agricultural Promotional Events is predicted to be in compliance with the Auburn/Bowman Plan daytime standard, provided such events occur beyond 200 feet from the property line of a noise-sensitive land use if they are held outdoors.

Special Events

Sound levels generated during Special Events held at wineries and farm breweries can vary considerably at nearby noise-sensitive properties depending on the size and nature of the event. For example, larger wedding receptions, where amplified music is present, tend to generate higher noise levels than smaller events where unamplified, acoustic music is present. The proposed Zoning Text Amendment sets maximum attendance limits for Special Events, including weddings, at 100 people for medium parcel-sized study facilities and 200 people for large parcel-sized facilities.

As discussed in Chapter 9, Noise, of this EIR, daytime average ambient conditions in the rural areas of Placer County averaged approximately 50 dB L_{eq} . Thus, satisfaction with the County's 55 dB L_{eq} Noise Ordinance daytime threshold, and 50 dB L_{eq} daytime threshold for events within the Auburn/Bowman Community Plan area, would ensure that the noise level increase associated with winery and farm brewery events would be approximately 5 dB or less, which is consistent with the Noise Ordinance threshold. However, because the noise source in question consists of speech and/or music, a -5 dB penalty is applied to the County noise standard. As a result, the critical daytime noise threshold for speech or music generated during events would be 50 dB L_{eq} during daytime hours (45 dB L_{eq} for the Auburn/Bowman Community Plan area). During evening hours (7:00 PM to 10:00 PM), average measured ambient conditions were approximately 45 dB L_{eq} . After upward adjustment by 5 dB for the allowable increase and downward adjustment by 5 dB because the noise source consists of speech or music, this analysis concludes that the appropriate evening sound level threshold for special events would be 45 dB L_{eq} at nearby sensitive areas, including uses within the

Auburn/Bowman Community Plan area. The 5 dB threshold is identified as the limit for non-transportation noise level increases in the Section 9.36.060.A.1 of the Placer County Code. The distances to the 45 and 50 dB L_{eq} noise contours are identified in Table 12-12 below. The methodology used to develop the noise contours presented in Table 12-12 is discussed in the Method of Analysis section of Chapter 9, Noise, of this EIR.

As shown in Table 12-12, the distances from the noise source, which are required to meet County noise standards, vary depending on the noise source. Non-amplified music requires relatively modest setbacks to meet County noise standards, and future study facilities are generally expected to meet these distances due to parcel size and/or site planning. As would be expected, with amplification, the setback requirements increase, with the greatest setbacks being required for wedding receptions having amplified speech and music. Given the relatively large setback distances, between amplified noise sources and nearby sensitive receptors, that are required to meet County noise standards, it is possible that applications for future wineries and/or farm breweries could propose event venues within such setback distances.

Table 12-12		
Distances Required to Attenuate Event Noise		
Event/Activity	Distance to Contour (feet)	
	50 dB L_{eq}	45 dB L_{eq}
Amplified speech/music at louder event (i.e. wedding reception)	750	1,225
Amplified speech/music at quieter event (i.e. wine industry dinner)	550	925
Amplified speech only (no amplified music)	275	450
Non-amplified music (i.e. acoustic ensemble)	150	275
Non-amplified music (single acoustic guitar)	100	175
Raised conversations (100 people)	150	275
Raised conversations (50 people)	125	200
Note: The distances presented above do not include any additional attenuation which would result from shielding by intervening topography, structures, or vegetation.		
Source: Bollard Acoustical Consultants, Inc., 2019.		

Conclusion

Based on the above, non-transportation noise associated with Agricultural Promotional Events at future study facilities would comply with the County's Noise Ordinance standards provided such events occur beyond 100 feet (200 feet within Auburn/Bowman Community Plan) from the property line of a noise-sensitive land use if the events are held outdoors. However, non-transportation noise associated with Special Events, including weddings, could conflict with the County's established thresholds at the property lines of the nearest sensitive receptors. Therefore, the proposed Zoning Text Amendment could result in a *significant* cumulative impact related to exposure of persons to or generation of non-transportation noise levels in excess of standards established in the Placer County General Plan, Auburn/Bowman Community Plan, the Placer County Noise Ordinance, or applicable standards of other agencies.

Mitigation Measure(s)

Implementation of the following mitigation measures would reduce the above cumulative impact to a *less-than-significant* level.

- 12-8 *The Zoning Text Amendment shall be revised to state that when reviewing applications for new winery and/or farm brewery building permits, Placer County should compare the appropriate Table 12-12 setback requirements to the actual distances between the proposed sound source location and nearest sensitive receptor property line(s). If the actual setback distances are greater than those identified in Table 12-12 for the proposed type of sound source(s), then no additional acoustical analysis would typically be required. If, however, the actual distances between the proposed sound source locations and nearest sensitive receptor location(s) are less than those shown in Table 12-12, then a site-specific noise analysis should be required to evaluate compliance with the County's noise standards.*

The distances to the noise contours shown in Table 12-12 do not include any attenuation of sound caused by intervening structures, vegetation, or topography. In addition, the Table 12-12 contours do not take into account the directionality of amplified sound system speakers, which can be 10 to 15 dB lower behind the speaker than in front of the speaker. As a result, the Table 12-12 data should be considered worst-case. Therefore, it is likely that in most cases, the actual distances to the noise contours will be considerably less than those shown in Table 12-12. It shall be the function of the site-specific noise analysis to quantify the additional sound attenuation that would result from natural features, such as intervening topography (i.e. hills), structures, or vegetation, which are specific to the location for which the event permit is being processed. Specific information, which shall be included in project-specific noise analyses, is as follows:

1. *Shielding by Barriers, Structures, or Topography*

Shielding of noise sources, which results in reduced sound levels at locations affected by such shielding, can result from intervening noise barriers, structures or topography. Site specific noise studies should include an evaluation of such shielding. If needed for compliance with the County's noise standards, additional shielding of sound sources can be obtained by placing walls or other structures between the noise source and the receiver. The effectiveness of a barrier depends upon blocking line-of-sight between the source and receiver, and is improved with increasing the distance the sound must travel to pass over the barrier as compared to a straight line from source to receiver. The difference between the distance over a barrier and a straight line between

source and receiver is called the "path length difference," and is the basis for calculating barrier noise reduction.

Barrier effectiveness depends upon the relative heights of the source, barrier and receiver. In general, barriers are most effective when placed close to either the receiver or the source. An intermediate barrier location yields a smaller path-length-difference for a given increase in barrier height than does a location closer to either source or receiver.

As a rule of thumb, sound barriers located relatively close to the source or sensitive receptor generally provide an initial noise reduction of 5 dB once line of sight between the noise source and receiver has been interrupted by the barrier, and an additional noise reduction of approximately 1 dB per foot of barrier height after the barrier intercepts line of sight.

2. Shielding and Absorption Provided by Vegetation

Trees and other vegetation are often thought to provide significant noise attenuation. However, approximately 50 to 100 feet of dense foliage (so that no visual path extends through the foliage) is typically required to achieve a 5 dB attenuation of noise. Thus the use of vegetation as a noise barrier is, therefore, frequently an impractical method of noise control unless large tracts of dense foliage are part of the existing landscape. However, in cases where such vegetation exists between the proposed events and nearby sensitive receptors, an evaluation of the sound attenuation provided by such vegetation should be included in the project-specific noise analysis.

Vegetation can be used to acoustically "soften" intervening ground between a noise source and receiver, increasing ground absorption of sound and thus increasing the attenuation of sound with distance. Planting of trees and shrubs is also of aesthetic and psychological value, and may reduce adverse public reaction to a noise source by removing the source from view, even though noise levels will be largely unaffected.

In summary, the effects of vegetation upon noise transmission are minor unless there is considerable intervening vegetation between the source and receptor. Where the amount of intervening vegetation is not substantial, the benefits may be limited to some increased absorption of high frequency sounds and in reducing adverse public reaction to the noise by providing aesthetic benefits.

3. Direction of Sound Travel

Sound propagation is not affected by gravity. As a result, sound travels uphill similar to sound traveling downhill, provided all other variables are equal. In cases where sensitive receptors are located above or below a noise source with no intervening structures, topography, or substantial vegetation, no additional shielding offsets should be applied for these features.

4. Other Sound Mitigation Options

Other options for sound attenuation which should be considered when evaluating permit applications for winery and farm brewery events include the following:

- Locating the events or loudest components of those events indoors.*
- Orienting speakers in directions away from the nearest sensitive receptors.*
- Locating speakers in positions which provide the maximum distances to the nearest noise-sensitive receptors.*
- Using a larger number of speakers with lower individual output arranged in such a manner as to focus the sound at the desired locations rather than fewer speakers with higher sound output.*
- Setting limits on the sound level output of the amplified speech or music equipment.*
- Restricting sound amplification equipment entirely.*

Transportation and Circulation

The following section discusses the cumulative transportation and circulation conditions associated with the proposed Zoning Text Amendment. The information contained within this section is based on the Traffic Impact Analysis prepared for the proposed project by KD Anderson & Associates, Inc. (see Appendix G).¹⁵ The Traffic Impact Analysis include an analysis of traffic operations under the following cumulative scenarios:

- Cumulative No Project Condition:** Traffic volumes associated with cumulative (year 2035) buildout of the project region without traffic generated by the proposed project. The Cumulative No Project Condition includes reasonably certain projected changes to intersection geometry and roadway segments. The Cumulative No Project Conditions

¹⁵ KD Anderson & Associates, Inc. *Traffic Impact Analysis for Placer County Winery and Farm Brewery Ordinance*. April 10, 2019.

scenario establishes a baseline condition for identifying long-term project-related impacts.

- **Cumulative Plus Project Condition:** Traffic associated with the Cumulative No Project Condition plus trips resulting from the proposed Zoning Text Amendment.

The following section considers the incremental impact of the proposed project within the context of long-term traffic conditions in the winery/farm brewery sub-regions. In addition to traffic generated by Agricultural Promotional Events and Special Events at existing, pending, and future study facilities, the analysis of long-term cumulative impacts considers the combined effect of regional traffic growth on study area roads and trips associated with reasonably foreseeable development proposals. A complete list of study roadways and intersections included in this analysis is provided in Chapter 10, Transportation and Circulation, of this EIR.

Cumulative Traffic Volume Forecasts

Local agencies have various resources available for estimating background growth on regional transportation facilities. In the case of the winery/farm brewery sub-regions, the study area is generally addressed by the original Placer County regional travel demand forecasting model, as well as subsequent models derived from the Placer County model and created for the North Auburn area, the City of Lincoln, and the Town of Loomis. Such models account for the regional effects of development throughout the SACOG multi-county region. Each model includes known development projects in the County and reflects development that is consistent with adopted General Plans.

Because the winery/farm brewery sub-regions are rural with relatively limited development prospects, Placer County staff reviewed model results and the configuration of each model with regard to the level of detail provided and the reliability of forecasts to determine the best approach for this analysis. Placer County staff also reviewed available traffic studies and Caltrans planning documents and compared traffic model results to historic traffic volume counts on study area roads. Based on the results of the aforementioned review process, Placer County staff determined that the best approach yielding conservative results, while incorporating the effects of growth in all jurisdictions, would assume a uniform annual growth rate of 2.0 percent on each roadway segment. The resulting 20-year growth factor (i.e., 1.49) has been applied to the traffic volume on each roadway and at study intersections.

Reasonably Foreseeable Projects

Placer County Planning staff considered the extent of proposed development projects that might add traffic to the winery/farm brewery sub-regions that would not reasonably be addressed by a background growth rate. For the purpose of this analysis, projects within the immediate study area were identified specifically, while projects located at more distant locations were assumed to be part of the background growth rate. Two proposed projects in the immediate study area were identified for the cumulative analysis: the Hidden Falls Regional Park Trails Network Expansion and the Sierra College Boulevard/SR 193 Retail Center. For this analysis, traffic associated with development in the City of Lincoln, the City of Rocklin, and projects south of SR

193, such as Bickford Ranch, the Village at Loomis, and Loomis Costco, are reflected in the background growth rate.

Hidden Falls Regional Park Trails Network Expansion

Placer County is currently preparing a Subsequent EIR (SEIR) to evaluate the impacts of expanding the Hidden Falls Regional Park Trails Network. The park's existing facilities lie north of Mt. Vernon Road and take access from Mt. Vernon Road by way of Mears Lane. The traffic generated by Hidden Falls Regional Park is included in the existing setting used for this analysis. The proposed expansion would add trail connectivity to land to the north and west of the park with expanded multi-use, natural-surface trails; new access points to such areas would be created. While the exact location of new access and new parking facilities is being determined and evaluated in the SEIR, for this cumulative analysis, the expansion is assumed to include up to 441 additional parking spaces, including spaces that are already approved but not yet constructed. The number of additional trips associated with the expansion has been estimated assuming continuing implementation of the peak period reservation system recently enacted at the existing park.

Sierra College Boulevard/SR 193 Retail Center

Placer County has recently been involved in pre-development discussions regarding a possible retail center at the intersection of Sierra College Boulevard and SR 193. The 10-acre development under consideration would require a General Plan Amendment and rezone and would be subject to an EIR prior to consideration by the Placer County Planning Commission and Board of Supervisors. Nonetheless, this analysis assumes the project would be completed under the cumulative scenario to provide a very conservative assessment of cumulative impacts.

Cumulative Roadway Improvements

The nature of reasonably certain future improvements to study area roads and intersections was determined based on consideration of projects included in adopted funding mechanisms, such as the Countywide Traffic Mitigation Fee Program, which requires new development within the County to mitigate impacts to the roadway system by paying traffic impact fees. The fees collected through the program, in addition to other funding sources, make it possible for the County to construct roads and other transportation facilities and improvements needed to accommodate new development. The fee was last updated in August of 2017.

The County's fee program and Capital Improvement Program (CIP) is divided into eleven districts, four of which are included in the winery/farm brewery sub-regions. Table 12-13 provides a summary of improvements included in the County's CIP for the benefit districts that include the winery/farm brewery sub-regions. Such improvements are assumed to be in place under cumulative conditions.

Table 12-13 Placer County CIP Projects by Benefit District		
Roadway	Location	Description of Improvements
Auburn Bowman Benefit District		
Mt. Vernon Road	City of Auburn to Joeger Road	Improve existing two lanes
Ophir Road	At Wise Road	Reconstruct pavement
SR 49	Dry Creek Road to Bell Road	Widen to six lanes
Meadow Vista Benefit District		
Placer Hills Road	I-80 to north of Combie Road	Widen to three lanes
Newcastle/Horseshoe Bar/Penryn Benefit District		
Bald Hill Road	Mt. Vernon Rd to Lozanos Road	Widen/reconstruct
Crater Hill Road	At Chili Hill Road	Realign intersection
Chili Hill Road	West of Lozanos Road	Realign horizontal curve
Lozanos Road	At Auburn Ravine	Replace bridge
	Ophir Road to Wise Road	Shoulder widening
Sierra College Boulevard	King Road to English Colony Way	Widen to four lanes
	At Delmar Avenue	Signalize
Wise Road	Ophir Road to Crater Hill Road	Shoulder widening
SR 193	Taylor Road to Gold Hill Road	Shoulder widening
Placer Central Benefit District		
Mt. Vernon Road	At Ayers Holmes Road	Improve sight distance
	At Mount Pleasant Road	Reconstruct intersection
Sierra College Boulevard	English Colony Way to SR 193	Widen to four lanes
SR 193	Gold Hill Road to Sierra College Boulevard	Shoulder widening
	Sierra College Boulevard to City of Lincoln	Widen to four lanes

Source: KD Anderson & Associates, Inc., 2019.

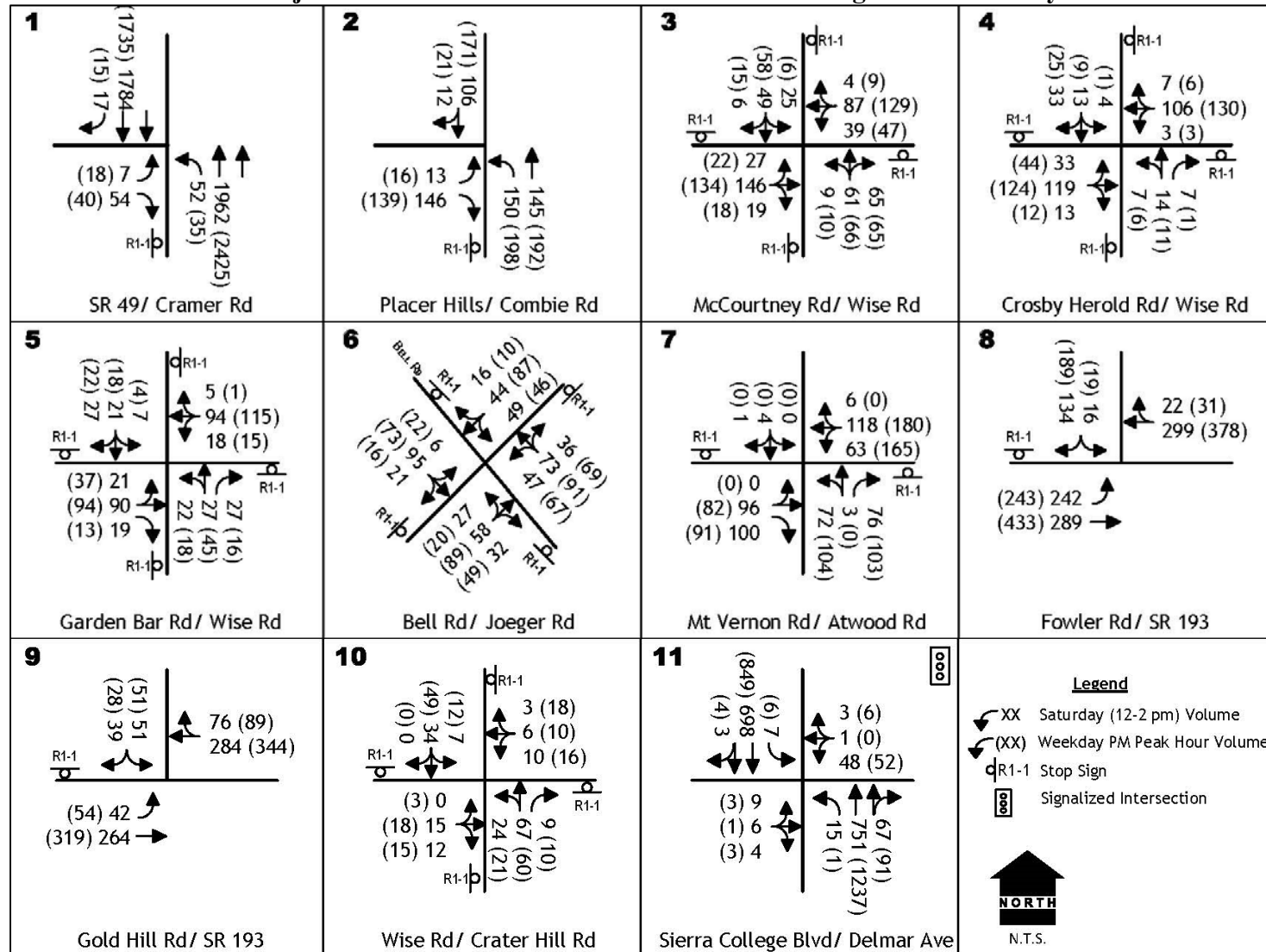
Cumulative No Project Condition Traffic Volumes and Lane Configurations

Figure 12-2 presents cumulative peak hour traffic volumes and lane configurations at study intersections under the Cumulative No Project Condition. Such forecasts reflect the identified background growth rate, as well as trips from reasonably foreseeable projects.

Cumulative Project Trip Generation and Assignment

Under long-term cumulative conditions, Agricultural Promotional Events and Special Events enabled by the proposed Zoning Text Amendment would generate vehicle trips at existing study facilities and future study facilities. Trip generation associated with both existing and future study facilities is summarized in Table 12-14. As shown in the table, a total of 3,728 new daily trips could be generated during weekdays and Saturdays. Up to 1,044 trips could be generated during the weekday PM peak hour, with a similar number of trips generated during the Saturday afternoon peak hour.

Figure 12-2
Cumulative No Project Condition Traffic Volumes and Lane Configurations – Study Intersections



Source: KD Anderson & Associates, Inc., 2019.

Table 12-14									
Project Trip Generation at Existing and Future Study Facilities									
Description	Quantity	Weekday				Saturday			
		Daily	PM Peak Hour			Daily	Afternoon Peak Hour		
			In	Out	Total		In	Out	Total
Existing Study Facilities									
Subtotal Existing Facilities	10	904	126	126	252	904	232	20	252
Pending Study Facilities									
Medium parcel-sized (Dueling Dogs Brewing Co.)	1	88	12	12	24	88	22	2	24
Subtotal Pending Facilities	1	88	12	12	24	88	22	2	24
Future Study Facilities									
Medium parcel-sized	22	1,936	264	264	528	1,936	484	44	528
Large parcel-sized	8	800	120	120	240	800	224	16	240
Subtotal Future Facilities	30	2,736	384	384	768	2,736	708	60	768
Total Study Facilities	41	3,728	522	522	1,044	3,728	962	82	1,044
Source: KD Anderson & Associates, Inc., 2019.									

The assignment of project traffic to the local area street system reflects the alternative routes available between various existing and future study facility locations and ultimate destinations. The choice of access route was determined based on the relative difference in travel time along each route. Using the regional trip distribution assumptions noted previously, winery and farm brewery trips were assigned to the local street system based on the least time path to each destination. Lane configurations and “project only” traffic volumes resulting from additional Agricultural Promotional Events and Special Events at existing, pending, and future study facilities are shown in Figure 12-3.

Cumulative Impacts and Mitigation Measures

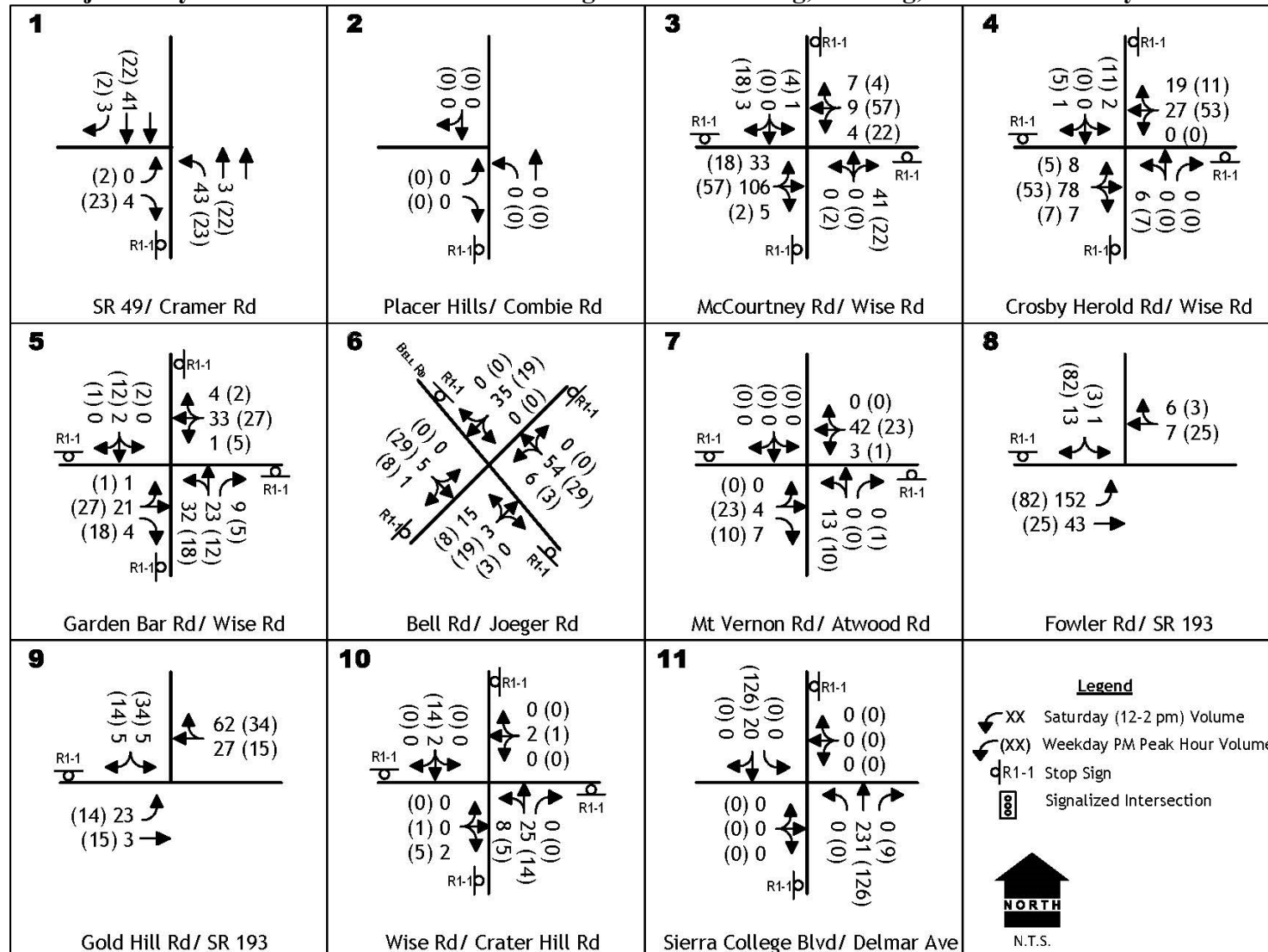
Cumulative impacts on the transportation system are evaluated in this section based on the applicable level of service (LOS) thresholds for study intersections and roadways, presented in Chapter 10, Transportation and Circulation, of this EIR, and the methodology described above.

12-9 Study roadway segments under the Cumulative Plus Project Condition. Based on the analysis below, the cumulative impact is *less than significant*.

Cumulative traffic volumes were created by applying the uniform annual traffic growth rate of 2.0 percent for 20 years (i.e., overall factor of 1.49) and by superimposing the trips associated with reasonably foreseeable projects, as well as the vehicle trips associated with additional by-right events enabled by the proposed Zoning Text Amendment at 10 existing study facilities, one pending facility, and 30 future study facilities.

Table 12-15 below summarizes average daily volumes and LOS for the study roadway segments under the Cumulative No Project and Cumulative Plus Project Conditions.

Figure 12-3
Project Only Traffic Volumes and Lane Configurations: Existing, Pending, and Future Study Facilities



Source: KD Anderson & Associates, Inc., 2019.

Table 12-15 Study Roadway LOS – Cumulative Plus Project Condition													
#	Roadway	Segment	Class	Roadway Daily Volume and Segment LOS									
				Weekday					Saturday				
				Cumulative No Project		Cumulative Plus Project			Cumulative No Project		Cumulative Plus Project		
				Daily Volume	LOS	Daily Volume		LOS	Daily Volume	LOS	Daily Volume		LOS
						Project	Total				Project	Total	
A	Auburn – Folsom Rd	South of King Rd	Rural Arterial	12,740	B	44	12,784	B	12,250	B	44	12,294	B
B	Ayers Holmes Rd	Mt. Vernon Rd to Wise Rd	Local Road	630	A	108	738	A	760	A	108	868	A
C	Bald Hill Rd	Wise Rd to Mt. Vernon Rd	Rural Collector	1,945	B	86	2,031	B	1,525	A	86	1,611	B
D	Baxter Grade Rd	Wise Rd to Mt. Vernon Rd	Rural Collector	1,520	A	229	1,749	B	1,115	A	229	1,344	A
E	Bell Rd	Lone Star Rd to Cramer Rd	Rural Collector	867	A	238	1,105	A	782	A	238	1,020	A
F	Bell Rd	Joeger Rd to Cramer Rd	Rural Collector	2,230	B	242	2,472	B	2,480	B	242	2,722	B
G	Chili Hill Rd	Lozanos Rd to Gold Hill Rd	Rural Collector	530	A	116	646	A	385	A	116	501	A
H	Combie Rd	Placer Hills Rd to end	Rural Collector	3,995	B	0	3,995	B	3,630	B	0	3,630	B
I	Cramer Rd	Bell Rd to SR 49	Local Road	1,080	A	228	1,308	A	1,410	A	228	1,638	B
J	Crosby Herold Rd	Wise Rd to Meadow Creek Rd	Local Road	880	A	108	988	A	1,150	A	108	1,258	A
K	Delmar Ave	Sierra College Blvd to Citrus Colony Rd	Rural Collector	1,675	A	0	1,675	A	1,720	A	0	1,720	A
L	Fowler Rd	SR 193 to Virginiatown Rd	Rural Collector	5,155	B	738	5,893	B	5,290	B	738	6,028	C
M	Fleming Rd	Gladding Rd to McCourtney Rd	Local Road	65	A	44	109	A	135	A	44	179	A
N	Fruitvale Rd	Fowler Rd to Gold Hill Rd	Rural Collector	2,210	B	222	2,432	B	1,740	B	222	1,962	B
O	Gold Hill Rd	SR 193 to Virginiatown Rd	Rural Collector	2,290	B	392	2,682	B	2,725	B	392	3,117	B
P	Horseshoe Bar Rd	Val Verde Rd to Auburn – Folsom Rd	Rural Collector	5,270	C	40	5,310	C	3,645	B	40	3,685	B
Q	Lone Star Rd	Bell Rd to SR 49	Local Road	2,255	B	14	2,369	B	2,560	B	14	2,574	B
R	McCourtney Rd	Wise Rd to Big Bend Rd	Rural Arterial	1,770	A	188	1,958	A	1,770	A	188	1,958	A
S	Millertown Rd	Wise Rd to Mt. Vernon Rd	Rural Collector	225	A	0	225	A	200	A	0	200	A
T	Mt. Vernon Rd	Wise Rd to Meyers Ln	Rural Collector	3,085	B	218	3,303	B	4,140	B	218	4,358	C
U	Mt. Vernon Rd	Vineyard Dr to Millertown Rd	Rural Collector	4,450	C	302	4,752	C	3,925	B	302	4,227	C
V	Nicolaus Rd	West of Dowd Rd	Rural Arterial	4,555	A	0	4,555	A	3,480	A	0	3,480	A
W	Placer Hills Rd	I-80 to Combie Rd	Rural Arterial	14,075	C	0	14,075	C	10,860	B	0	10,860	B
X	Ridge Rd	Gold Hill Rd to SR 193	Rural Collector	1,175	A	0	1,175	A	940	A	0	940	A
Y	Sierra College Blvd	South of King Rd	Rural Arterial	21,370	A	1,038	22,408	A	19,180	A	1,038	20,218	A
Z	SR 193	Sierra College Blvd to Fowler Rd	State Highway	10,980	B	876	11,856	B	11,420	B	876	12,296	B
AA	Virginiatown Rd	Lincoln limits to Fowler Rd	Rural Collector	1,150	A	298	1,448	A	1,460	A	298	1,758	A
BB	Wise Rd	McCourtney Rd to Crosby Herold Rd	Rural Arterial	3,840	A	760	4,600	A	4,360	A	760	5,120	A
CC	Wise Rd	Crosby Herold Rd to Garden Bar Rd	Rural Arterial	2,840	A	364	3,204	A	3,125	A	364	3,489	A
DD	Wise Rd	Garden Bar Rd to Mt. Vernon Rd	Rural Arterial	2,205	A	298	2,503	A	2,260	A	298	2,558	A
EE	Wise Rd	Baxter Grade Rd to Crater Hill Rd	Rural Collector	1,735	B	96	1,831	B	1,365	A	96	1,461	A
FF	Wise Rd	Bald Hill Rd to Ophir Rd	Rural Collector	1,485	A	48	1,533	A	1,340	A	48	1,388	A

Source: KD Anderson & Associates, Inc., 2019

As shown in the table, additional Agricultural Promotional Events and Special events enabled by the proposed Zoning Text Amendment at existing, pending, and future study facilities would increase the volume of traffic along the study roadway segments. However, all study roadway segments would continue to operate within accepted Placer County minimum LOS minimum standards for rural areas (LOS C, except within one half-mile of a State highway where, LOS D is acceptable). Therefore, traffic generated by the proposed Zoning Text Amendment at existing, pending, and future study facilities, in combination with traffic from other cumulative development, would result in a ***less than significant*** cumulative impact on cumulative roadway conditions.

Mitigation Measure(s)

None required.

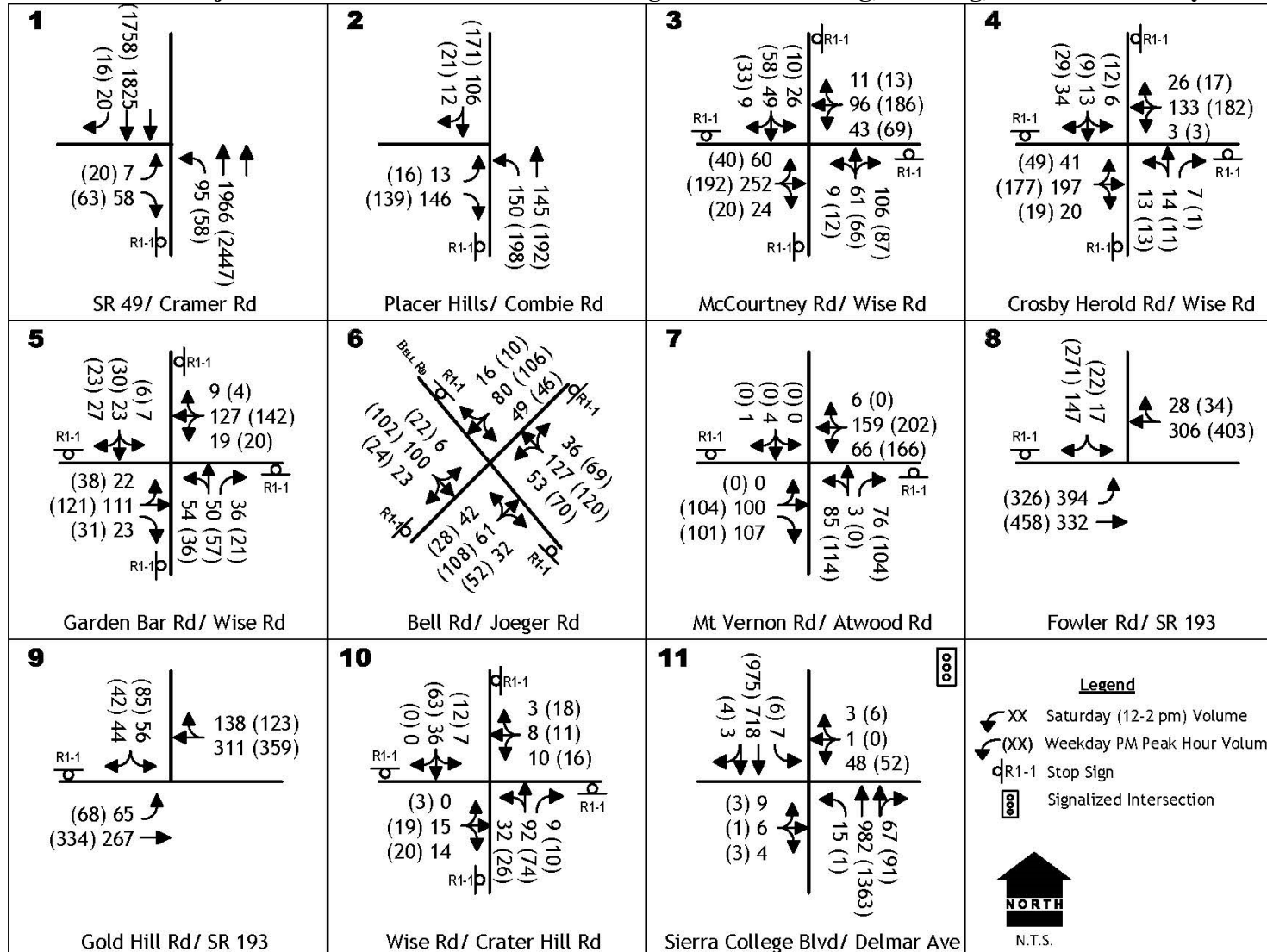
- 12-10 Study intersections under Cumulative Plus Project Conditions. Based on the analysis below, impacts to all study intersections under Cumulative Plus Project Conditions would be less than significant, with the exception of the SR 49/Cramer Road intersection. Given the lack of feasible mitigation, the project's incremental contribution to the significant cumulative impacts at the SR 49/Cramer Road intersection would be *cumulatively considerable and significant and unavoidable*.**

The traffic volumes and lane configurations occurring under Cumulative Plus Project Conditions are shown in Figure 12-4 below.

Table 12-16 below summarizes operations at each of the unsignalized study intersections under the Cumulative No Project and Cumulative Plus Project Conditions during weekday PM and Saturday afternoon peak hours. Where the project would cause operations to deteriorate below an acceptable level, a significant impact would occur if the intersection meets the MUTCD traffic signal warrant. Where deficient conditions are projected with and without the addition of project traffic, a significant impact would occur if the intersection meets the MUTCD traffic signal warrant and the project would cause the overall average delay at the intersection to increase by 2.5 seconds or more. For study intersections within Placer County, LOS C is the minimum acceptable standard, except within one half-mile of a State highway, where LOS D is acceptable.

As shown in Table 12-16, the SR 49/Cramer Road would operate unacceptably (LOS E) without project traffic during the weekday PM peak hour. All other study intersections would operate acceptably during the weekday PM and Saturday afternoon peak hours.

Figure 12-4
Cumulative Plus Project Traffic Volumes and Lane Configurations: Existing, Pending, and Future Study Facilities



Source: KD Anderson & Associates, Inc., 2019.

Table 12-16
Study Intersection LOS – Cumulative Plus Project Condition

#	Intersection	Control	Weekday PM Peak Hour				Saturday Afternoon Peak Hour			
			Cumulative No Project		Cumulative Plus Project		Cumulative No Project		Cumulative Plus Project	
			Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS
1	SR 49/Cramer Rd (overall) Eastbound Approach	EB Stop	(35.0) 46.2	(E) E	(41.8) 58.6	(E) F	(26.8) 33.5	(D) D	(30.3) 40.8	(D) E
2	Placer Hills Rd/Combie Rd (overall) Southbound Approach	SB Stop	(9.9) 12.1	(A) B	(9.9) 12.1	A B	(9.2) 10.5	(A) B	(9.2) 10.5	(A) B
3	Wise Rd/McCourtney Rd	AWS	9.4	A	11.4	B	9.5	A	12.8	B
4	Wise Rd/Crosby Herold Rd	AWS	8.2	A	9.0	A	8.0	A	8.9	A
5	Wise Rd/Garden Bar Rd	AWS	8.5	A	9.3	A	8.2	A	8.9	A
6	Bell Rd/Joeger Rd	AWS	9.8	A	11.0	B	8.7	A	9.5	A
7	Mt. Vernon Rd/Atwood Rd (overall) Northbound Approach	NB Stop	(11.4) 14.4	(B) B	(13.0) 17.3	(B) C	(8.8) 11.3	(A) B	(9.5) 11.8	(A) B
8	SR 193/Fowler Rd (overall) Southbound Approach	SB Stop	(14.3) 20.2	(B) C	(23.8) 39.3	(C) E	(10.9) 14.4	(B) B	(12.7) 20.4	(B) C
9	SR 193/Gold Hill Rd (overall) Southbound Approach	SB Stop	(14.3) 18.2	(B) C	(19.4) 25.0	(C) D	(12.4) 14.3	(B) B	(13.1) 16.1	(B) C
10	Wise Rd/Crater Hill Rd	AWS	7.9	A	8.1	A	7.9	A	8.2	A
11	Sierra College Blvd/Delmar Ave	Signal	6.5	A	6.4	A	7.2	A	6.9	A

Notes:

- (XX) indicates overall weighted average delay and LOS for movements yielding right-of-way.
- **Bold** indicates applicable LOS threshold exceeded.
- **Highlight** indicates a significant impact.
- AWS = all-way stop.

Source: KD Anderson & Associates, Inc., 2019.

SR 49/Cramer Road

Because conditions exceed LOS D with and without the project under the cumulative condition, the significance of the project's incremental impact at intersections controlled by side street stop signs is based on the incremental change in delay and is also predicated on satisfaction of peak hour traffic signal warrants. In this case, because the incremental change in overall delay (6.8 seconds) exceeds the increment allowed under Placer County methodology (i.e., 2.5 seconds), and projected traffic volumes satisfy peak hour warrants at this time, the project's incremental impact is significant at this intersection.

Conclusion

Based on the above, the proposed project would result in a ***cumulatively considerable*** contribution to the cumulative impact at the SR 49/Cramer Road intersection.

Mitigation Measure(s)

Any improvements to the SR 49/Cramer Road intersection would be subject to approval by Caltrans. As noted in Chapter 10, Transportation and Circulation, of this EIR, Caltrans and Placer County have considered future installation of roundabouts at selected intersections along the SR 49 corridor between Auburn and the Bear River. Installation of a two-lane roundabout at the SR 49/Cramer Road intersection would result in acceptable operations; however, the intersection may be better served by limiting intersection movements to right-turns only in concert with U-turn opportunities at future roundabouts at nearby intersections. Alternatively, signalization of the SR 49/Cramer Road intersection would result in LOS D conditions, which would satisfy the County's minimum LOS standard.

Any intersection improvement that involves stopping traffic on mainline State highways is subject to an additional level of analysis before a decision can be made as to the applicable choice of traffic control.

Current Caltrans policy requires that an Intersection Control Evaluation (ICE) report be prepared to analyze the best choice among all-way stop, traffic signal, or roundabout intersection improvement options. As such, preparation of an ICE report would be required for the SR 49/Cramer Road intersection prior to implementation of improvements.

Furthermore, funding sources have not been identified for improvements to the SR 49 corridor north of Dry Creek Road. Placer County could elect to identify a strategy for the overall traffic controls in the area and update the Traffic Impact Fee Program to address the local share of improvement costs. However, while future study facilities may contribute their fair share to the cost of SR 49 corridor improvements by paying into the Traffic Impact Fee Program, Placer County cannot guarantee that improvements to the SR 49/Cramer Road intersection would occur. As such, in the absence of feasible mitigation beyond that which is included below, the project's incremental contribution to

the cumulatively considerable impact to the SR 49/Cramer Road intersection would remain *cumulatively considerable and significant and unavoidable*.

12-10 *Prior to issuance of any Building Permits, future wineries and farm breweries shall be subject to the payment of traffic impact fees that are in effect in the area of development, pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) shall be required and shall be paid to Placer County DPWF:*

- A. *County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code*
- B. *South Placer Regional Transportation Authority (SPRTA)*

The fees to be paid shall be based on the fee program in effect at the time that the application is deemed complete. (ESD)

Utilities and Service Systems

12-11 Increase demand on utilities and service systems. Based on the analysis below, the project's incremental contribution to this significant cumulative impact is *less than cumulatively considerable*.

By-right Agricultural Promotional Events and Special Events enabled by the proposed Zoning Text Amendment would result in increased demand on water supply, wastewater treatment and conveyance, and solid waste services at existing and future study facilities.

Water Supply

As noted in Chapter 11 of this EIR, this section evaluates the question as to whether sufficient water supplies are available to serve the project and reasonably foreseeable development during normal, dry, and multiple dry years.

Providing water to the public is a regulated activity under the California Health and Safety Code. The currently adopted Winery Ordinance requires the facility owner to provide bottled water for consumption if more than 25 people in a 60-day period are served, unless otherwise approved by the County Environmental Health Division. The proposed project would clarify potable water standards in accordance with State regulations. For example, if a facility serves more than 24 people daily, 60 days or more per year, then a public water system shall be required, pursuant to Section E.7 of the proposed Zoning Text Amendment and the California Safe Drinking Water Act (Section 116275 of the California Health and Safety Code). The type of public water system required would be a Transient-Noncommunity water system, which includes restaurants, campgrounds, small wineries, motels and other non-residential facilities. Such a public water system requires a permit from the State Water Resources Control Board (SWRCB), Division of Drinking Water.

Future study facilities seeking to host more than 24 people daily, 60 days or more per year, as result of the proposed Zoning Text Amendment, would be required to install a public water system and obtain a permit from the SWRCB. Site occupancy and anticipated uses of a facility are the primary factors in determining whether a Transient-Noncommunity (TNC) public water system will be required. Therefore, water use associated with Agricultural Promotional Events and Special Events at future study facilities would be factored into the County's determination of whether a TNC public water system would be required. As building permit applications for new study facilities are submitted to the County, such applications would be reviewed by the Placer County Environmental Health Department to determine TNC public water system requirements. Any future study facilities not providing a TNC public water system would be required by the County to sign a Declaration of Small Water System Status, which verifies that provision of a state small water system, rather than a public water system, is appropriate for the facility based on the number of service connections provided, the number of days that the facility is operational, the population served on a daily basis, and the number of days in a year that at least 25 people will be served. Any violation of TNC public water system requirements is a code enforcement issue. Therefore, the County would ensure that water systems at existing and future study facilities would be adequate to accommodate planned uses, including Agricultural Promotional Events and Special Events.

As discussed in Chapter 11, Utilities and Service Systems, of this EIR, the proposed Zoning Text Amendment would result in an increased water demand of approximately 0.174 million gallons per year (mgy) at each medium parcel-sized facility and 0.197 mgy at each large parcel-sized facility. As discussed throughout this chapter, this EIR assumes that 30 future study facilities would be developed within the winery/farm brewery sub-regions, including eight large parcel-sized facilities and 22 medium parcel-sized facilities. In addition, this cumulative analysis assumes future operation of the pending Dueling Dogs Brewing Co. farm brewery. Thus, Agricultural Promotional Events and Special Events occurring at pending and future study facilities would result in a total annual water demand of 5.578 mgy. Because this EIR assumes a frequency of events that is greater than what would likely occur, the actual increase in yearly water demand occurring as a result of the proposed project would likely be lower.

Based on the above, the net increase in water demand occurring at existing and future study facilities as a result of the proposed Zoning Text Amendment would be relatively modest (approximately 7.364 mgy). Furthermore, future study facilities would likely rely on groundwater from either the North American Subbasin of the Sacramento Valley Groundwater Basin or fractured groundwater systems within the Sierra Nevada Regional Study Unit. As discussed in Chapter 11, Utilities and Service Systems, of this EIR, both groundwater systems are capable of providing a stable, reliable water supply source. Per the Northwest California Water Association (NCWA), during the recent 2016 drought in California, groundwater aquifers in western Placer County fared much better than other

areas of the state.¹⁶ From Spring 2012 to Spring 2016, water levels dropped only about four to five feet in the southwest corner of the County where the lowest groundwater levels occur. In addition, following drought conditions, groundwater levels have recovered substantially as a result of wetter winter conditions. Meanwhile, in the eastern portion of the basin, along the foothills of the Sierra, many wells never declined at all due to the drought and the 2017 rains, along with reduced pumping, have filled aquifers above where they were prior, if not higher.

Therefore, adequate water supplies would be available to support the additional demand created by the proposed project, as well as water demand associated with existing, pending, and planned development within the winery and farm brewery sub-regions. A significant cumulative impact related to water supply would not occur.

Wastewater

Wastewater treatment for events occurring at future study facilities would most likely be provided by on-site private septic systems. Per the Placer County Environmental Health Department, septic systems are conservatively sized to avoid potential issues with inadequate service. For commercial uses located on properties that allow residential uses, septic systems are required to be separate facilities. As noted in Chapter 11, Utilities and Service Systems, of this EIR, in order to accommodate peak wastewater flows associated with events allowed under the proposed Zoning Text Amendment, a minimum septic tank size of 1,250 gallons is required for large parcel-sized facilities and a minimum tank size of 1,000 gallons is required for medium parcel-sized facilities.

Septic systems at the existing future facilities would be sized for the occupancy and anticipated uses of the facilities. Maintenance of each septic system is the sole responsibility of the property owner and ongoing use of the septic systems, as well as any alterations or additions to the septic system, is subject to the rules and regulations of the Placer County Environmental Health Department. Septic systems are typically designed by third party consultants, such as professional geologists, engineers, or registered Environmental Health Specialists, that are hired to design a septic system adequate for the intended use. Consultants take into account the following factors when designing a septic system: soil type; land availability; land use; and description of operational frequency. During the building permit approval process, septic replacement areas are required to be shown on all site plans that are submitted for review by the Environmental Health Department to ensure the systems would function in accordance with such factors. Therefore, for future study facilities which are served by a private septic system, sufficient capacity would be provided to accommodate by-right Agricultural Promotional Events and Special Events.

¹⁶ Northern California Water Association. *Drought resilience and conjunctive use in West Placer County: what more (should?) be done?* 2017.

For future study facilities that connect to public wastewater systems, payment of sewer connection fees would be required prior to receipt of wastewater service in accordance with the requirements of the Placer County Facilities Services Department. Such fees are used to fund needed improvements to the County's wastewater treatment and collection infrastructure. At the time of connection, future study facilities would be subject to County review to ensure that adequate wastewater utilities are available to serve the proposed uses.

Because future study facilities, as well as other pending and planned development in the project region, would be required to comply with all applicable Placer County Environmental Health Department regulations related to provision of adequate on-site septic systems or connect to the County's existing wastewater treatment and conveyance infrastructure, a less-than-significant cumulative impact would occur related to wastewater utilities.

Solid Waste

Most solid waste collected in unincorporated Placer County is delivered to the WPWMA MRF where waste is processed, recyclables are recovered, and residuals are disposed. As a result of the proposed project, by-right Agricultural Promotional Events and Special Events occurring at existing and future wineries and farm breweries within the County could increase the operational solid waste generation associated with such facilities. Solid waste collection services would be provided by Recology Auburn Placer and the WRSL and MRF.

The 320-acre WRSL has a remaining capacity of 24,468,271 cubic yards,¹⁷ a maximum daily throughput of 1,900 tons, and a permitted lifespan extending to 2058.¹⁸ The remaining daily capacity of the facility is approximately 823 tons, or approximately 300,395 tons per year. The MRF has a permitted processing limit of 2,200 tons per day and 1,014 vehicles per day. The average weekday tonnage received at the MRF for 2016/2017 was 1,191 tons, which is 1,009 tons per day less than the permitted amount.¹⁹ Considering the remaining daily capacity at the MRF is 1,009 tons, the MRF has a remaining annual capacity of at least 368,285 tons.

According to a targeted waste characterization study prepared by the California Environmental Protection Agency (CalEPA) Integrated Waste Management Board, public venues and events typically result in a waste disposal rate of approximately 172 pounds per 100 visitors. As discussed in Chapter 11, Utilities and Service Systems, of this EIR, the proposed Zoning Text Amendment could result in up to 11,600 additional yearly attendees at medium parcel-sized facilities and up to 13,100 additional yearly

¹⁷ Western Placer Waste Management Authority. *Comment Letter: Lincoln Meadows Draft Environmental Impact Report*. December 11, 2017.

¹⁸ Western Placer Waste Management Authority. *About WPWMA*. Available at <http://www.wpwma.com/about-wpwma/>. Accessed March 2017.

¹⁹ Western Place Waste Management Authority. *Joint Technical Document* [pg. 2-5]. Revised August 2017.

attendees at large parcel-sized facilities. Consequently, events at the 22 future medium parcel-sized study facilities and the pending Dueling Dogs Brewing Co. farm brewery could generate up to approximately 458,896 pounds of solid waste. Additional events at the eight large parcel-sized facilities could generate up to approximately 180,256 pounds of solid waste. Thus, implementation of the proposed project could result in the generation of up to approximately 639,152 pounds per year, or 320 tons, at pending and future study facilities. As discussed in Chapter 11, by-right events at existing study facilities would generate up to 103 tons of waste per year. Therefore, the WRSL and MRF would have sufficient remaining annual capacity to accommodate additional solid waste generation at both existing and future study facilities, in addition to solid waste generation that has been previously anticipated for other existing, pending, and planned development within the winery and farm brewery sub-regions. A significant cumulative impact related to solid waste would not occur.

Conclusion

Based on the above, by-right events allowed under the proposed Zoning Text Amendment at existing and future study facilities within the project region would increase demand for water supply, wastewater, and solid waste utilities. However, utility providers employ various programs and mechanisms to support provision of services to new development. For example, Placer County has adopted development fees consistent with State law to facilitate the provision of public services for projects consistent with the buildout of the General Plan, and various utility providers charge connection fees and recoup costs of new infrastructure, including wastewater treatment infrastructure, through standard billings for services. In addition, for future study facilities served by private septic systems, impacts related to wastewater would not be cumulative but, rather, would be limited to each individual facility.

Therefore, the proposed Zoning Text Amendment, combined with buildout of the winery/farm brewery sub-regions, would result in a *less-than-significant* cumulative impact related to utilities and service systems.

Mitigation Measure(s)

None required.

12.3 ENERGY CONSERVATION

Appendix F of the CEQA Guidelines requires that EIRs include a discussion of the potential energy impacts of a proposed project, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy. The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

- (1) Decreasing overall per capita energy consumption;
- (2) Decreasing reliance on fossil fuels such as coal, natural gas and oil; and
- (3) Increasing reliance on renewable energy sources.

The main forms of available energy supply are electricity, natural gas, and oil. A description of the California Green Building Standards Code, with which future study facilities would be required to comply, as well as discussions regarding the proposed project's potential effects related to each form of energy supply during construction and operations is provided below.

California Green Building Standards Code

The 2016 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11), is a portion of the CBSC, which became effective with the rest of the CBSC on January 1, 2017. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California.

Requirements of the CALGreen Code include, but are not limited to, the following measures:

- Compliance with relevant regulations related to future installation of Electric Vehicle charging infrastructure in residential and non-residential structures;
- Indoor water use consumption is reduced through the establishment of maximum fixture water use rates;
- Outdoor landscaping must comply with the California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), or a local ordinance, whichever is more stringent, to reduce outdoor water use;
- Diversion of 65 percent of construction and demolition waste from landfills;
- Mandatory periodic inspections of energy systems (i.e., heat furnace, air conditioner, mechanical equipment) for nonresidential buildings over 10,000 sf to ensure that all are working at their maximum capacity according to their design efficiencies; and
- Mandatory use of low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particle board.

Operational Energy Use

In order to ensure energy implications are considered in project decisions, Appendix F of the CEQA Guidelines requires a discussion of the potential energy impacts of a project, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy. Appendix F identifies several potential methods of evaluating a project's energy use, which are listed as follows and discussed in further detail below:

- The project's energy requirements and energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal.
- The effects of the project on local and regional energy supplies and on requirements for additional capacity.

- The effects of the project on peak and base period demands for electricity and other forms of energy.
- The degree to which the project complies with existing energy standards.
- The effects of the project on energy resources.
- The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

As discussed in Chapter 5, Air Quality, of this EIR, the existing study facilities currently use propane and other fossil fuel sources for generators, heaters, and other operations. In addition, operation of such facilities involves electricity consumption related to lighting, space heating, and other systems. Although the Agricultural Promotional Events and Special Events enabled at such facilities by the proposed Zoning Text Amendment could involve the use of stationary equipment and the consumption of energy, such energy use would likely occur during normal tasting room operations. For instance, both an event and normal tasting room operations would require energy for lighting and heating, and normal tasting room operations may require the use of generators for supplemental energy or vendor food preparation. Therefore, increased energy demands occurring as a result of the proposed project would be relatively minor relative to existing demands. Furthermore, such minor increases in demand would be accommodated by existing gas and electricity infrastructure at the facilities.

The primary increase in energy use associated with the proposed Zoning Text Amendment would be vehicle traffic generated by Agricultural Promotional Events and Special Events. Based on CalEEMod outputs for the proposed project (see Appendix E), average daily VMT associated with events at existing study facilities would be approximately 2,941 miles. For existing and future facilities combined, daily VMT would be approximately 12,128 miles. Accounting for a total of 105 'event days' assumed to occur each year, by-right events occurring at existing and future study facilities, total annual VMT associated with Agricultural Promotional Events and Special Events would be 1,273,418.

The average fuel economy for the U.S. passenger vehicle fleet was 24 miles per gallon (mpg) in 2016, the most recent year such data is available.²⁰ An average of 24 mpg and an annual combined VMT of 1,273,418 would result in the consumption of approximately 1,263 barrels of gasoline a year. California is estimated to consume approximately 672 million barrels of petroleum per year.²¹ Based on the annual consumption within the State, events occurring by-right at existing and future facilities under the proposed Zoning Text Amendment would result in a 0.00019 percent increase in the State's current consumption of gasoline. California leads the nation in registered alternatively-fueled and hybrid vehicles. In addition, State-specific regulations encourage fuel efficiency and reduction of dependence on oil. Improvements in

²⁰ U.S. Energy Information Administration. *Total Energy, Table 1.8 Motor Vehicle Mileage, Fuel Consumption, and Fuel Economy*. Available at: <https://www.eia.gov/totalenergy/data/browser/?tbl=T01.08#/?f=A&start=200001>. Accessed October 2018.

²¹ U.S. Energy Information Administration. *California: State Profile and Energy Estimates*. Available at: https://www.eia.gov/state/seds/data.php?incfile=/state/seds/sep_fuel/html/fuel_use_pa.html&sid=US&sid=CA. Accessed October 2018.

vehicle efficiency and fuel economy standards help to reduce consumption of gasoline and reduce the State's dependence on petroleum products. Thus, events occurring under the proposed Zoning Text Amendment would not be considered to result in the inefficient or wasteful consumption of transportation energy.

Based on the above, the proposed Zoning Text Amendment would result in a slight increase in energy consumption at existing and future study facilities. However, such facilities would comply with all applicable standards and regulations regarding energy conservation and fuel efficiency, which would ensure that the future uses would be designed to be energy efficient to the maximum extent practicable. Accordingly, the proposed Zoning Text Amendment would not be considered to result in a wasteful, inefficient, or unnecessary usage of energy, and impacts related to operational energy would be considered less than significant.

12.4 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Per CEQA Guidelines Section 15126.2(c), this EIR is required to include consideration of significant irreversible environmental changes that would be caused by the proposed project, should the project be implemented. An impact would be determined to be a significant and irreversible change in the environment if:

- Buildout of the project area could involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of development could generally commit future generations to similar uses (e.g., a highway provides access to a previously remote area);
- Development of the proposed project could involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The phasing and eventual development of the project could result in an unjustified consumption of resources (e.g., the wasteful use of energy).

While the proposed Zoning Text Amendment could result in an increased number of events at existing and future study facilities within the County, as noted above, energy use associated with such events would not be considered wasteful, inefficient, or unnecessary. Therefore, the proposed project would not likely result in or contribute to any significant irreversible environmental effects.

12.5 GROWTH-INDUCING IMPACTS OF THE PROPOSED PROJECT

State CEQA Guidelines section 15126.2(d) requires an EIR to evaluate the potential growth-inducing impacts of a proposed project. Specifically, an EIR must discuss the ways in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Growth can be induced in a number of ways, including the elimination of obstacles to growth, or by encouraging and/or facilitating other activities that could induce growth. Examples of projects likely to have growth-inducing impacts include extensions or expansions of infrastructure systems beyond what is

needed to serve project-specific demand, and development of new residential subdivisions or office complexes in areas that are currently only sparsely developed or are undeveloped.

The CEQA Guidelines are clear that while an analysis of growth-inducing effects is required, it should not be assumed that induced growth is necessarily significant or adverse. This analysis examines the following potential growth-inducing impacts related to implementation of the proposed project and assesses whether these effects are significant and adverse (see *CEQA Guidelines*, Section 15126.2[d]):

1. Foster population and economic growth and construction of housing.
2. Eliminate obstacles to population growth.
3. Affect service levels, facility capacity, or infrastructure demand.
4. Encourage or facilitate other activities that could significantly affect the environment.

Foster population and economic growth and construction of housing

As discussed in the Initial Study prepared for the proposed project (see Appendix D), the proposed Zoning Text Amendment would not result in substantial population growth within the project area, either directly or indirectly. By allowing for increased flexibility with regard to the number of events permitted annually, the proposed changes to the adopted Winery Ordinance could allow for economic growth at existing and future wineries and farm breweries within the County. However, such growth would be supportive of continued agricultural production within the County and would occur within areas where wineries and farm breweries are currently acceptable uses per the Placer County Code. Thus, while the project would foster economic growth, such growth would be similar to what has been previously anticipated for the project region, and a less-than-significant impact related to population and economic growth would occur.

Eliminate obstacles to population growth

The elimination of either physical or regulatory obstacles to growth is considered to be a growth-inducing effect. A physical obstacle to growth typically involves the lack of public service infrastructure. The extension of public service infrastructure, including roadways, water mains, and sewer lines, into areas that are not currently provided with these services, would be expected to support new development. Similarly, the elimination or change to a regulatory obstacle, including existing growth and development policies, could result in new growth.

The proposed Zoning Text Amendment would not require or result in the extension of major public infrastructure. As noted in Chapter 11, Utilities and Service Systems, of this EIR, study facilities within the County could be required to install new public water well systems in order to accommodate the increased number of Agricultural Promotional Events and Special Events allowable by right under the proposed Zoning Text Amendment; however, such wells would be sized to serve individual facilities, and would be financed by each facility owner. Consequently, the construction of on-site water infrastructure would not be anticipated to result in elimination of obstacles to population growth, and a less-than-significant impact would occur.

Affect service levels, facility capacity, or infrastructure demand

As discussed in the Initial Study prepared for the proposed project (see Appendix D), physical improvements to existing fire and police facilities or construction of new facilities would not be required in order to accommodate the increased number of Agricultural Promotional Events and Special Events that would be allowable by right under the proposed changes to the Winery Ordinance. Furthermore, the proposed Zoning Text Amendment would not increase demand on schools, parks, or other governmental facilities to the extent that additional facilities would be required, the construction of which could cause physical environmental effects. In addition, as discussed in Chapter 11, Utilities and Service Systems, of this EIR, only one of the existing study facilities, Casque at Flower Farm, currently receives public water and sewer service; all other study facilities are served by on-site wells and septic systems. As noted in Chapter 11, the additional events occurring under the proposed Zoning Text Amendment would not result in the construction of new or expanded water and wastewater infrastructure.

Therefore, growth associated with the proposed Zoning Text Amendment would not adversely affect service levels, facility capacity, or infrastructure demand such that significant environmental impacts would occur.

Encourage or facilitate other activities that could significantly affect the environment

This EIR provides a comprehensive assessment of the potential for environmental impact associated with implementation of the proposed Zoning Text Amendment. Please refer to Chapters 4 through 11 of this EIR, as well as the cumulative impact discussions presented above, which comprehensively address the potential for impacts from increased Agricultural Promotional Events and Special Events at existing and future study facilities.

12.6 SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

According to the CEQA Guidelines Section 15126.2(b), an EIR must include a description of impacts identified as significant and unavoidable, should the proposed action be implemented. When the determination is made that either mitigation is not feasible or only partial mitigation is feasible, such that the impact is not reduced to a less-than-significant level, such impacts would be considered significant and unavoidable. This section identifies significant impacts that could not be eliminated or reduced to a less-than-significant level by mitigation measures imposed by the County. The final determination of the significance of impacts and the feasibility of mitigation measures would be made by the County Board of Supervisors as part of the County's certification action. The only significant and unavoidable impact identified for proposed project is Impact 12-10, Study intersections under Cumulative Plus Project Conditions, specifically related to the SR 49/Cramer Road intersection.

13. ALTERNATIVES ANALYSIS

13

ALTERNATIVES ANALYSIS

13.1 INTRODUCTION

The Alternatives Analysis chapter of the EIR includes consideration and discussion of a range of reasonable alternatives to the proposed Zoning Text Amendment, as required per CEQA Guidelines Section 15126.6. Generally, the chapter includes discussions of the following: the purpose of an alternatives analysis; alternatives considered but dismissed; reasonable range of project alternatives and their associated impacts in comparison to the proposed project's impacts; and the environmentally superior alternative.

13.2 PURPOSE OF ALTERNATIVES

The primary intent of the alternatives evaluation in an EIR, as stated in Section 15126.6(a) of the CEQA Guidelines, is to “[...] describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” In the context of CEQA Guidelines Section 21061.1, “feasible” is defined as:

...capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors.

Section 15126.6(f) of CEQA Guidelines states, “The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.” Section 15126.6(f) of CEQA Guidelines further states:

The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determined could feasibly attain most of the basic objectives of the project.

In addition, an EIR is not required to analyze alternatives when the effects of the alternative “cannot be reasonably ascertained and whose implementation is remote and speculative.”

The CEQA Guidelines provide the following guidance for discussing alternatives to a proposed project:

- An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but

would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6[a]).

- Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly (CEQA Guidelines Section 15126.6[b]).
- The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination [...] Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts (CEQA Guidelines Section 15126.6[c]).
- The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison (CEQA Guidelines Section 15126.6[d]).
- If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed (CEQA Guidelines Section 15126.6[d]).
- The specific alternative of "no project" shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative analysis is not the baseline for determining whether the proposed project's environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish that baseline (CEQA Guidelines Section 15126.6[e][1]).
- If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6[e][2]).

Project Objectives

The project alternatives need to feasibly attain most of the basic objectives of the project, but avoid or substantially lessen any of the significant effects of the project. The policy focus of the proposed Zoning Text Amendment is to preserve and protect farmland while also enhancing the economic viability of Placer County's agricultural operations and supporting the tenants of agri-tourism, a type of tourism that brings visitors directly to a farm or ranch. The Zoning Text Amendment is intended to balance the needs of various stakeholder groups and support the core principle that the primary use of the property is to cultivate and process agriculture in order to make a locally grown and value-added product.

Significant Impacts Identified for the Proposed Project

In addition to attaining the majority of project objectives, reasonable alternatives to the project must be capable of reducing the magnitude of, or avoiding, identified significant environmental impacts of the proposed project. Significant environmental impacts (including cumulative impacts) of the proposed project that have been identified as requiring mitigation measures to ensure that the level of significance is ultimately less than significant include the following:

Less Than Significant with Mitigation

The EIR concluded that the following impacts would be reduced to a less-than-significant level with implementation of mitigation:

- **Biological Resources.** The EIR determined that implementation of the proposed project could result in potential adverse effects to protected nesting birds, sensitive aquatic habitat, and trees. However, the EIR requires mitigation in order to ensure that impacts related to such would be less than significant.
- **Cultural Resources.** The EIR determined that grading related to the provision of additional parking areas for events may result in the disturbance of previously unknown cultural resources, including human remains. However, the EIR requires mitigation in order to ensure that impacts related to cultural resources would be less than significant.
- **Noise.** The EIR determined that non-transportation noise associated with weddings, which would be a new type of Special Event allowable under the proposed Zoning Text Amendment, could conflict with the County's established thresholds at the property lines of the nearest sensitive receptors for both existing and future study facilities. However, the EIR requires mitigation in order to ensure that impacts related to noise would be less than significant.

Significant and Unavoidable

The EIR has determined that the following project impact would remain significant and unavoidable:

- **Transportation and Circulation.** The EIR determined that the proposed project would result in a cumulatively considerable contribution to the cumulative impact at the SR 49/Cramer Road intersection under the Cumulative Plus Project Condition. While future study facilities may contribute their fair share to the cost of SR 49 corridor improvements by paying into the Traffic Impact Fee Program, Placer County cannot guarantee that improvements to the SR 49/Cramer Road intersection would occur. As such, in the absence of feasible mitigation, the project's incremental contribution to the cumulatively considerable impact to the SR 49/Cramer Road intersection would remain cumulatively considerable and significant and unavoidable.

Less Than Significant Impacts

As discussed in each respective section of this EIR, the proposed project would result in no impact or a less-than-significant impact related to the following topics associated with the resource area indicated:

- ***Agricultural Resources.*** The EIR determined that impacts related to all agricultural resources issue areas would be less than significant, and mitigation would not be required.
- ***Air Quality and Greenhouse Gas Emissions.*** The EIR determined that impacts related to air quality and greenhouse gas (GHG) emissions would be less than significant, and mitigation would not be required.
- ***Biological Resources.*** The EIR determined that impacts related to oak woodlands, wildlife corridors and wildlife nursery sites, and conflicts with the County's draft PCCP would be less than significant, and mitigation would not be required.
- ***Land Use and Planning.*** The EIR determined that impacts related to all land use and planning issue areas would be less than significant, and mitigation would not be required.
- ***Noise.*** The EIR determined that no impact would occur related to airport noise, construction noise, and groundborne vibration. In addition, impacts related to exposure of people to or generation of off-site and on-site traffic noise in excess of established standards would be less than significant. For such impacts, mitigation would not be required.
- ***Transportation and Circulation.*** The EIR determined that no impact would occur related to changes in air traffic patterns. With the exception of the significant and unavoidable cumulative impact identified for the SR 49/Cramer Road intersection, impacts related to all other transportation and circulation issue areas would be less than significant, and mitigation would not be required.
- ***Utilities and Service Systems.*** The EIR determined that impacts related to all utilities and service systems issue areas would be less than significant, and mitigation would not be required.

In addition to the project-specific impacts listed above, a number of cumulative impacts associated with each issue area were determined to be less-than-significant or less than cumulatively considerable. Furthermore, the Initial Study prepared for the proposed project determined that no impacts or less-than-significant impacts would occur to the following issue areas, and mitigation would not be required:

- Aesthetics (all items);
- Geology and Soils (all items);
- Hazards and Hazardous Materials (all items);

- Hydrology & Water Quality (Items IX-1 and -3 through -12);
- Land Use and Planning (Items X-2 through -5, -6, and -8);
- Mineral Resources (all items);
- Noise (Items XII-4 and -5);
- Population and Housing (all items);
- Public Services (all items);
- Recreation (all items);
- Transportation and Traffic (Item XVII-8); and
- Utilities and Service Systems (Item XIX-4).

13.3 SELECTION OF ALTERNATIVES

The requirement that an EIR evaluate alternatives to the proposed project or alternatives to the location of the proposed project is a broad one; the primary intent of the alternatives analysis is to disclose other ways that the objectives of the project could be attained, while reducing the magnitude of, or avoiding, one or more of the environmental impacts of the proposed project. Alternatives that are included and evaluated in the EIR must be feasible alternatives. However, the CEQA Guidelines require the EIR to “set forth only those alternatives necessary to permit a reasoned choice.” As stated in Section 15126.6(a), an EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. The CEQA Guidelines provide a definition for “a range of reasonable alternatives” and thus limit the number and type of alternatives that may need to be evaluated in a given EIR. According to the CEQA Guidelines Section 15126.6(f):

The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determined could feasibly attain most of the basic objectives of the project.

First and foremost, alternatives in an EIR must be feasible. In the context of CEQA Guidelines Section 21061.1, “feasible” is defined as:

...capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors.

Finally, an EIR is not required to analyze alternatives when the effects of the alternative “cannot be reasonably ascertained and whose implementation is remote and speculative.”

Consistent with CEQA, primary consideration was given to alternatives that could reduce significant impacts, while still meeting most of the basic project objectives. As stated in Guidelines Section 15126.6(c), among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are:

- (i) failure to meet most of the basic project objectives,
- (ii) infeasibility, or
- (iii) inability to avoid significant environmental impacts.

Regarding item (ii), infeasibility, among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives.

It should be noted that because the proposed project consists of changes to the County's currently adopted Winery Ordinance, rather than site-specific physical development, analysis of an off-site alternative was dismissed from detailed analysis in this EIR.

Alternatives Considered in this EIR

The following alternatives are considered and evaluated in this section:

- No Project Alternative;
- Wedding CUP Requirement Alternative; and
- Reduced Intensity Alternative.

See Table 13-4 for a comparison of the environmental impacts resulting from the considered alternatives and the proposed Zoning Text Amendment. It should be noted that the following analysis focuses on the potentially significant impacts identified for each issue area per the EIR prepared for the proposed Zoning Text Amendment, unless otherwise noted. As a result, the analysis does not include discussion of the following CEQA topics: Aesthetics; Agricultural Resources; Air Quality and Greenhouse Gas Emissions; Land Use and Planning; Geology and Soils; Hazards and Hazardous Materials; Mineral Resources; Population and Housing; Public Services; Recreation; and Utilities and Service Systems. All impacts for such CEQA topics, including cumulative impacts, were determined to be less than significant in the EIR and Initial Study, and mitigation was not required.

No Project Alternative

CEQA requires the evaluation of the comparative impacts of the "No Project" alternative (CEQA Guidelines Section 15126.6[e]). Analysis of the no project alternative shall:

"... discuss [...] existing conditions [...] as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services." (*Id.*, subd. [e][2]) "If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the 'no project' alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in the property's existing state versus environmental effects that would occur if the project were approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this 'no project' consequence should be discussed. In certain instances, the no project alternative means 'no build,' wherein the existing environmental setting is maintained.

However, where failure to proceed with the project would not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project's non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment.” (*Id.*, subd. [e][3][B]).

The County has decided to evaluate a No Project Alternative, which assumes that the County would not approve the proposed Zoning Text Amendment and the currently adopted Winery Ordinance would not be altered. The adopted Winery Ordinance would continue to apply to existing and future wineries within Placer County, but would not explicitly address farm breweries.

A total of six promotional events per year would continue to be permitted at the existing facilities with an Administrative Review Permit (ARP). In addition, the minimum parcel size for establishment of a winery in the Residential (RA and RF) and Agricultural and Resource (AE, F, FOR) zoning districts would continue to be 4.6 acres. Large production wineries (20,000+ cases annually) would not require a 10-acre minimum parcel size. Furthermore, because the Winery Ordinance would not be updated to include clarified hours of operation, existing and future wineries within the County would continue to operate with unrestricted hours.

Because the No Project Alternative would not increase the minimum requirement of on-site planted vineyards from one acre to two acres for future wineries, future wineries developed within the County would not be required to provide the same focus on production of agricultural goods as would be required under the proposed Zoning Text Amendment. In addition, because the No Project Alternative would not require a 10-acre minimum parcel size for by-right development of new wineries within the Residential and Agricultural and Resource zoning districts, potential incompatibilities with existing agricultural operations could continue to occur. Thus, the No Project Alternative would not meet the project objectives.

Biological Resources

Under the current Winery Ordinance and following the proposed Zoning Text Amendment, existing study facilities would have the ability to expand permanent parking spaces within their sites in order to accommodate tasting room guests, agricultural activities, and event attendees. Expansion of permanent parking areas could require tree removal and, thus, could result in impacts to protected birds in the absence of mitigation. In addition, associated grading activities could disturb sensitive riparian habitat and aquatic resources. Under the No Project Alternative, study facilities would not be granted the ability to host an increased number of events, as would occur under the proposed Zoning Text Amendment. Thus, existing and future wineries would not be incentivized to expand permanent parking areas in order to accommodate an increased number of events. Overall, impacts to biological resources would be fewer under the Alternative compared to the proposed project.

Cultural Resources

Grading associated with development of new permanent parking areas could result in disturbance to previously unknown cultural resources. As noted above, under the No Project Alternative, existing study facilities within the County would not be incentivized to expand permanent parking

areas. Thus, impacts to cultural resources would be fewer under the Alternative compared to the proposed project.

Noise

Under the No Project Alternative, weddings would not be considered an allowable Special Event use at existing and future wineries within the County. Therefore, Mitigation Measures 9-3 and 12-8 would not be required in order to ensure that non-transportation noise associated with weddings does not result in conflicts with the County's established thresholds at the property lines of the nearest sensitive receptors. It should be noted that because the No Project Alternative would not establish hours of operations for facilities covered by the Winery Ordinance, events at such facilities could occur later in the evening, potentially resulting in conflicts with the County's Noise Ordinance. Nonetheless, overall, impacts related to noise would be fewer under the No Project Alternative.

Transportation and Circulation

Under the No Project Alternative, the total number of permitted promotional events would continue to be capped at six per year at existing and future study facilities within the County with an ARP. Under the proposed Zoning Text Amendment, the new category of Agricultural Promotional Events could occur without limit and Special Events would be capped at 12 per year for large parcel-sized facilities and six per year at medium parcel-sized facilities. Thus, compared to the proposed Zoning Text Amendment, vehicle trip generation associated with each study facility would be reduced. Because trips associated with events would not increase relative to existing conditions, the significant and unavoidable cumulative impact to the SR 49/Cramer Road intersection would be avoided. Overall, impacts related to transportation and circulation would be not occur under the No Project Alternative.

Wedding CUP Requirement Alternative

Under the Wedding CUP Requirement Alternative, all of the changes included in the proposed Zoning Text Amendment would still apply, with the exception of the inclusion of weddings as a category of Special Event. Weddings would not be permitted by-right at wineries/farm breweries within the County. Rather, each facility would be required to obtain discretionary approval of a Conditional Use Permit (CUP) by the Placer County Planning Commission, which would ensure site-specific review of the facility. For facilities which are granted a CUP to conduct weddings, such weddings would still be subject to all applicable restrictions included in the proposed Zoning Text Amendment. The County's required findings for approval of a CUP are as follows, per Section 17.58.140 of the Placer County Code:

Required Findings for ARP, MUP, and CUP (17.58.140 (A and B))

- A. Findings Required For Approval. No administrative review permit, minor or conditional use permit shall be approved unless the zoning administrator or planning commission (or board of supervisors in the event of an appeal) shall first find that:

1. The proposed use is consistent with all applicable provisions of this chapter and any applicable provisions of other chapters of this code.
2. The proposed use is consistent with applicable policies and requirements of the Placer County general plan, and any applicable community plan or specific plan, and that any specific findings required by any of these plans are made.
3. The establishment, maintenance or operation of the proposed use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the county; except that a proposed use may be approved contrary to this finding where the granting authority determines that extenuating circumstances justify approval and enable the making of specific overriding findings.
4. The proposed project or use will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development.
5. The proposed project will not generate a volume of traffic beyond the design capacity of all roads providing access to the project, either those existing or those to be improved with the project unless a specific design deficiency is acknowledged and approved in conjunction with the adoption of a general plan or community plan applicable to the area in question.
6. In a TPZ zone district (Article 17.16), the establishment, maintenance and operation of the proposed use or building will not significantly detract from the use of the property for, or inhibit the growing and harvesting of timber.
7. Any findings required by Articles 17.06 through 17.52 (Zone districts and allowable uses of land) for the approval of proposed uses in specific zone districts or combining districts are made.
8. Any findings required by Article 17.56 (Specific Use Requirements) for the approval of specific uses are made.
9. As required by Section 18.16.040 of this code (Environmental Review) when a proposed negative declaration has been prepared for the project that, on the basis of the initial study and any comments received, there is no substantial evidence that the project will have a significant effect on the environment; or
10. As required by Section 18.20.070 of this code (Environmental Review) when a final environmental impact report has been prepared for the project, that the project as approved will not have a significant effect on the environment, or that the granting authority has:
 - a. Eliminated or substantially lessened all of the significant effects on the environment, where feasible (as defined and used in Section 21061.1 of the California Public Resources Code); and
 - b. Determined that any remaining unavoidable significant effects on the environment are acceptable due to specified overriding considerations.
11. As required by Section 18.08.020 of this code (Environmental review) when the proposed project meets the criteria discussed in the applicable section, that the project is:
 - a. Statutorily exempt from the provisions of CEQA; or
 - b. Categorically exempt from the provisions of CEQA; or

- c. Not subject to environmental review pursuant to the provisions of Section 18.08.020(D) (“General rule”).
 - 12. The proposed use is consistent with, replaces or appropriately modifies any prior established relevant conditions of a previous entitlement, if applicable.
- B. Conditions of Approval. In conditionally approving an administrative review permit, minor or conditional use permit, the granting authority shall adopt conditions of approval as necessary to accomplish the following objectives, consistent with the requirements of state law:
- 1. Specify the period of validity of the permit and/or the allowed duration of the proposed use. The permit may be issued and/or the use allowed for a revocable, permanent, temporary or otherwise limited term, as deemed appropriate by the granting authority. If no period of validity is specified, the permit shall be subject to the time limits specified by Section 17.58.160 (Permit time limits and extensions).
 - 2. Ensure that the proposed project will be consistent with all applicable requirements of this chapter, the Placer County general plan, and any applicable community plan or specific plan.
 - 3. Enable all the findings required by subsection A of this section to be made by the granting authority.
 - 4. Mitigate environmental impacts identified in environmental documents prepared pursuant to Chapter 18 of this code (Environmental Review), or adopt overriding findings pursuant to Section 15091 et seq., of the CEQA Guidelines.
 - 5. Require the dedication of rights-of-way determined by the granting authority to be necessary as a result of the proposed use.
 - 6. Require the installation, or participation in the cost of installation, of specified on-site or off-site improvements determined by the granting authority to be necessary as a result of the proposed use.
 - 7. Supersede, replace, or modify conditions of approval applicable to the site as a result of a previous permit approval, where determined by the granting authority to be appropriate.
 - 8. Limit the size of the project or intensity of the use to a level approved by the granting authority.
 - 9. The granting authority may also adopt any other conditions of approval as the authority determines are necessary to protect the public health, safety, and general welfare.

Although weddings hosted at wineries and farm breweries would help to support agri-tourism within the County, the Wedding CUP Requirement Alternative would require additional approvals prior to hosting weddings. Thus, the Alternative would be less supportive of agri-tourism and the needs of winery/farm brewery owners within the County. However, generally, the project objectives would be met under the Wedding CUP Requirement Alternative.

Biological Resources

The Wedding CUP Requirement Alternative would not alter the total number of Agricultural Promotional Events and Special Events allowable by right at study facilities relative to the proposed Zoning Text Amendment. For facilities that ultimately do not receive a CUP to host weddings, Agricultural Promotional Events and Special Events would continue to be permitted to occur at the same frequency; thus, weddings could be replaced by other types of Special Events. Therefore, compared to the proposed Zoning Text Amendment, the same potential exists for existing study facilities to expand permanent parking spaces within their sites in order to accommodate tasting room guests, agricultural activities, and event attendees. Expansion of permanent parking areas could require tree removal and, thus, could result in impacts to protected birds in the absence of mitigation. In addition, associated grading activities could disturb sensitive riparian habitat and aquatic resources. Thus, Mitigation Measures 6-2(a) and 6-2(b) would still be required, and impacts to biological resources would be similar under the Alternative compared to the proposed project.

Cultural Resources

As noted above, under the Wedding CUP Alternative, the same potential exists for existing study facilities to expand permanent parking spaces within their sites. Grading associated with development of new permanent parking areas could result in disturbance to previously unknown cultural resources. Therefore, Mitigation Measures 7-1(a) and 7-1(b) would still be required. Impacts to previously unknown cultural resources associated with grading of new permanent parking areas would be similar compared to the proposed project.

Noise

Under the Wedding CUP Requirement Alternative, weddings would not be allowable by-right at existing and future wineries and farm breweries within the County. For study facilities seeking approval of a CUP to host weddings, project-level review would be provided by County staff to ensure that such weddings would not result in adverse environmental effects. Therefore, Mitigation Measure 9-3 would not be required for existing facilities not meeting the setbacks, noted in Table 9-11 of the EIR, in order to ensure that non-transportation noise associated with weddings does not result in conflicts with the County's established noise thresholds at the property lines of the nearest sensitive receptors. Because Mitigation Measures 9-3 and 12-8 would not be required, and County discretionary review of CUP applications would ensure that wedding event noise would be in compliance with the Noise Ordinance standards at the nearest residential property lines, impacts related to noise would be fewer under the Wedding CUP Alternative.

Transportation and Circulation

As discussed in Chapter 10, Transportation and Circulation, of this EIR, weddings hosted at study facilities could involve the same trip generation intensity as other types of Special Events allowable under the proposed Zoning Text Amendment. Weddings are considered Special Events, and the proposed Zoning Text Amendment sets the maximum attendance for all Special Events at 100 attendees for medium parcel-sized facilities and 200 attendees for large parcel-sized facilities.

Therefore, under the Wedding CUP Requirement Alternative, study facilities which do not receive a CUP to host weddings could still contribute the same amount of vehicle traffic to area roadways as was evaluated under the Existing Plus Project and Cumulative Plus Project Conditions. As such, the cumulatively considerable impact to the SR 49/Cramer Road intersection would remain significant and unavoidable. Overall, impacts related to transportation and circulation would be similar under the Wedding CUP Requirement Alternative.

Reduced Intensity Alternative

The Reduced Intensity Alternative is tied to the State's public water system requirements. Pursuant to Section 116275 of the California Health and Safety Code, a public water system is required if a facility serves more than 24 people daily, 60 days or more per year. Such standards currently apply to all wineries and farm breweries within Placer County. The type of public water system required is a Transient-Noncommunity (TNC) water system, which includes restaurants, campgrounds, small wineries, motels and other non-residential facilities. Consequently, existing and future study facilities seeking to host more than 24 people daily, 60 days or more per year, as result of the proposed Zoning Text Amendment, would be required to install a public water system and obtain a permit from the State Water Resources Control Board (SWRCB). Any new public water wells would need to be constructed in accordance with the California Department of Water Resources Bulletin 74-81, "Water Well Standards, State of California."

In addition to the restrictions on the number of Special Events permitted per year under the proposed project, the Reduced Intensity Alternative would limit the total number of event days permitted at each study facility to 59 per year. The other changes included in the proposed Zoning Text Amendment would still apply. The event quota could be met with Agricultural Promotional Events only, or with a mix of Agricultural Promotional Events and Special Events. By restricting the number of event days permitted annually to 59 total, events at existing and future study facilities within the County would not necessitate the installation of new public water wells and associated improvements, and any associated environmental effects would be avoided.

Because the Reduced Intensity Alternative would substantially curtail the total number of events permitted annually at existing and future study facilities, the Alternative could conflict with the needs of winery/farm brewery owners within the County. In addition, because Agricultural Promotional Events would help to support agri-tourism and agricultural production at wineries and farm breweries within the County, limiting such events could conflict with the County's goals of supporting agriculture. Therefore, the project objectives would be only partially met under the Reduced Intensity Alternative.

It should be noted that impacts related to utilities and service systems, including water supply, were determined to be less than significant in the EIR for both project-level and cumulative analyses of the proposed Zoning Text Amendment. Nonetheless, potential changes regarding water supply are discussed below for informational purposes in order to address public concerns submitted during the Notice of Preparation (NOP) review period for the proposed project.

Biological Resources

Under the Reduced Intensity Alternative, attendance limits for each event hosted at existing and future study facilities would not be altered compared to the proposed Zoning Text Amendment. Therefore, while a fewer number of events would be permitted to occur annually, the same potential exists under the Alternative for existing study facilities to expand permanent parking spaces within their sites in order to accommodate tasting room guests, agricultural activities, and event attendees. Expansion of permanent parking areas could require tree removal and, thus, could result in impacts to protected birds in the absence of mitigation. In addition, associated grading activities could disturb sensitive riparian habitat and aquatic resources. Thus, Mitigation Measures 6-2(a) and 6-2(b) would still be required, and impacts to biological resources would be similar under the Reduced Intensity Alternative compared to the proposed project.

Cultural Resources

As noted above, under the Reduced Intensity Alternative, the same potential exists for existing study facilities to expand permanent parking spaces within their sites. Grading associated with development of new permanent parking areas could result in disturbance to previously unknown cultural resources. Therefore, Mitigation Measures 7-1(a) and 7-1(b) would still be required. Impacts to previously unknown cultural resources associated with grading of new permanent parking areas would be similar compared to the proposed project.

Noise

Relative to the proposed Zoning Text Amendment, the Reduced Intensity Alternative would not alter the attendance limits associated with each individual event at existing and future facilities and weddings would still be an allowable use. Thus, non-transportation noise sources associated with weddings could still result in conflicts with the County's established noise thresholds at the property lines of the nearest sensitive receptors. Mitigation Measures 9-3 and 12-8 would still be required in order to ensure that impacts related to such are reduced to a less-than-significant level. Overall, impacts related to noise would be similar under the Reduced Intensity Alternative.

Transportation and Circulation

The Reduced Intensity Alternative would substantially curtail the total number of events permitted annually at existing and future study facilities. Under the proposed Zoning Text Amendment, a total of 105 event days are assumed to occur each year, with up to two events occurring on each event day. Under the Alternative, each study facility would be limited to a total of 59 event days. Up to two events would still be assumed to occur at each study facility during each event day.

Table 13-1 below provides a comparison of the total number of Agricultural Promotional Events and Special Events anticipated to occur under the Reduced Intensity Alternative as compared to the proposed Zoning Text Amendment.

Table 13-1 Annual Events: Proposed Zoning Text Amendment vs. Reduced Intensity Alternative			
Type of Event	Number of Annual Events		
	Proposed Zoning Text Amendment	Reduced Intensity Alternative	Difference
Medium Parcel-Sized Facilities			
Regular Agricultural Promotional Event	196	104	-92
Rolling Agricultural Promotional Event	8	8	0
Special Event	6	6	0
Total:	210	118	-92
Large Parcel-Sized Facilities			
Regular Agricultural Promotional Event	190	98	-92
Rolling Agricultural Promotional Event	8	8	0
Special Event	12	12	0
Total:	210	118	-92

As shown in the table, under the Reduced Intensity Alternative, the total number of annual events assumed to occur at both medium and large parcel-sized study facilities would be reduced by approximately 92. Therefore, annual vehicle traffic associated with events covered by the County's Winery Ordinance would be reduced at each study facility. Because trips associated with events would still contribute towards cumulative traffic volumes in the region, albeit at a lower frequency, the cumulatively considerable impact to the SR 49/Cramer Road intersection would likely remain significant and unavoidable. However, due to the reduction in trip generation, impacts related to transportation and circulation would be fewer under the Reduced Intensity Alternative.

Utilities and Service Systems

Under the Reduced Intensity Alternative, new public water wells would not be constructed at existing or future study facilities. In addition, because the total number of event days at each facility would be reduced from 105 under the proposed Zoning Text Amendment to 59 under the Alternative, overall annual water demand would be reduced from approximately 1.78 million gallons per year (mgy) to approximately 1.10 mgy for existing study facilities (see Table 13-2). For existing and future study facilities combined, annual water demand would be reduced from approximately 5.40 mgy to approximately 3.33 mgy (see Table 13-3). Therefore, for facilities which are not served by public water supply systems, total demand on groundwater supplies would be reduced. In addition, potential adverse physical environmental effects associated with construction of new public wells and associated infrastructure would be avoided. Overall, impacts related to utilities and service systems would be reduced under the Reduced Intensity Alternative.

Table 13-2										
Proposed Zoning Text Amendment vs. Reduced Intensity Alternative: Net Increase in Water Demand (Annual) for Existing Study Facilities										
Winery/Farm Brewery Size	Rolling Agricultural Promotional Events		Agricultural Promotional Events		Special Events		Total Annual Attendees/ Facility	Water Demand/ Attendee (gal)	# of Facilities	Addnl. Water Demand (mg)
	Events/yr	Max. Attendees	Events/yr	Max. Attendees	Events/yr	Max. Attendees				
Proposed Zoning Text Amendment										
Medium	8	150	196	50	6	100	11,600	15	8	1.39
Large	8	150	190	50	12	200	13,100	15	2	0.39
Total:										1.78
Reduced Intensity Alternative										
Medium	8	150	104	50	6	100	7,000	15	8	0.84
Large	8	150	98	50	12	200	8,500	15	2	0.26
Total:										1.10
Difference from Proposed Project:										-0.68

Table 13-3										
Proposed Zoning Text Amendment vs. Reduced Intensity Alternative: Net Increase in Water Demand (Annual) for Existing and Future Study Facilities										
Winery/Farm Brewery Size	Rolling Agricultural Promotional Events		Agricultural Promotional Events		Special Events		Total Annual Attendees/ Facility	Water Demand/ Attendee (gal)	# of Facilities	Addnl. Water Demand (mg)
	Events/yr	Max. Attendees	Events/yr	Max. Attendees	Events/yr	Max. Attendees				
Proposed Zoning Text Amendment										
Medium	8	150	196	50	6	100	11,600	15	22	3.83
Large	8	150	190	50	12	200	13,100	15	8	1.57
Total:										5.40
Reduced Intensity Alternative										
Medium	8	150	104	50	6	100	7,000	15	22	2.31
Large	8	150	98	50	12	200	8,500	15	8	1.02
Total:										3.33
Difference from Proposed Project:										-2.07

13.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. Section 15126(e)(2) of the CEQA Guidelines requires that an environmentally superior alternative be designated and states, “If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” In this case, the No Project Alternative would be considered the environmentally superior alternative. As shown in Table 13-4 below, all impacts resulting from the proposed Zoning Text Amendment would be fewer under the No Project Alternative. In addition, the significant and unavoidable cumulative traffic impact identified for the proposed Zoning Text Amendment would be avoided.

Under the Wedding CUP Alternative, impacts related to biological resources, cultural resources, and transportation and circulation would be similar to the proposed Zoning Text Amendment. Impacts related to noise would be fewer, as Mitigation Measures 9-3 and 12-8 related to weddings would not be required. Under the Reduced Intensity Alternative, impacts to biological resources, cultural resources, and noise would be similar to the proposed Zoning Text Amendment, while impacts related to transportation and circulation would be fewer as a result of the reduced number of annual events occurring at study facilities within the County. In addition, while impacts related to utilities and service systems were dismissed as less than significant in this EIR, such impacts would be fewer under the Reduced Intensity Alternative. The significant and unavoidable cumulative traffic impact identified for the proposed Zoning Text Amendment would not be avoided under either the Wedding CUP Alternative or the Reduced Intensity Alternative.

With regard to selection of an environmentally superior alternative, Practice Under the California Environmental Quality Act, Second Edition, Vol. 1, states the following:¹

On the basis of the rule that an EIR should include sufficient information to allow a “meaningful evaluation, analysis, and comparison” with the project (15126.6(d)), when one of the alternatives is clearly environmentally superior to the project, it should be sufficient for the EIR to explain the environmental advantages and disadvantages of each alternative in comparison with the project.

Given that the Wedding CUP Alternative and the Reduced Intensity Alternative would result in generally similar environmental impacts, neither alternative is clearly environmentally superior to the other. However, due to the fact that the Wedding CUP Alternative would result in fewer impacts such that mitigation measures identified for the proposed project related to noise would not be necessary, whereas the Reduced Intensity Alternative would still require all the same mitigation measures as the proposed project, the Wedding CUP Alternative would be considered the environmentally superior alternative.

¹ Kostka, Stephen L. and Zischke, Michael H. *Practice Under the California Environmental Quality Act, Second Edition, Vol. 1* [pg. 15 to 43]. Updated March 2018.

**Table 13-4
Comparison of Environmental Impacts for Project Alternatives**

Resource Area	Proposed Project	No Project Alternative	Wedding CUP Requirement Alternative	Reduced Intensity Alternative
Biological Resources	Less Than Significant with Mitigation	Fewer	Similar	Similar
Cultural Resources	Less Than Significant with Mitigation	Fewer	Similar	Similar
Noise	Less Than Significant with Mitigation	Fewer	Fewer	Similar
Transportation and Circulation	Significant and Unavoidable	None	Similar*	Fewer*
Utilities and Service Systems	Less Than Significant	--	--	Fewer
Total Fewer:		4	1	2
Total Similar:		0	3	3
Total Greater:		0	0	0
Note: No Impact = "None;" Less than Proposed Project = "Fewer;" Similar to Proposed Project = "Similar;" and Greater than Proposed Project = "Greater."				
* Significant and Unavoidable impact(s) determined for the proposed project would still be expected to occur under the Alternative.				

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APPENDIX A

17.56.330 Wineries and Farm Breweries.

- A. Purpose. The purpose of this section is to provide for the orderly development of wineries and farm breweries within agricultural zoning districts and certain commercial, industrial and residential zoning districts, and to encourage the economic development of the local agricultural industry, provide for the sampling and sales of value-added products, and protect the agricultural character and long-term agricultural production viability of agricultural lands.

- B. Definitions.

“Accessory Use - Restaurant” is food preparation and service that is related and clearly subordinate to the primary use on a property as a winery or farm brewery.

“Administrative review permit” See Zoning Ordinance Section 17.58.100.

“Agricultural Promotional Event” is directly related to the education and marketing of wine and craft beer to consumers including but not limited to winemaker/brewmaster dinners, pick-up parties, release parties, and membership club parties. An Agricultural Promotional Event accommodates 50 people or less at one time (excluding staff). If greater than 50 people are in attendance at one time, those events shall be regulated in the same manner as a Special Event. See Table 3.

“Conditional use permit” See Zoning Ordinance Section 17.58.130.

“Farm Brewery” means a facility for the manufacturing and packaging of beer that produces less than 1,500 barrels of product per year and grows hops onsite and agricultural products necessary for making the beverage. A farm brewery is bonded through the Alcohol, Tobacco Tax and Trade Bureau and has a current California Alcohol Beverage Control (ABC) License Type 23 Small Beer Manufacturer License.

“Large winery” refers to a winery with annual production of twenty thousand (20,000) cases or greater.

“Minor use permit” See Zoning Ordinance Section 17.58.120.

~~“Promotional event” means an event, sponsored by the property owner, an association of agricultural property owners, or similar organizations formed to assist the agricultural industry in the area, to promote the sale of Placer County wines, and which is intended to allow for the sampling and direct marketing and sales of wines produced on the premises or produced elsewhere from grapes grown on-site. Such events include “winemaker’s dinners.”~~

“Public tasting” refers to wine and beer sampling by the general public.

“Small winery” refers to a winery with annual production less than twenty thousand (20,000) cases.

“Special Event” is an event of greater than 50 people at one time (excluding staff) where the agricultural-related component is subordinate to the primary purpose of the event. Included in this definition are events such as private parties, fundraisers, concerts, social or educational gatherings where outside alcohol may be allowed, and events where the property owner is compensated in exchange for the use of the site and facility (referred to as a *facility rental*). Special Events do not include industry-wide events, the normal patronage of a tasting room, and private gatherings of the owner where the general public does not attend.

“Tasting Room” is accessory to a winery or farm brewery, typically located on the premises of a winery or farm brewery’s production facilities, at which guests may

sample the winery or brewery's products. A tasting room is only allowed in Residential, Agriculture and Resource zone districts if production takes place on-site. (See also "stand alone tasting room.")

"Stand-alone tasting room" is a tasting room without on-site production, allowed only in Commercial and Industrial zone districts. See section C below.

"Temporary outdoor events" are events that are of limited duration and located primarily outdoors. If any buildings are used for the event, such use shall not exceed the occupancy load. ~~Two events per year~~ Events can be authorized on any given site through the Temporary Outdoor Event Permit process as described in Section 17.56.300(B)(1)(b). Any such authorization would be in addition to the ~~promotional~~ events authorized by this section.

"Wine case" contains twelve (12) standard wine bottles (750 milliliters each).

"Winery" means an agricultural processing ~~bonded winery~~ facility comprising the building or buildings used to convert fruit juices to wine, and to age, bottle, store, distribute and sell said wine. A winery, for the purposes of this section, includes crushing, fermenting and refermenting, bottling, blending, bulk and bottle storage, aging, shipping, receiving, laboratory equipment and maintenance facilities, sales, and administrative office functions. ~~, and may include tasting and promotional events.~~ A winery is bonded through the Alcohol, Tobacco Tax and Trade Bureau and has a current California Alcohol Beverage Control (ABC) License Type 02 Winegrowers License.

- C. **Permit Requirements for Wineries and Farm Breweries.** The permit requirements for wineries these facilities and accessory uses are set forth below.

	Zone districts									
	Commercial					Industrial				
	CPD	C2	C3	HS	C1	RES	AP	BP	IN	INP
Winery Production < 20,000 Cases	CUP	MUP	C	-	-	-	-	C	C	C
Winery Production > 20,000 Cases	-	-	MUP	-	-	-	-	MUP	MUP	MUP
Wholesale and Retail Sales of Wine and Grape Products	CUP	C	C	C	C	C	MUP	C	C	C
Wine Tasting and Retail Sales of Wine-related Merchandise	CUP	C	C	C	C	C	MUP	C	C	C
Promotional Events up to 6/year	CUP	ARP	ARP	ARP	ARP	ARP	ARP	ARP	ARP	ARP

Residential Zoning Districts

(Residential Agriculture and Residential Forest only)	
Winery Production < 20,000 Cases	ARP
Winery Production >20,000 Cases	MUP
Wholesale and Retail Sales of Wine	ARP
Wine Tasting and Retail Sales of Wine-related merchandise	ARP
Promotional Events Up to 6/year	ARP

Agricultural and Resource Districts (Agricultural Exclusive, Farm, Forestry, Timberland Production only)	
Winery Production <20,000 Cases	G
Winery Production >20,000 Cases	MUP
Wholesale and Retail Sales of Wine Grown or Produced on Premises	G
Wine Tasting and Retail Sales of Wine-Related Merchandise	G
Promotional Events Up to 6/year	ARP

Table 1: Permit Requirements

	<u>Commercial</u>						<u>Industrial</u>				<u>Residential</u>		<u>Agriculture and Resource</u>		
	<u>CPD</u>	<u>C2</u>	<u>C3</u>	<u>HS</u>	<u>C1</u>	<u>RES</u>	<u>AP</u>	<u>BP</u>	<u>IN</u>	<u>INP</u>	<u>RA</u>	<u>RF</u>	<u>AE</u>	<u>E</u>	<u>FOR</u>
<u>Small Winery Production 0-20,000 cases</u>	<u>CUP</u>	<u>MUP</u>	<u>C</u>			<u>ARP</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP^[1]</u>	<u>MUP^[1]</u>	<u>C^[1]</u>	<u>C^[1]</u>	<u>C^[1]</u>
<u>Large Winery Production 20,000+ cases</u>			<u>MUP</u>					<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP^[2]</u>	<u>MUP^[2]</u>	<u>MUP^[2]</u>	<u>MUP^[2]</u>	<u>MUP^[2]</u>
<u>Farm Brewery Production 0-1,500 barrels</u>											<u>MUP^[1]</u>	<u>MUP^[1]</u>	<u>C^[1]</u>	<u>C^[1]</u>	<u>C^[1]</u>
<u>Wholesale and Retail Sales of Wine, Grape or Beer Products On-Site</u>	<u>CUP</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP^[1]</u>	<u>MUP^[1]</u>	<u>C^[1]</u>	<u>C^[1]</u>	<u>C^[1]</u>

<u>Accessory Use - Restaurant</u>													<u>CUP</u>	<u>CUP</u>	<u>CUP</u>
<u>Tasting Room and Retail Sales of Wine- or Beer - Related Merchandise</u>	<u>CUP</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>See Section D.3.b.</u>				

[1] 4.6 acre minimum required.

[2] Ten acre minimum required.

KEY TO PERMIT REQUIREMENTS	
Zoning Clearance required (Section 17.06.050)	C
Administrative Review Permit required (Section 17.06.050)	ARP
Minor Use Permit required (Section 17.06.050)	MUP
Conditional Use Permit required (Section 17.06.050)	CUP
Use not allowed	

- D. **Winery and Farm Brewery Uses.** The primary purpose of the winery or farm brewery shall be to process wine grapes and hops. All accessory uses shall be clearly related and subordinate to the primary operation as a bonded winery or small beer manufacturing facility. The following provisions apply to all wineries and farm breweries, accessory structures, and accessory uses:

1. Minimum Agricultural Requirement.

- a. In the Residential, Resource and Agricultural zone districts where wineries and farm breweries are allowed, at least two acres on-site of planted vineyard, hop yard, or other agriculture related to beverage production is required. Planting densities should be consistent with what is found in the Sierra Nevada Foothills and shall be properly maintained as a requirement of the facility's continued operation, as determined by the Agricultural Commissioner. A determination by the Agricultural Commissioner may be appealed to the Agricultural Commission whose decision shall be final. This section shall not apply to wineries and farm breweries approved prior to [insert adoption date].

2. Production Facilities.

- a. **Minimum Parcel Size.** Minimum parcel sizes for the production of wine and beer are set forth in Table 1 above (see footnotes). Minimum agricultural requirements must still be met. No on-site tasting or public access shall be allowed either directly or by appointment unless permitted as a Tasting Room.

3. Tasting Room.

- a. **Wine and Beer Sales.** The tasting room is primarily for the marketing and sale of the agricultural products produced at the facility. Wine products shall be limited to those produced, vinted, cellared or bottled by the operator at the premises. Wine products sold at the facility may also be grown on the premises and custom crushed at another facility for the operator. Beer sales shall be limited to those manufactured and packaged at the facility. Incidental sales of wine and beer-related merchandise and food shall be allowed subject to the requirements of California State Law.
- b. **Minimum Parcel Size.** The minimum parcel size for establishment of a tasting facility in the Farm, Forest, and Agricultural Exclusive, Residential Agricultural, and Residential Forest zone districts are set forth in Table 2 below. Note: Large Winery production has a 10 acre minimum per Section C., Table 1.

Table 2: Permit Requirements for Wine and Beer Tasting Facilities in Residential and Agricultural Resource Zone Districts

	<u>Residential</u>		<u>Agriculture and Resource</u>		
<u>Parcel Size (Acres)</u>	<u>RA</u>	<u>RF</u>	<u>AE</u>	<u>E</u>	<u>FOR</u>
<u>4.6 to less than 10</u>	<u>CUP</u>	<u>CUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>

<u>10+</u>	<u>MUP</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>
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<u>KEY TO PERMIT REQUIREMENTS</u>	
<u>Zoning Clearance required (Section 17.06.050)</u>	<u>C</u>
<u>Minor Use Permit required (Section 17.06.050)</u>	<u>MUP</u>
<u>Conditional Use Permit required (Section 17.06.050)</u>	<u>CUP</u>

(i). A Minor Use Permit may be waived if a minimum of ten contiguous acres is under the same ownership and deed restricted to preclude their separate sale, and if the structures related to the use meet the standards for the base zone district.

4. Agricultural Promotional and Special Events. Agricultural Promotional and Special Events shall only be allowed as an accessory use to a tasting room at a production facility where grapes, hops, or agricultural products necessary for making the beverage are grown on-site.

- a. **Agricultural Promotional Events.** Tasting rooms may include agricultural promotional events sponsored by a winery or farm brewery, intended for the promotion and sale of the facility's product, as defined in Subsection B. above. Agricultural promotional events are not limited in number.
- b. **Special Events.** Special Events, as defined in Subsection B. above, are allowed subject to the following table.

Table 3: Maximum Special Events Allowed Per Year^[1]

<u>Parcel Size (Acres)</u>	<u>Max Attendees at one time (excluding staff)</u>	<u>Max Special Events/Year</u>	<u>Use Permit Requirement</u>
<u>4.6 to less than 10 (small)</u>	<u>As determined by use permit</u>	<u>6</u>	<u>MUP^[2]</u>
<u>10 to less than 20 (medium)</u>	<u>100</u>	<u>6</u>	<u>C</u>
<u>20+ (large)</u>	<u>200</u>	<u>12</u>	<u>C</u>

[1] Agricultural Promotional Events with attendance greater than 50 at one time are limited per this Table.

[2] A Minor Use Permit is required for a winery or farm brewery for parcels 4.6-9.9 acres in size in Zone Districts where allowed by the Land Use and Permit Table (Section 17.06.050). This use permit will consider conditions for events as limited by this table.

- c. **Temporary Outdoor Event.** Special Events, industry-wide events, or other functions where the number of attendees will exceed the allowances in Table 3 above may be allowed as required by Section 17.56.300 B. (Temporary Uses and Events).

E. **Development and Operational Standards.** The following development and operational standards shall apply to all wineries and farm breweries, and expansions of existing lawfully operating facilities. If a winery or farm brewery is required to have a Use Permit by this ordinance, those standards will be applied in accordance with the conditions placed on those entitlements. These standards will be applied with flexibility to encourage activities for the protection and preservation of agriculture. ~~wine grape growing, consistent with the agricultural use of the property. For wineries on commercially and industrially zoned parcels, commercial standards will apply. Wineries established prior to the adoption date of this ordinance will be afforded maximum flexibility in establishing reasonable standards when adding new uses.~~

~~1. General.~~

~~a. The primary purpose of the winery shall be to process wine grapes grown on the winery property or on other local agricultural lands as delineated in the Food and Agriculture Code as grape pricing District 10. District 10 encompasses Placer, Nevada, El Dorado, Amador, Tuolumne and Mariposa Counties. In the Residential, Resource and Agricultural zoning districts where wineries are allowed, at least one acre of planted vineyard on site is required, unless the Agricultural Commissioner makes a determination that a functional equivalent occurs (i.e. winery is contracted to receive a substantial portion of the winery production capacity from locally produced vineyards).~~

~~b. Retail sales of wine fruit products shall be limited to those produced, vinted, cellared or bottled by the winery operator or grown on the winery premises, and custom crushed at another facility for the winery operator.~~

~~c. The minimum parcel size for establishment of a winery is 4.6 acres in the Residential, Resource and Agricultural zoning districts where wineries are allowed.~~

2.1. **Parking.** The following parking standards shall apply to wineries:

~~a. Small Wineries. If public tasting is proposed, a minimum of five permanent parking spaces shall be provided.~~

~~b. Large Wineries. The minimum number of required parking spaces as indicated below shall be provided.~~

Table 4: Minimum Parking Requirements

<u>Use Type</u>	<u>Parking Required</u>
Areas for use by or for patrons, including tasting rooms, reception areas, <u>and outdoor seating</u>	One space per 300 square feet
Offices or administration areas	One space per 300 square feet
Production, storage or warehousing areas	One space per 1,500 square feet

~~Promotional~~ Event parking^[1]

One space per 2.5
persons

[1] Event size is limited to the number of available on-site parking spaces as required by the parking standards below.

- a. A site plan shall show permanent parking locations for the use types described in Table 4 above.
- b. On-site parking space sizes and drive aisles shall be designed in accordance with Section 17.54.070 Design and Improvement of Parking.
- c. On-site parking may be an aggregate base all weather surface that can support a 75,000 pound vehicle.
- d. Parking shall not be proposed on existing agriculturally productive land.
- e. Temporary overflow parking may be utilized in conjunction with Special Events as described in 17.56.330(D)(4) and Temporary Outdoor Events as described in Section 17.56.300(B) (1) (b). Temporary overflow parking shall be accommodated on-site and shall meet fire district requirements, and shall only take place in designated areas per site plan approved by the County.

~~3.~~ 2. **Access Standards.**

- ~~a. Access roads to winery structures shall meet state and local fire safe standards as determined by the serving fire agency. Alternative design allowances and/or requirements may be determined on a case-by-case basis for modification to the standards, dependent upon anticipated level of use, site constraints, turnout opportunities, road length, slope, and other site-specific issues.~~
- ~~b. Access—County Maintained Roads. If a winery is accessed from a county-maintained highway, an encroachment permit may be required to address ingress, egress and sight-distance requirements.~~
- ~~c. Access—Non-County Maintained Roads. If a winery is accessed by a private road, the applicant shall provide reasonable proof of access rights as determined by the engineering and surveying division.~~

a. County-Maintained Roads

- (i) A paved commercial standard encroachment shall be required to address County Land Development Manual ingress, egress, and sight-distance engineering design standards and serving Fire District requirements.

b. Non-County Maintained Roads

- (i) An encroachment permit shall be required to address County Land Development Manual ingress, egress, and sight-distance engineering design standards and serving Fire District requirements where the non-County maintained road connects to

a County maintained road, and if the applicable standards are not already met.

- (ii) If a winery or farm brewery has public tasting and is accessed by a private road, the applicant shall provide proof of access rights as determined by the County and an affirmative written statement of the legal right to access and use said road for the purposes of the requested facility. The owner must also obtain written approval of the governing board of the applicable road maintenance association or homeowners association. If no governing body or association exists, written approval from a majority of the individuals who have access rights to the road shall be required. The owner shall include with said statement the proposal for road maintenance or provide evidence of an existing road maintenance agreement. The owner shall be required to indemnify the County for any claims resulting from said road access.
 - (iii) The facility must obtain written approval of the governing board of the applicable road maintenance association or homeowners association. If none exists, written approval from a majority of the individuals who have access rights to the road shall be required.
- c. Driveway shall have a minimum access width of 20 feet to the facility structure, provide adequate turnaround, and be either paved or surfaced with an approved alternative all-weather material, or as required by the serving Fire District. Access roads to a winery or farm brewery shall comply with County Code, State and local Fire Safe Standards as determined by the County and the serving Fire District.
- d. A Design Exception Request prepared by a Professional Civil Engineer registered in the State of California may be submitted and reviewed by the ESD and DPWF on a case-by-case basis for modification to the County standards, dependent upon justification for a deviation to the standard(s), a review of alternatives, and meeting minimum safety requirements.

3. Hours of Operation.

- a. All facilities shall be allowed to conduct normal tasting hours from 10am-6pm. Events shall be allowed from 10am to 10pm on Friday and Saturday and from 10am to 8pm Sunday through Thursday. If a winery or farm brewery is required to have a Minor Use Permit or Conditional Use Permit by this ordinance or has an existing permit and is lawfully operating, limits on hours of operation will be in accordance with the conditions placed on those entitlements, or all standards

4. Noise Regulations.

- a. All winery and farm brewery facilities shall be subject to Placer County Code Article 9.36 (Noise Ordinance), unless a more restrictive standard is specified in a community plan.

5. Lighting.

- a. All lighting for wineries and farm breweries shall be consistent with the Rural Design Guidelines for Placer County and shall be Dark-Sky compliant as specified by the International Dark-Sky Association.

6. Food Regulations.

- a. Service and/or preparation of food in an existing or new tasting room shall be subject to prior approval and applicable permitting by Environmental Health. If food is prepared on-site, wineries shall have a commercial kitchen. The kitchen shall comply with all conditions for a commercial kitchen as specified by the Environmental Health Division. If a winery or farm brewery is required to have a Minor Use Permit or Conditional Use Permit by this ordinance or has an existing permit and is lawfully operating, food regulations will be in accordance with those entitlements.

Depending on site conditions and resources, options for food service may include a self-contained mobile food facility (food truck); food prepared by a caterer at their approved facility and then plated at facility; a food booth operated by the facility at a temporary outdoor event; a market to sell pre-packaged foods from approved sources; and food preparation and service as defined under an Accessory Use - Restaurant.

- ~~3. Potable Water. If the winery is served by well water and there are more than twenty-five (25) people on-site in a sixty (60) day period, employees and guests shall be provided with bottled water for consumption, unless otherwise approved by the County Environmental Health Division. Well water shall meet potable water standards for the purposes of dishwashing and hand washing.~~

7. Potable Water.

- a. A public well and small public water system annual permit shall be required if the facility serves more than 24 people, 60 days or more per year, as required by California Code of Regulations Title 17 and Title 22 of the California Safe Drinking Water Act. The public well shall be required for tasting facilities that allow unlimited Agricultural Promotional Events with 50 persons and fewer. For any tasting facility with occupancy of 25 or more, or if food is prepared at the facility, the standard shall automatically apply.

Alternatively, an approved domestic well can be used under the following conditions:

- i. Environmental Health has documentation that the well has a 20 foot annular seal installed under permit (Department of Water Resources Drilling Report).
- ii. Environmental Health conducts a sanitary inspection and the water is tested to demonstrate potability.
- iii. The facility owner certifies that the well will not serve more than 24 people, 60-days or more per year with Minor Use Permit approval.

Note: Residential (Class I) wells cannot be converted into a public well (Class II) due to State construction standards.

~~5. Waste Disposal.~~

- ~~a. Solid Waste. All solid waste shall be stored in a manner that prevents the propagation, harborage, or attraction of flies, rodents, vector, or other nuisance conditions. Pomace, culls, lees, and stems may be recycled, onsite in accordance with the report of waste discharge approved for each individual winery by the regional water quality control board.~~
- ~~b. Winery Production Waste. Standards for waste disposal shall be set, where applicable, by the regional water quality control board and shall be stipulated in the report of waste discharge.~~
- ~~c. On-site Sewage Disposal. If public sanitary sewer is not available, then the on-site sewage disposal system shall be designed in compliance with County Code Chapter 8.24 and sized to accommodate employee, tasting room and commercial sewage flows. Portable toilets may be approved by the county environmental health division for temporary and promotional events.~~

8. Waste Disposal.

- a. Septic Systems.** If a winery or farm brewery has buildings with plumbing, the buildings must be served by an individual septic system sized and designed for the intended use. Occupancy and use of the building determines the size of the septic system. Food preparation and dishwashing may increase the septic system size and require a grease interceptor.
- b. Solid Waste.** All solid waste shall be stored in a manner that prevents the propagation, harborage, or attraction of flies, rodents, vector, or other nuisance conditions. Pomace, culls, lees, and stems may be recycled on-site in accordance with the Report of Waste Discharge approved for each individual winery by the Regional Water Quality Control Board.
- c. Winery/Farm Brewery wastewater** is prohibited from being discharged to the septic system. A Waste Discharge Permit or Waiver of Waste Discharge issued by the Regional Water Quality Control Board is required prior to building permit issuance.
- d. On-site Sewage Disposal.** If public sanitary sewer is not available, then the on-site sewage disposal system shall be designed in compliance with County Code Chapter 8.24 and sized to accommodate employee, tasting room and commercial sewage flows. Portable toilets may be approved by the County Environmental Health Division for temporary events.

~~6. Tasting Facilities. The primary focus of the tasting area shall be the marketing and sale of the wine and grape products produced at the winery. Incidental sales of wine-related merchandise and food shall be allowed subject to the requirements of the California Retail Food Code.~~

- ~~7. Promotional Events.~~
- ~~a. Application Requirements. The application shall include the following information:~~
- ~~i. Number of annual events,~~
- ~~ii. Estimated number of participants,~~
- ~~iii. Description of parking and circulation, and~~
- ~~iv. Sanitation provisions.~~
- ~~b. Standards.~~
- ~~i. Duration. No single promotional event shall exceed more than two consecutive days.~~
- ~~ii. Parking Requirements. Temporary, overflow parking may be utilized. The applicant shall demonstrate to the development review committee the ability to provide safe access and parking, including providing attendants to monitor proper parking and access road clearance for emergency vehicles.~~
- ~~iii. Noise Standards. Any promotional event proposing outdoor amplified music shall be subject to Placer County Code Article 9.36 (Noise Ordinance).~~

~~E. F.~~ **Continuing Applicability of Minor Use Permits and Existing Legal Operations.** To the extent a minor use permit or administrative review permit was approved for uses on a parcel or parcels as required under the provisions of this Zoning Ordinance in effect as of ~~September 23, 2008~~[hearing date 2019], and to the extent that use would be required to obtain a ~~minor~~ use permit or an administrative review permit under the provisions of this Zoning Ordinance in effect after ~~October 22, 2008~~[adoption date 2019], the conditions of the ~~minor~~ use permit shall continue to apply in full force and effect. ~~Any proposed new or additional use shall be subject to compliance with the provisions of this Zoning Ordinance in accordance with Section 17.02.030 herein and all other applicable provisions of the Placer County Code.~~

For those legal uses established under the provisions of the Zoning Ordinance in effect prior to [adoption date 2019], uses limited to production and tasting shall be allowed in accordance with current developments standards as determined by the County. At such time any proposed new or additional use is proposed, the project would be reviewed under the provisions of the current ordinance.

~~F. G.~~ **Special Notice Requirements.** For all applications for a winery or farm brewery activity that is requested for property which is accessed by a private road and which requires the issuance of ~~an administrative review a use~~ permit pursuant to this section, in addition to any other notice required by Section 17.58.100(A), notice shall be provided to all property owners identified pursuant to Section 17.58.030(F). Failure of a property owner who shares access rights with an applicant to a private road to receive notice shall not invalidate the issuance of the permit.

~~G. H.~~ **Notice of Decision.** A copy of any decision on an application for a winery or farm brewery activity that is requested for property which is accessed by a private road and which involves the issuance of ~~an administrative review a use~~ permit pursuant to this section shall be provided to all property owners identified pursuant to Section 17.58.030(F), in addition to any other person who may otherwise be entitled to notice of the decision. Failure of a property owner who shares

access rights with an applicant to a private road to receive a copy of the decision shall not invalidate the issuance of the permit.

H₂.I. Waiver of Appeal Fee. Notwithstanding subsection (C)(1) of Section 17.60.110, the requirement of the submission of an appeal fee shall be waived for a property owner who appeals the determination of the zoning administrator to approve ~~an administrative review~~ a use permit and who owns property that shares access rights to a private road with the applicant who has received a permit. This waiver shall not apply to any appeal of a decision of the planning commission to the board of supervisors. (Ord. 5688-B § 9, 2012; Ord. 5526-B § 19, 2008)

CHAPTER 17: PLANNING AND ZONING

Definitions

17.04.030

“Agricultural processing” (land use) means the processing of crops after harvest, to prepare them for on-site marketing or processing and packaging elsewhere, including, but not limited to, the following; provided, that any of the activities performed in the field with mobile equipment not involving permanent buildings are included under “Crop production.” Agricultural processing does not include the process of composting or the processing of Cannabis sativa L.

1. Alcohol fuel production;
2. Alfalfa cubing;
3. Corn shelling;
4. Cotton ginning;
5. Custom grist mills;
6. Custom milling of flour, feed and grain;
7. Dairies (but not feedlots, see instead “Animal sales yards, feedlots, stockyards”);
8. Drying of corn, rice, hay, fruits and vegetables;
9. Grain cleaning and custom grinding;
10. Hay baling and cubing;
11. Pre-cooling and packaging of fresh or farm-dried fruits and vegetables;
12. Sorting, grading and packing of fruits and vegetables;
13. Taxidermy;
14. Tree nut hulling and shelling;
15. Wineries, farm breweries, and associated uses. See definition for “Wineries and Farm Breweries” and Section 17.56.330 for specific use requirements ~~applicable to wineries~~ and associated uses.

“Restaurants and bars” (land use) means establishments for selling prepared foods and drinks for on-premise consumption, as well as facilities for dancing and other entertainment that are secondary and subordinate to the principal use of the establishment as an eating and drinking place. Also includes drive-in restaurants, lunch counters, brew pubs, outdoor eating areas, wine bars, ~~wine tasting rooms not on winery premises~~ and refreshment stands selling prepared goods and drinks for either immediate or off-premises consumption. Restaurants, lunch counters, and drinking places operated as subordinate service facilities within other establishments are not included here unless they are operated as leased departments by outside operators, includes catering services incidental to food preparation for on-site consumption. See Section 17.56.190 for specific use requirements applicable to restaurants with outdoor eating areas. (SIC: Group 58)

For Accessory Use – Restaurants for Wineries and Farm Breweries, see Section 17.56.330 (Wineries and Farm Breweries).

“Roadside stands for agricultural products” (land use) means structures for the retail sale of agricultural products (except hay, grain and feed sales-included under “Farm equipment and supplies”), located on the site or in the area of the property where the products being sold were grown, including products whose primary ingredients were grown on site and were later

modified (e.g., apple cider, cherry pies, fruit preserves, wine made from grapes grown on-site even if the wine is not ~~located~~ produced on site, etc.). Does not include field sales or agricultural products, which is included under “Crop production.” For wine tasting, see Section 17.56.330 (Wineries and Farm Breweries).

APPENDIX B



COMMUNITY DEVELOPMENT/RESOURCE AGENCY
Environmental Coordination Services
County of Placer

DATE: October 17, 2017

TO: California State Clearinghouse
Responsible and Trustee Agencies
Interested Parties and Organizations

SUBJECT: **Notice of Preparation of an Environmental Impact Report for the Proposed Winery and Farm Brewery Zoning Text Amendment Project**

REVIEW PERIOD: **October 18, 2017 to November 16, 2017**

Placer County is the lead agency for the preparation of an Environmental Impact Report (EIR) for the proposed Winery and Farm Brewery Zoning Text Amendment Project (proposed project) in accordance with the California Environmental Quality Act (CEQA), Section 15082. The purpose of the Notice of Preparation (NOP) is to provide responsible agencies and interested persons with sufficient information in order to enable them to make meaningful comments regarding the scope and content of the EIR. Your timely comments will ensure an appropriate level of environmental review for the project.

Project Description: The proposed project consists of a revision to the existing Winery Ordinance that regulates wineries located in unincorporated Placer County. The existing Winery Ordinance consists of Section 17.56.330 (Wineries) and Section 17.04.030 (Definitions) of the Placer County Code. Generally, the proposed amendments include the following substantive changes: redefine the term *Events*; define the term *Farm Brewery*; modify the minimum parcel size; create a table outlining special event allowances and maximum capacity at certain types of events; clarify the hours of operation; update the standards for potable water and waste disposal; update the standards for access; and add wineries as an allowable land use by-right in the Resort zone district.

Project Location: The project location consists of the unincorporated portions of Placer County.

For more information regarding the project, please contact Nikki Streegan, Senior Planner, (530) 745-3577. A copy of the NOP is available for review at the Auburn and Lincoln libraries; Placer County Community Development Resource Agency (Auburn), and on the Placer County website:

<http://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir>

NOP Scoping Meeting: In addition to the opportunity to submit written comments, a public scoping meeting will be held to inform interested parties about the proposed project and to provide agencies and the public an opportunity to provide comments on the scope and content of the EIR. The meeting will be held on November 1, 2017, at 6:00 PM, at the Community Development Resource Center, 3091 County Center Drive (Planning Commission Hearing Room).

NOP Comment Period: Written comments should be submitted at the earliest possible date, but not later than 5:00 pm on November 16, 2017 to Shirlee Herrington, Environmental Coordination Services, Community Development Resource Agency, 3091 County Center Drive, Suite 190, Auburn, CA 95603, (530) 745-3132, fax (530) 745-3080, or cdraecs@placer.ca.gov.

1.0 BACKGROUND

In the years since the County of Placer's 2008 Winery Ordinance was approved, wine industry concerns regarding the County's existing Winery Ordinance have been raised, specifically citing a lack of Promotional Events allowed without a use permit. Under today's ordinance, wineries are required to apply for an Administrative Review Permit in order to hold promotional events such as winemaker dinners. This permit allows for a maximum of six promotional events per year. Based upon the need to modify some standards in order to hold a greater number of events by right, staff determined that it was appropriate to re-examine the existing Winery Ordinance to meet the desires of the community and the winery owners.

The Placer County Planning Commission held a series of workshops between December 2013 and February 2015 in relation to the review and adoption of a Zoning Text Amendment. The workshops introduced and analyzed a variety of potential changes to the ordinance. Public comments provided by the Planning Commission, Placer County Vintners Association, Placer County Agricultural Commission, the Municipal Advisory Councils, and community members were taken into account in order to address the diversity of ideas on the subject. Subsequent to the February 26, 2015 workshop, County staff prepared a draft Zoning Text Amendment and Initial Study/Negative Declaration (IS/ND) to review the potential environmental effects associated with implementation of the changes. The IS/ND was circulated for a 30-day public review period beginning on July 11, 2015 and closing on August 10, 2015. During the public review period, the County received comments from one law firm, one public interest group, and three individuals on the adequacy of the proposed Negative Declaration. As a result of public comment, County staff brought the Zoning Text Amendment to the Planning Commission as an information item during a regularly scheduled public hearing on January 14, 2016. During this public hearing, County staff informed the Planning Commission that the County's Environmental Review Committee had determined that in light of the comments received on the IS/ND, an Environmental Impact Report must be prepared.

Subsequent to the January 2016 public hearing, a task force of internal staff members was formed in order to develop the Zoning Text Amendment. The task force included staff members from various disciplines within the Community Development Resource Agency, Department of Public Works and Facilities, Environmental Health Services, Economic Development, and Agricultural Commissioner's office. In early 2017, the task force determined that some modifications should be made to the ordinance. Based on input received from agencies and members of the public, the team proposed eight modifications to the January 14, 2016 version of the draft Winery Ordinance. The changes were presented before the Planning Commission on June 8, 2017 at a final public workshop in order to discuss the merits of the new proposal and for County staff to receive comments and direction from the Commission. The currently proposed Zoning Text Amendment is the proposed project that will be evaluated in this EIR and is attached hereto as Attachment A.

Additionally, the Zoning Text Amendment is now referred to as the Winery and Farm Brewery Zoning Text Amendment in order to regulate farm breweries. Similar to wineries, these facilities also produce adequate agriculture necessary to create a value-added agricultural product (i.e. craft beer).

2.0 PROJECT DESCRIPTION

The following discussion addresses the location, setting, and components of the proposed project.

2.1 Project Location

The proposed project amends the existing Winery Ordinance that regulates wineries in the unincorporated portions of Placer County. All of the existing wineries and current and pending farm breweries are located in the western-central portion of the County (see Figure 1).

2.2 Project Purpose and Objectives

The policy-focus of the proposed Zoning Text Amendment is to preserve and protect farmland while also supporting tenants of agri-tourism. The zoning text amendment is intended to balance the needs of various stakeholder groups and support the core principle that the primary use of the property is for the growing and processing of agriculture in order to make a value-added product.

2.3 Project Overview

The existing Winery Ordinance (the Winery Ordinance) was adopted on August 26, 2008 and consists of Section 17.56.330 (Wineries) and Section 17.04.030 (Definitions) of the Placer County Code. The draft language of the Winery and Farm Brewery Ordinance Zoning Text Amendment (Attachment A) contains County staff's proposed changes based on public comment received during the above-discussed outreach efforts.

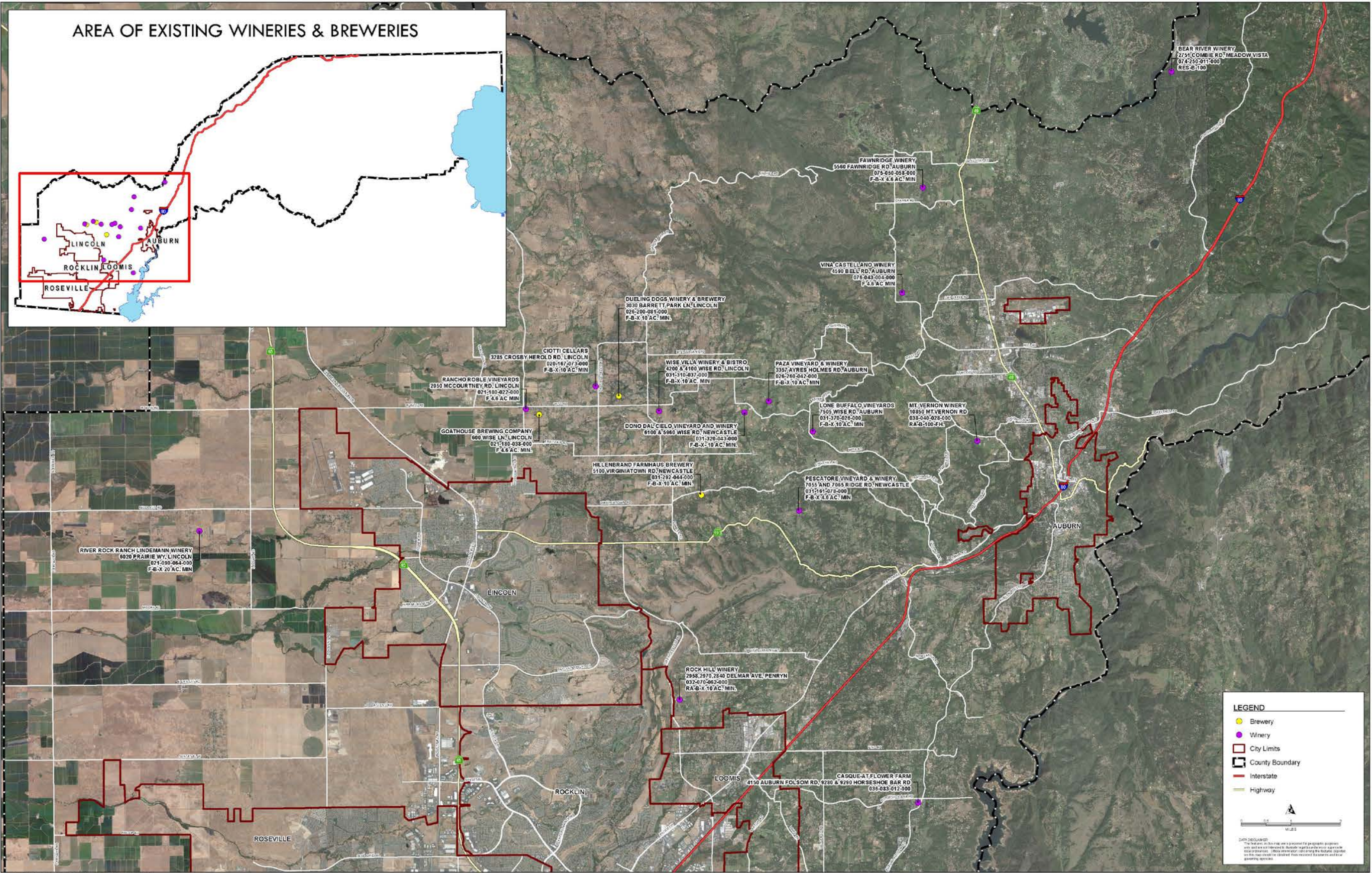
2.4 Summary of Proposed Ordinance Changes

The draft Ordinance language includes the following substantive changes to the current Winery Ordinance:

- Add Definition of Farm Brewery to the Ordinance
- Add Definition of Boutique Facility to the Ordinance
- Define New 10-Acre Minimum Parcel Size
- Modify Event Definition
- Create Table Outlining Event Allowances, Maximum Capacity, and Use Permit Requirement
- Clarify Hours of Operation
- Update the standards for Potable Water and Waste Disposal
- Update the standards for Access Standards
- Add wineries as an allowable land use by-right in Resort zone district

Please refer to Attachment A for the full draft language of the proposed Winery and Farm Brewery Zoning Text Amendment. The following section will discuss certain, proposed text changes in further detail.

Figure 1
Placer County Boundary in Relation to Current Winery/Farm Brewery Geographic Area



Add Definition of Farm Brewery

In recent years, the Community Development Resource Agency has been asked to make a determination that farm breweries function similar to wineries. The agricultural product is grown and then processed on-site, the public may come to the site to sample and drink the product, and the venue may host promotional events to sell their product. Similar to wineries, the facility would be required to meet the same development standards, including agricultural planting minimums, parking, access, hours of operation, noise regulation, lighting, food facilities, tasting facilities, provision of water, and waste disposal. Events would be regulated under the same standards and guided under similar General Plan policy to promote agricultural operations and permit a wide variety of promotional and marketing activities for County-grown products in agricultural zone districts. For the purposes of acknowledging this niche within the growing craft beer industry, the following definitions are proposed to be added to the ordinance.

“Brewery” means a bonded brewery facility comprising the building or buildings used to convert malted barley and hops to beer, and to process, bottle, store, and distribute and sell said beer. A brewery, for the purposes of this section, includes milling, mashing, lautering, boiling, whirlpooling, cooling, fermenting, conditioning, packaging or bottling, bulk and bottle storage, shipping, receiving, laboratory equipment and maintenance facilities, sales, and administrative office functions, and may include tasting and events.

“Farm Brewery” means a facility, for the brewing and bottling of beer that produces less than 15,000 barrels of product per year and grows hops and agricultural products necessary for making the beverage.

The definition of a Farm Brewery would be added to Section B. Definitions, within Section 17.56.330. The intent of limiting the definition to this section is to acknowledge a regulatory framework needed for a Farm Brewery and distinguish this use from other brewery-type uses that are allowed in other zone districts under the “Restaurants and Bars” and “Food Products” land uses.

Add Definition of Boutique Facility

The proposed project would define *boutique facility* as “a winery with annual production less than 2,500 cases, or a farm brewery with annual production less than 200 barrels.” The proposed project specifies that boutique facilities would be allowed in Residential Agricultural and Residential Forest zone districts subject to a Minor Use Permit; and Farm, Forest, and Agricultural Exclusive zone districts without a use permit. No events shall be allowed at a boutique facility other than those afforded with a Temporary Outdoor Event Permit in compliance with County Code Section 17.56.300.

Define New 10-Acre Minimum Parcel Size

Currently, wineries are allowed without a use permit in Agricultural and Resource districts (Agricultural Exclusive (AE), Farm (F), and Forest (FOR)), the Heavy Commercial (C3) zone district, and Business Park (BP), Industrial (IN), and Industrial Park (INP) zone districts. Under the proposed project, wineries would continue to be allowed in these zones districts without a use permit. The only proposed change is that under the proposed ordinance, wineries would also be allowed without a use permit in the RES (Resort) Commercial zone district.

According to Section E.1. of the current Winery Ordinance, the minimum parcel size for establishment of a winery is 4.6 acres in the Agricultural and Resource (AE, F, FOR) zoning districts.¹ There is no parcel size

¹ According to Section E.1. of the current Winery Ordinance, the minimum parcel size for establishment of a winery is also 4.6 acres for RA and RF zoning districts; but wineries in these zones are currently subject to an Administrative Review Permit, and under the proposed project, would be subject to a Minor Use Permit. As wineries in these two residential zones would continue not to be permitted by right; they are not discussed further.

minimum for the other zoning districts where wineries are currently allowed without a use permit (C3, BP, IN, and INP). Under the proposed project, a minimum parcel size of 10 acres would now be required for any new winery to be established without a use permit in the AE, F, and FOR zoning districts. The intent of increasing the minimum parcel size from a 4.6-acre minimum to 10-acre minimum in these zone districts is to reduce potential for conflict between neighboring residential land uses and commercial agricultural operations. Agricultural and some rural residential land uses are afforded the right to farm in accordance with Placer County Code Section 5.24.040. At the same time, noise- and traffic-generating promotional events, such as wine club events, have the potential to negatively affect adjacent land uses. The County has identified that a greater parcel size could alleviate these adverse effects for two main reasons. First, larger parcel sizes inherently create a natural buffer for noise when the use occurs in accordance with standard setbacks on the site. Second, the shift to allow these operations by right on parcels 10 acres or greater is consistent with counties from around the state.

Under the proposed project, the new category of farm breweries would be allowed on a minimum 10-acre parcel without a use permit in the AE, F, and FOR zoning districts, and with a Minor Use Permit in RA and RF Residential zoning districts.

Modify Event Definition

As noted previously, a primary reason for revisiting the ordinance was to relax the requirements to hold events; predominantly the types of events that are an inherent part of the member-based business model that wineries leverage to sell their product. The County has determined that it is critical to establish a clearer definition of events for two main reasons: 1) General Plan policy cites promotion of agricultural operation and the marketing of County-grown products as key components to enhancing the economic viability of Placer County agricultural operations, as well as the preservation and protection of agricultural lands; and 2) several comments regarding the inadequacy of the “event” definition were made during the Initial Study/ND comment period for the 2016 draft ordinance.

Vintners expressed that a small part of their business model is to hold private events where the consumer is required to purchase a certain amount of wine per attendee as a requirement of utilizing the facility. The proposed definition clarifies that these events, with fewer than 50 people at one time, and where only the winemaker’s wine is sold, could be considered promotional in nature. The redefinition of “event” under the proposed amendments now distinguishes between Agricultural Promotional Events and Special Events, as follows:

An “Agricultural Promotional Event” is directly related to the education and marketing of wine and craft beer to consumers including but not limited to winemaker/brewmaster dinners, release parties, membership club parties, and private parties where the only alcohol served is produced by the winery/farm brewery. An Agricultural Promotional Event accommodates 50 people or less. There are limited occurrences when greater than 50 people are in attendance and those shall be regulated in the same manner as a Special Event. See Table 1.

A “Special Event” is an event of greater than 50 people where the agricultural-related component is subordinate to the primary purpose of the event. Included in this definition are events such as private parties, fundraisers, social or educational gatherings where outside alcohol is allowed, and events where the property owner is compensated in exchange for the use of the site and facility (referred to as a facility rental). Special Events do not include industry-wide events, the normal patronage of a tasting room, and private gatherings of the owner where the general public does not attend.

Whereas the currently adopted ordinance restricts the number of promotional events at each facility to six per year, subject to first securing an Administrative Review Permit, the proposed project redefines “event” to distinguish between Agricultural Promotional Events and Special Events. A Special Event would continue to be limited in number, similar to the current ordinance. Agricultural Promotional Events, on the other hand, would not be limited in number, though each event must not exceed 50 attendees at any given time.

Create Table Outlining Event Allowances, Maximum Capacity, and Use Permit Requirement

Under the proposed project, maximum attendance at winery and farm brewery events is now limited based upon parcel size (see Table 1). The number of Special Events and Agricultural Promotional Events with attendance greater than 50 is also limited based upon parcel size. Based upon the data in Table 1 and Section F of the proposed Zoning Text Amendment, *Continuing Applicability of Use Permits*, it is important to understand that existing wineries on small parcels (4.6-9.9 acres) in the County would not be allowed to conduct more than six promotional events per year under the new Ordinance, unless they obtain a Minor Use Permit or modification of any pre-existing permit from the County. Given that small wineries are already allowed six events under the currently adopted Ordinance (with an Administrative Review Permit), there is no net change to the operations of wineries on small parcels associated with the proposed Winery and Farm Brewery Zoning Text Amendment. Thus, wineries on small parcels will not be evaluated in this EIR.

Table 1 Maximum Special Events Allowed Per Year^[1]			
Parcel Size (Acre)	Max Attendees (Excluding Staff)	Max Special Events / Year	Use Permit Requirement
4.6-9.9	50	6	MUP ^[2]
10-20	100	6	C
20+	200	12	C
<i>[1] Agricultural Promotional Events with attendance greater than 50 are limited per this Table.</i>			
<i>[2] A Minor Use Permit is required for a Winery or Farm Brewery for parcels 4.6-9.9 acres in size in Zone Districts where allowed by the Land Use and Permit Table (Section 17.06.050). This use permit will consider conditions for events as limited by this table.</i>			
<i>C = Zoning Clearance (Placer County Code Section 17.06.050)</i>			
<i>MUP = Minor Use Permit (Placer County Code Section 17.06.050)</i>			

Clarify Hours of Operation

The currently adopted Winery Ordinance does not specify allowable hours of operation. Typical tasting hours at today's wineries occur between 10am and 6pm, while special extended tasting hours or other events continue into the evening and end by 8pm Sunday-Thursday and 10pm Friday-Saturday. Codifying tasting hours is one way to regulate that the facilities are for sampling the product and typically would not operate into the evening. The Winery and Farm Brewery Zoning Text Amendment proposes the following:

All facilities shall be allowed to conduct normal tasting hours from 10am-6pm. Events shall be allowed from 10am to 10pm on Friday and Saturday and from 10am to 8pm Sunday through Thursday. If a winery or farm brewery is required to have an Administrative Review Permit, Minor Use Permit, or Conditional Use Permit by this ordinance or has an existing permit and is lawfully operating, limits on hours of operation will be in accordance with the conditions placed on those entitlements.

Update Potable Water and Waste Disposal Sections

Potable Water

The currently adopted ordinance requires the facility owner to provide bottled water for consumption if more than 24 people in a 60-day period are served, unless otherwise approved by the County Environmental Health Division.

The Zoning Text Amendment proposes to clarify potable water standards in accordance with State regulations. For example, if a facility serves more than 24 people daily, 60 days or more per year, then a public water system shall be required. The type of public water system would be a Transient-Non-community water system, which includes restaurants, campgrounds, small wineries, motels and other non-residential facilities. Such a public water system requires a permit from the State Water Resources Control Board Division of Drinking Water.

Waste Disposal

The Zoning Text Amendment clarifies that winery or farm brewery process wastewater is prohibited from being discharged to a septic system. A Waste Discharge Permit or Waiver of Waste Discharge issued by the Regional Water Quality Control Board is required prior to building permit issuance if the wastewater will not be discharged into a community sewer system, but rather an alternative form of discharge would be used, such as land application.

Additionally, the Zoning Text Amendment clarifies that a separate septic system needs to be provided if a winery or farm brewery has buildings with plumbing.

Update Access Standards Section

The Zoning Text Amendment requires facilities open to the public and having access from a County-maintained road to construct to a paved commercial encroachment standard per the County Land Development Manual (LDM) engineering design plates.

For facilities that are accessed by non-County maintained roads, the owner would be required to obtain an encroachment permit from the County to update ingress, egress, and sight-distance per the County LDM engineering design standards and serving Fire District requirements where the non-County maintained road connects to a County-maintained road, if existing conditions do not already meet standards.

Add Wineries as Allowable Use by-right in Resort Zone District

The Zoning Text Amendment would allow a winery to be developed by-right in the Resort (RES) Zone District. This zone district accommodates commercial land uses and is typically found in mountainous areas, water-oriented areas, or other areas with commercial recreation potential. The RES-zoned properties within western Placer County, where new facilities could be expected based upon factors such as elevation, soil type, etc., are limited to twenty-six parcels, five of which are vacant.

2.5 Adoption and Implementation

The proposed project will be considered by the Planning Commission with final adoption of the revised Winery and Farm Brewery Zoning Text Amendment by the County Board of Supervisors (BOS). The following actions will be required:

1. Certification of the EIR for the proposed project by the County BOS
2. Adoption of the Winery and Farm Brewery Zoning Text Amendment by the County BOS

2.6 Framework of EIR Analysis

The changes proposed to the currently adopted Winery Ordinance help inform what would be the appropriate framework of the environmental analysis contained in the EIR. The framework of the environmental analysis would be as follows:

1. The EIR will focus on the potential physical environmental impacts associated with the ability to conduct Agricultural Promotional Events, which are not limited in number by the proposed Zoning Text Amendment.

- a. The County will identify a reasonable, conservative assumption of the number of Agricultural Promotional Events that may occur at each facility over the course of one day, based upon input from stakeholders.
2. The EIR analysis regarding how the proposed ordinance would change operations at existing facilities, and potentially result in increased environmental impacts, will focus on the existing Medium (10- to 20-acre) and Large (>20 acres) parcel-sized wineries/farm breweries, where Agricultural Promotional Events would be allowed by-right. This includes the following existing facilities:

Medium Parcel Size (10- to 20-acre)

- Wise Villa Winery and Bistro
- Lone Buffalo Vineyards
- Rancho Roble Vineyards
- Vina Castellano Winery
- Rock Hill Winery
- Goathouse Brewery
- Hillenbrand Farmhaus Brewery

Large Parcel Size (>20 acres)

- Mt. Vernon Winery
- Dono Dal Cielo Vineyard and Winery

3. All future winery/farm brewery applications would be subject to the proposed Winery and Farm Brewery Zoning Text Amendment. Under the proposed project, these future facilities would now be afforded the ability to host an unlimited number of Agricultural Promotional Events and large wineries/breweries would be afforded the ability to host 12 Special Events each year (an increase of six per year). Therefore, while the Zoning Text Amendment would not be expected to directly induce the development of additional medium or large wineries/farm breweries, the proposed project would provide greater flexibility with respect to the amount of Agricultural Promotional Events and Special Events that may occur at future wineries/farm breweries. As a result, this EIR will evaluate the potential environmental effects associated with the ability to conduct Agricultural Promotional Events and Special Events at future wineries/farm breweries subject to the proposed project.
 - a. In order to perform such an evaluation, the County will identify an assumed annual rate of growth of wineries/farm breweries based upon historic winery growth in Placer County, and winery growth data from comparable counties. The forecast period for this cumulative analysis will be 20 years.
 4. The EIR will evaluate the net change that would allow wineries in the RES Commercial zoning district without a use permit.
 5. The EIR will evaluate the net change that would allow up to six additional Special Events (12 total) or Agricultural Promotional Events with attendance >50, at facilities on large parcels (>20 acres).

3.0 PROBABLE ENVIRONMENTAL EFFECTS AND SCOPE OF THE EIR

Based upon the Initial Study analysis conducted for the proposed project (see Attachment B to this NOP), the County anticipates that the EIR will contain the following chapters. Each chapter of the EIR will include identification of the thresholds of significance, identification of impacts, and the development of mitigation measures and monitoring strategies. The proposed EIR will incorporate by reference the Placer County General Plan and the Placer County General Plan EIR. In addition to these County documents, project-specific technical studies are being prepared by various technical sub-consultants. The following topic areas will be further evaluated in the EIR:

- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Land Use and Planning
- Noise
- Transportation and Circulation
- Utilities and Service Systems
- Alternatives
- Cumulative Impacts

The following paragraphs discuss the anticipated analyses that will be included in the EIR.

Agricultural Resources. The Agricultural Resources chapter of the EIR will focus on the existing wineries and farm breweries and the potential for increased by-right events, allowable under the proposed project, to induce conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Any conflicts with existing zoning for agricultural use or Right-to-Farm ordinances will also be identified.

The chapter will also include a programmatic discussion of future wineries and farm breweries subject to the Winery and Farm Brewery Zoning Text Amendment and potential agricultural resources impacts associated with additional by-right events that would be allowable at these future facilities. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Air Quality. The air quality analysis for the proposed project will be performed utilizing the California Emissions Estimator Model (CalEEMOD) software program. Using trip generation data provided by the project traffic consultant, the air quality impact analysis will include a quantitative assessment of operational increases of criteria air pollutant emissions of primary concern (i.e., ROG, NOX, and PM10). The project's cumulative contribution to regional air quality will be discussed, based on the modeling conducted at the project level. The significance of air quality impacts will be determined in comparison to Placer County Air Pollution Control District (PCAPCD) adopted significance thresholds, which will be used to determine significance for criteria pollutants. PCAPCD-recommended mitigation measures will be incorporated to reduce any significant air quality impacts, and anticipated reductions in emissions associated with proposed mitigation measures will be quantified. *For the Greenhouse Gas Emissions Analysis, see the Cumulative Impacts and Other Statutorily Required Sections chapter below.*

The chapter will also include a programmatic discussion of future wineries and farm breweries subject to the proposed project and potential air quality impacts associated with additional by-right events that would be allowable at these future facilities. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Biological Resources.

The Biological Resources chapter of the EIR will evaluate the existing winery/farm brewery properties to determine if sensitive habitats could be present; however, this analysis will be performed at a broad-scale given that the proposed Zoning Text Amendment would not be expected to lead to the direct physical alteration of the existing wineries and farm brewery, such that any on-site biological resources could be disturbed. Rather, the Zoning Text Amendment would allow the existing facilities to hold an unlimited number of Agricultural Promotional Events, and for the two facilities on parcels greater than 20 acres, an additional six special events per year. The chapter will evaluate the potential for increased activity to result in indirect effects to biological resources, such as the disruption of wildlife.

The chapter will also include a programmatic discussion of future wineries and farm breweries subject to the proposed project and potential indirect biological resources impacts associated with additional by-right

events that would be allowable at these future facilities. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Cultural Resources. The Cultural Resources chapter of the EIR will evaluate the cultural resources sensitivity of the existing winery/farm brewery properties; however, this analysis will be performed at a broad-scale given that the proposed Zoning Text Amendment would not be expected to lead to the physical alteration of the existing wineries and farm brewery, such that any on-site, unknown cultural resources could be disturbed. Rather, the Zoning Text Amendment would allow the existing facilities to hold an unlimited number of Agricultural Promotional Events, and for the two facilities on parcels greater than 20 acres, an additional six special events per year. Such by-right allowances would not directly result in the subsurface disturbance of cultural resources.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County could result in the disturbance of cultural resources. The Cultural Resources chapter will generally evaluate the sensitivity of these properties to contain historical, archaeological, paleontological, and/or tribal cultural resources.

Land Use and Planning. The Land Use and Planning chapter will evaluate the consistency of the proposed project with the County of Placer's adopted plans and policies, and discuss any land use compatibility issues resulting from increased by-right events allowable under the proposed project. To establish baseline information for this chapter, existing land uses on properties that are adjacent to existing wineries/farm brewery will be identified, as well as the existing zoning and General Plan land use designations for these properties. This baseline information will facilitate the EIR discussion regarding the potential for land use compatibility issues to arise from adoption and implementation of the Zoning Text Amendment.

The chapter will also include a programmatic discussion of future wineries and farm breweries subject to the proposed project and potential land use and planning impacts associated with additional by-right events that would be allowable at these future facilities. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Noise. The Noise chapter will be based on a project-specific technical noise report. The noise report will identify all significant noise impacts to nearby sensitive receptors due to the additional by-right events allowable under the proposed project. Significant noise impacts will be identified if the project-generated traffic or on-site activities result in a significant increase in noise levels at existing noise-sensitive land uses in the project vicinity, or exceedance of the applicable noise standards. The identification of noise mitigation measures will focus on appropriate and practical recommendations for noise control aimed at reducing any identified potential noise impacts to a level of insignificance.

The chapter will also include a programmatic discussion of future wineries and farm breweries subject to the proposed project, and whether additional by-right events at future wineries and farm breweries could result in noise impacts. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Transportation and Circulation. The Transportation and Circulation chapter will be based on a Traffic Impact Study (TIS) prepared specifically for the proposed project. The TIS will analyze increased traffic resulting from additional by-right events allowable under the proposed project, including impacts to study roadway and intersection capacity, as well as road safety.

The following arterial and collector streets lie in the area of the existing wineries and farm brewery:

Rural Arterial

1. Wise Road from SR 65 to Mt Vernon Road
2. Nicolaus Road from Sutter County line to Lincoln City limits
3. McCourtney Road from Wise Road to Riosa Road

4. Sierra College Blvd from Taylor Road to English Colony Road
5. Placer Hills Road from I-80 to Crother Road
6. Auburn Folsom Road from Dick Cook Road to Horseshoe Bar Road
7. Horseshoe Bar Road from Val Verde Road to Auburn Folsom Road

Rural Collectors

8. Wise Road from Ophir Road to Mt. Vernon Road
9. Bell Road from Joeger Road to Lone Star Road
10. Bald Hill Road from Lozanos Road to Mt. Vernon Road
11. Baxter Grade Road from Wise Road to Mt. Vernon Road
12. Combie Road from Placer Hill Road to end
13. Chili Hill Road from Lozanos Road to Gold Hill Road
14. Del Mar Avenue from Sierra College Blvd to English Colony Road
15. Fowler Road from SR 193 to Fruitvale Road
16. Fruitvale Road from Hungry Hollow Road to Gold Hill Road
17. Gold Hill Road from SR 193 to Wise Road
18. Millertown Road from Wise Road to Mt. Vernon Road
19. Ridge Road from Gold Hill Road to Taylor Road
20. Mt Vernon Road from Joeger Road to Wise Road
21. Mt Vernon Road from Bald Hill Road to Auburn City limits
22. Virginiatown Road from Lincoln limits to Fowler Road

Up to twenty-two (22) 24-hour traffic counts will be conducted on arterial and collector streets to supplement available data. Additional counts on local roads may be needed given their provision of access to specific wineries, as follows:

1. Maverick Lane south of Nicolaus Road
2. Fleming Road from Gladding Road to McCourtney Road
3. Ayers Holmes Road from Mt. Vernon Road to Wise Road
4. Cramer Road from Bell Road to SR 49
5. Crosby Road from Wise Road to Mt. Pleasant Road

Peak hour intersection turning movement data will be collected at key intersections, including but not necessarily limited to:

1. Joeger Road/Bell Road
2. SR 49 / Cramer Road
3. Placer Hills Road / Combie Road
4. Sierra College Blvd. / Delmar Road
5. Wise Road / Crosby Herold Road
6. Mt. Vernon Road / Atwood Road
7. Wise Road / McCourtney Road
8. Wise Road / Garden Bar Road
9. SR 193 / Fowler Road
10. SR 193 / Gold Hill Road
11. Lozanos Road / Wise Road

The TIS will evaluate the following scenarios: Existing, Existing Plus Project, Cumulative, and Cumulative Plus Project. The cumulative analysis will address long-term (20-year) conditions that reflect an assumed annual growth of wineries and farm breweries, as well as other reasonably foreseeable development that may contribute related traffic to the study intersections and roadways. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Utilities and Service Systems. The Utilities and Service Systems chapter will summarize setting information for water, sewer, and solid waste services. The chapter will address the proposed water and sewer demand

associated with additional by-right events allowable under the proposed project at existing facilities and whether the existing service providers can accommodate this demand within their existing systems.

The chapter will also include a programmatic discussion of future wineries and farm breweries subject to the proposed project, and whether additional by-right events at future wineries and farm breweries could result in impacts to utilities. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Alternatives. In accordance with Section 15126.6(a) of the CEQA Guidelines, the EIR will include an analysis of a range of alternatives, including the No Project Alternative. The Alternatives will be selected when more information related to project impacts is available, so the alternatives can be designed to reduce significant project impacts. The Alternatives chapter will describe the alternatives and identify the environmentally superior alternative. The alternatives will be analyzed at a level of detail less than that of the proposed project; however, the analyses will include sufficient detail to allow a meaningful comparison of the impacts. The Alternatives chapter will also include a section of alternatives considered but dismissed.

Cumulative Impacts and Other Statutorily Required Sections. In accordance with Section 15130 of the CEQA Guidelines, the EIR will include an analysis of the cumulative impacts for each CEQA topic evaluated at a project-level in the EIR. In addition, pursuant to CEQA Guidelines Section 21100(B)(5), the analysis will address the potential for growth-inducing impacts of the proposed project, focusing on whether removal of any impediments to growth would occur with the project. The chapter will also include a discussion of the project's energy efficiency per Appendix F of the CEQA guidelines. Included in the cumulative impacts analysis for the proposed project will be a discussion of global climate change/greenhouse gas emissions (GHG). The analysis will include a quantitative estimate of operational GHG emissions attributable to the additional by-right events that would be allowable under the proposed project. The thresholds for the GHG analysis will be consistent with PCAPCD's recently adopted thresholds.

ATTACHMENTS

- Attachment A: Proposed Zoning Text Amendment
- Attachment B: Initial Study & Checklist

ATTACHMENT A

17.56.330 Wineries and Farm Breweries.

- A. Purpose. The purpose of this section is to provide for the orderly development of wineries and farm breweries within agricultural zoning districts and certain commercial, industrial and residential zoning districts, and to encourage the economic development of the local agricultural industry, provide for the sampling and sales of value-added products, and protect the agricultural character and long-term ~~agricultural production~~ viability of agricultural lands.

- B. Definitions.

~~"Administrative review permit" See Zoning Ordinance Section 17.58.100.~~

An "Agricultural Promotional Event" is directly related to the education and marketing of wine and craft beer to consumers including but not limited to winemaker/brewmaster dinners, release parties, membership club parties, and private parties where the only alcohol served is produced by the winery/farm brewery. An Agricultural Promotional Event accommodates 50 people or less. There are limited occurrences when greater than 50 people are in attendance and those shall be regulated in the same manner as a Special Event. See Table 1.

"Boutique Facility" is a winery with annual production less than 2,500 cases, or a farm brewery with annual production less than 200 barrels.

~~"Conditional use permit" See Zoning Ordinance Section 17.58.130.~~

"Farm Brewery" is a facility, for the brewing and bottling of beer that produces less than 15,000 barrels of product per year and grows hops and agricultural products necessary for making the beverage on-site.

~~"Large winery" refers to a winery with annual production of twenty thousand (20,000) cases or greater.~~

~~"Minor use permit" See Zoning Ordinance Section 17.58.120.~~

~~"Promotional event" means an event, sponsored by the property owner, an association of agricultural property owners, or similar organizations formed to assist the agricultural industry in the area, to promote the sale of Placer County wines, and which is intended to allow for the sampling and direct marketing and sales of wines produced on the premises or produced elsewhere from grapes grown on site. Such events include "winemaker's dinners."~~

~~"Public tasting" refers to wine sampling by the general public.~~

~~"Small winery" refers to a winery with annual production less than twenty thousand (20,000) cases.~~

"Special Event" is an event of greater than 50 people where the agricultural-related component is subordinate to the primary purpose of the event. Included in this definition are events such as private parties, fundraisers, social or educational gatherings where outside alcohol is allowed, and events where the property owner is compensated in exchange for the use of the site and facility (referred to as a *facility rental*). Special Events do not include industry-wide events, the normal patronage of a tasting room, and private gatherings of the owner where the general public does not attend.

~~"Temporary outdoor events" are events that are of limited duration and located primarily outdoors. If any buildings are used for the event, such use shall not exceed the occupancy load. Two events per year~~ Events ~~can be authorized on any given site~~

through the Temporary Outdoor Event Permit process as described in Section 17.56.300(B)(1)(b). Any such authorization would be in addition to the promotional events authorized by this section.

“Wine case” contains twelve (12) standard wine bottles (750 milliliters each).

“Winery” means a bonded winery facility comprising the building or buildings used to convert fruit juices (all or part of which are produced on the property) to wine, and to age, bottle, store, distribute and sell said wine. A winery, for the purposes of this section, includes crushing, fermenting and refermenting, bottling, blending, bulk and bottle storage, aging, shipping, receiving, laboratory equipment and maintenance facilities, sales, and administrative office functions, and may include tasting and promotional events.

- C. **Permit Requirements for Wineries and Farm Breweries.** The permit requirements for wineries these facilities and accessory uses are set forth below.

	Zone districts									
	Commercial					Industrial				
	CPD	C2	C3	HS	C1	RES	AP	BP	IN	INP
Winery Production < 20,000 Cases	CUP	MUP	C	-	-	-	-	C	C	C
Winery Production > 20,000 Cases	-	-	MUP	-	-	-	-	MUP	MUP	MUP
Wholesale and Retail Sales of Wine and Grape Products	CUP	C	C	C	C	C	MUP	C	C	C
Wine Tasting and Retail Sales of Wine-related Merchandise	CUP	C	C	C	C	C	MUP	C	C	C
Promotional Events up to 6/year	CUP	ARP	ARP	ARP	ARP	ARP	ARP	ARP	ARP	ARP

Residential Zoning Districts (Residential Agriculture and Residential Forest only)	
Winery Production < 20,000 Cases	ARP
Winery Production > 20,000 Cases	MUP
Wholesale and Retail Sales of Wine	ARP
Wine Tasting and Retail Sales of Wine-related merchandise	ARP
Promotional Events Up to 6/year	ARP

Agricultural and Resource Districts (Agricultural Exclusive, Farm, Forestry, Timberland Production only)	
Winery Production <20,000 Cases	C
Winery Production >20,000 Cases	MUP
Wholesale and Retail Sales of Wine Grown or Produced on Premises	C
Wine Tasting and Retail Sales of Wine-Related Merchandise	C
Promotional Events Up to 6/year	ARP

	<u>Commercial</u>						<u>Industrial</u>				<u>Residential</u>		<u>Agriculture and Resource^[1]</u>		
	<u>CPD</u>	<u>C2</u>	<u>C3</u>	<u>HS</u>	<u>C1</u>	<u>RES</u>	<u>AP</u>	<u>BP</u>	<u>IN</u>	<u>INP</u>	<u>RA</u>	<u>RF</u>	<u>AE</u>	<u>F</u>	<u>FOR</u>
<u>Small Winery</u> <u>0-20,000 cases</u>	<u>CUP</u>	<u>MUP</u>	<u>C</u>			<u>C</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Large Winery</u> <u>20,000+ cases</u>			<u>MUP</u>					<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>
<u>Boutique Facility</u>											<u>MUP</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Farm Brewery</u> <u>0-15,000 barrels</u>											<u>MUP</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Wholesale and Retail Sales of Wine, Grape or Beer Products On-Site</u>	<u>CUP</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Tasting Room and Retail Sales of Wine- or Beer - Related Merchandise</u>	<u>CUP</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>

[1] Minor Use Permit required for facility proposed on 4.6-9.9 acres.

KEY TO PERMIT REQUIREMENTS	
Zoning Clearance required (Section 17.06.050)	C

Administrative Review Permit required (Section 17.06.050)	ARP
Minor Use Permit required (Section 17.06.050)	MUP
Conditional Use Permit required (Section 17.06.050)	CUP
Use not allowed	

- D. **Winery and Farm Brewery Uses:** The following provisions apply to all wineries and farm breweries, accessory structures, and accessory uses:

1. General Provisions.

The primary purpose of the winery or farm brewery shall be to process wine grapes and hops grown on the property.

- a. **Minimum Parcel Size.** The minimum parcel size for establishment of a winery or farm brewery is ten acres in the Farm, Forest, and Agricultural Exclusive, Residential Agricultural, and Residential Forest zone districts. Wineries proposed in Forest, Farm, and Agricultural Exclusive zone districts shall also be allowed on a minimum 4.6 acre parcel subject to a Minor Use Permit.
 - (i) A Minor Use Permit may be waived if a minimum of ten contiguous acres is under the same ownership and deed restricted to preclude their separate sale, and if the structures related to the use meet the standards for the base zone district.
 - (ii) A Minor Use Permit may be waived if only processing as a small winery is proposed in Forest, Farm, and Agricultural Exclusive zone districts for parcels 4.6-9.9 acres. Minimum agricultural requirements must still be met. No on-site sales, tasting, or public access shall be allowed either directly or by appointment.
- b. **Minimum Agricultural Requirement.** In the Residential, Resource and Agricultural zoning districts where wineries and farm breweries are allowed, at least two acres on-site of planted vineyard, hop yard, or other agriculture related to beverage production is required. Planting densities should be consistent with what is found in the Sierra Nevada Foothills.

2. Tasting Facilities.

- a. **Wine and Beer Sales.** The tasting facility is primarily for the marketing and sale of the agricultural products produced at the facility. Wine products shall be limited to those produced, vinted, cellared or bottled by the operator or grown on the premises, and custom crushed at another facility for the operator. Tasting shall be in accordance with the current winery Liquor License issued by the California Alcohol Beverage Control Agency. Incidental sales of wine and beer-related merchandise and food shall be allowed subject to the requirements of California State Law.
- b. **Agricultural Promotion.** Tasting facilities may include agricultural promotional activities sponsored by a winery or farm brewery, and intended

for the promotion and sale of the facility's product. These include Agricultural Promotional Events, as defined in Subsection B. above.

3. **Special Events.** Special Events, as defined in Subsection B. above, are allowed in accordance with the following standards.

- a. **Number allowed.** The number of Special Events allowed and capacity limitations shall be subject to the following table.

Table 1: Maximum Special Events Allowed Per Year^[1]

<u>Parcel Size (Acres)</u>	<u>Max Attendees (excluding staff)</u>	<u>Max Special Events/Year</u>	<u>Use Permit Requirement</u>
<u>4.6-9.9</u>	<u>50</u>	<u>6</u>	<u>MUP^[2]</u>
<u>10-20</u>	<u>100</u>	<u>6</u>	<u>C</u>
<u>20+</u>	<u>200</u>	<u>12</u>	<u>C</u>

[1] Agricultural Promotional Events with attendance greater than 50 are limited per this Table.

[2] A Minor Use Permit is required for a Winery or Farm Brewery for parcels 4.6-9.9 acres in size in Zone Districts where allowed by the Land Use and Permit Table (Section 17.06.050). This use permit will consider conditions for events as limited by this table.

- b. **Temporary Outdoor Event.** Special Events, industry-wide events, or other functions where the number of attendees will exceed the allowances in Table 1 above and are held no more than six times per calendar year, may be allowed as required by Section 17.56.300 B. (Temporary Uses and Events).

E. **Development and Operational Standards.** The following development and operational standards shall apply to all wineries and farm breweries, and expansions of existing lawfully operating facilities. If a winery or farm brewery is required to have a Use Permit by this ordinance, those standards will be applied in accordance with the conditions placed on those entitlements. These standards will be applied with flexibility to encourage activities for the protection and preservation of agriculture wine grape growing, consistent with the agricultural use of the property. For wineries on commercially and industrially-zoned parcels, commercial standards will apply. Wineries established prior to the adoption date of this ordinance will be afforded maximum flexibility in establishing reasonable standards when adding new uses.

~~1. General.~~

- ~~a. The primary purpose of the winery shall be to process wine grapes grown on the winery property or on other local agricultural lands as delineated in the Food and Agriculture Code as grape pricing District 10. District 10 encompasses Placer, Nevada, El Dorado, Amador, Tuolumne and Mariposa Counties. In the Residential, Resource and Agricultural zoning districts where wineries are allowed, at least one acre of planted vineyard on site is required, unless the Agricultural Commissioner makes a~~

determination that a functional equivalent occurs (i.e. winery is contracted to receive a substantial portion of the winery production capacity from locally produced vineyards).

b. Retail sales of wine fruit products shall be limited to those produced, vinted, cellared or bottled by the winery operator or grown on the winery premises, and custom crushed at another facility for the winery operator.

c. The minimum parcel size for establishment of a winery is 4.6 acres in the Residential, Resource and Agricultural zoning districts where wineries are allowed.

2.1. **Parking.** The following parking standards shall apply to wineries:

a. Small Wineries. If public tasting is proposed, a minimum of five permanent parking spaces shall be provided.

b. Large Wineries. The minimum number of required parking spaces as indicated below shall be provided.

Table 2: Minimum Parking Requirements

<u>Use Type</u>	<u>Parking Required</u>
Areas for use by or for patrons, including tasting rooms and reception areas	One space per 300 square feet
Offices or administration areas	One space per 300 square feet
Production, storage or warehousing areas	One space per 1,500 square feet
Promotional Event parking ^[1]	One space per 2.5 persons

[1] Event size is limited to the number of available on-site parking spaces as required by the parking standards below.

a. On-site parking space sizes and drive aisles shall be designed in accordance with Section 17.54.070 Design and Improvement of Parking.

b. On-site parking may be an aggregate base all weather surface that can support a 75,000 pound vehicle.

a.—c. Temporary overflow parking may be utilized in conjunction with Temporary Outdoor Events as described in Section 17.56.300(B) (1) (b).

3. **2. Access Standards.**

a. Access roads to winery structures shall meet state and local fire safe standards as determined by the serving fire agency. Alternative design allowances and/or requirements may be determined on a case-by-case basis for modification to the standards, dependent upon anticipated level of use, site constraints, turnout opportunities, road length, slope, and other site-specific issues.

b. Access—County-Maintained Roads. If a winery is accessed from a county-maintained highway, an encroachment permit may be required to address ingress, egress and sight-distance requirements.

c. Access—Non-County Maintained Roads. If a winery is accessed by a private road, the applicant shall provide reasonable proof of access rights as determined by the engineering and surveying division.

a. **County-Maintained Roads**

- (i) A paved commercial standard encroachment shall be required to address County Land Development Manual ingress, egress, and sight-distance engineering design standards and serving Fire District requirements.

b. **Non-County Maintained Roads**

- (i) An encroachment permit shall be required to address County Land Development Manual ingress, egress, and sight-distance engineering design standards and serving Fire District requirements where the non-County maintained road connects to a County maintained road, and if the applicable standards are not already met.
- (ii) If a winery or farm brewery has public tasting and is accessed by a private road, the applicant shall provide proof of access rights as determined by the County and an affirmative written statement of the legal right to access and use said road for the purposes of the requested facility. The owner must also obtain written approval of the governing board of the applicable road maintenance association or homeowners association. If no governing body or association exists, written approval from a majority of the individuals who have access rights to the road shall be required. The owner shall include with said statement the proposal for road maintenance or provide evidence of an existing road maintenance agreement. The owner shall be required to indemnify the County for any claims resulting from said road access.
- (iii) The facility must obtain written approval of the governing board of the applicable road maintenance association or homeowners association. If none exists, written approval from a majority of the individuals who have access rights to the road shall be required.
- c. Driveway shall have a minimum access width of 20 feet to the facility structure, provide adequate turnaround, and be either paved or surfaced with an approved alternative all-weather material, or as required by the serving Fire District. Access roads to a winery or farm brewery shall comply with County Code, State and local Fire Safe Standards as determined by the County and the serving Fire District.
- d. A Design Exception Request prepared by a Professional Civil Engineer registered in the State of California may be submitted and reviewed by the ESD

and DPWF on a case-by-case basis for modification to the County standards, dependent upon justification for a deviation to the standard(s), a review of alternatives, and meeting minimum safety requirements.

3. Hours of Operation.

- a. All facilities shall be allowed to conduct normal tasting hours from 10am-6pm. Events shall be allowed from 10am to 10pm on Friday and Saturday and from 10am to 8pm Sunday through Thursday. If a winery or farm brewery is required to have a Minor Use Permit or Conditional Use Permit by this ordinance or has an existing permit and is lawfully operating, limits on hours of operation will be in accordance with the conditions placed on those entitlements.

4. Noise Regulations.

- a. All winery and farm brewery facilities shall be subject to Placer County Code Article 9.36 (Noise Ordinance).

5. Lighting.

- a. All lighting for wineries and farm breweries shall be consistent with the Rural Design Guidelines for Placer County and shall be Dark-Sky compliant as specified by the International Dark-Sky Association.

6. Food Regulations.

- a. Service and/or preparation of food in an existing or new tasting room shall be subject to prior approval and applicable permitting by Environmental Health. If food is prepared on-site, wineries shall have a commercial kitchen. The kitchen shall only be used in conjunction with on-site events and shall comply with all conditions for a commercial kitchen as specified by the Environmental Health Division. If a winery or farm brewery is required to have a Minor Use Permit or Conditional Use Permit by this ordinance or has an existing permit and is lawfully operating, food regulations will be in accordance with those entitlements. Restaurants are not allowed as part of the winery or farm brewery, unless otherwise allowed in accordance with Section 17.06.050 Land Use and Permit Tables.

Depending on site conditions and resources, options for food service may include a self-contained mobile food facility (food truck); food prepared by a caterer at their approved facility and then plated at facility; a food booth operated by the facility at a temporary outdoor event; a market to sell pre-packaged foods from approved sources; and a commercial kitchen.

- ~~3. Potable Water. If the winery is served by well water and there are more than twenty-five (25) people on-site in a sixty (60) day period, employees and guests shall be provided with bottled water for consumption, unless otherwise approved by the County Environmental Health Division. Well water shall meet potable water standards for the purposes of dishwashing and hand washing.~~

7. Potable Water.

- a. A public well and small public water system annual permit shall be required if the facility serves more than 24 people, 60 days or more per year, as required by California Code of Regulations Title 17 and Title 22 of the California Safe Drinking Water Act. The public well shall be required for tasting facilities that allow unlimited Agricultural Promotional Events with 50 persons and fewer. For any tasting facility with occupancy of 25 or more, or if food is prepared at the facility, the standard shall automatically apply.

Alternatively, an approved domestic well can be used under the following conditions:

- i. Environmental Health has documentation that the well has a 20 foot annular seal installed under permit (Department of Water Resources Drilling Report).
- ii. Environmental Health conducts a sanitary inspection and the water is tested to demonstrate potability.
- iii. The facility owner certifies that the well will not serve more than 24 people, 60-days or more per year.

Note: Residential (Class I) wells cannot be converted into a public well (Class II) due to State construction standards.

~~5. Waste Disposal:~~

- ~~a. Solid Waste. All solid waste shall be stored in a manner that prevents the propagation, harborage, or attraction of flies, rodents, vector, or other nuisance conditions. Pomace, culls, lees, and stems may be recycled, onsite in accordance with the report of waste discharge approved for each individual winery by the regional water quality control board.~~
- ~~b. Winery Production Waste. Standards for waste disposal shall be set, where applicable, by the regional water quality control board and shall be stipulated in the report of waste discharge.~~
- ~~c. On-site Sewage Disposal. If public sanitary sewer is not available, then the on-site sewage disposal system shall be designed in compliance with County Code Chapter 8.24 and sized to accommodate employee, tasting room and commercial sewage flows. Portable toilets may be approved by the county environmental health division for temporary and promotional events.~~

8. Waste Disposal.

- a. **Septic Systems.** If a winery or farm brewery has buildings with plumbing, the buildings must be served by an individual septic system sized and designed for the intended use. Occupancy and use of the building determines the size of the septic system. The minimum size of a septic system is 300 gallons per day. Food preparation and dishwashing may increase the septic system size and require a grease interceptor.

- b. **Solid Waste.** All solid waste shall be stored in a manner that prevents the propagation, harborage, or attraction of flies, rodents, vector, or other nuisance conditions. Pomace, culls, lees, and stems may be recycled on-site in accordance with the Report of Waste Discharge approved for each individual winery by the Regional Water Quality Control Board.
- c. **Winery/Farm Brewery wastewater** is prohibited from being discharged to the septic system. A Waste Discharge Permit or Waiver of Waste Discharge issued by the Regional Water Quality Control Board is required prior to building permit issuance.
- d. **On-site Sewage Disposal.** If public sanitary sewer is not available, then the on-site sewage disposal system shall be designed in compliance with County Code Chapter 8.24 and sized to accommodate employee, tasting room and commercial sewage flows. Portable toilets may be approved by the County Environmental Health Division for temporary.

9. Boutique Facility

- a. **Zone District.** The operation shall be allowed as set forth in Section C. of this ordinance.
- b. **Agricultural Promotion.** No events are allowed other than those afforded with a Temporary Outdoor Event Permit in compliance with Section 17.56.300 B. (Temporary Uses and Events).

~~— 6. — Tasting Facilities. The primary focus of the tasting area shall be the marketing and sale of the wine and grape products produced at the winery. Incidental sales of wine-related merchandise and food shall be allowed subject to the requirements of the California Retail Food Code.~~

~~— 7. — Promotional Events.~~

~~— a. — Application Requirements. The application shall include the following information:~~

- ~~— i. — Number of annual events,~~
- ~~— ii. — Estimated number of participants,~~
- ~~— iii. — Description of parking and circulation, and~~
- ~~— iv. — Sanitation provisions.~~

~~— b. — Standards.~~

~~— i. — Duration. No single promotional event shall exceed more than two consecutive days.~~

~~— ii. — Parking Requirements. Temporary, overflow parking may be utilized. The applicant shall demonstrate to the development review committee the ability to provide safe access and parking, including providing attendants to monitor proper parking and access road clearance for emergency vehicles.~~

~~— iii. — Noise Standards. Any promotional event proposing outdoor amplified music shall be subject to Placer County Code Article 9.36 (Noise Ordinance).~~

E. F. Continuing Applicability of Minor Use Permits and Existing Legal Operations. To the extent a minor use permit or administrative review permit was approved for uses on a parcel or parcels as required under the provisions of this Zoning Ordinance in effect as of ~~September 23, 2008~~[hearing date 2018], and to the extent that use would be required to obtain a ~~minor use permit or an administrative review permit~~ under the provisions of this Zoning Ordinance in effect after ~~October 22, 2008~~[adoption date 2018], the conditions of the ~~minor use permit~~ shall continue to apply in full force and effect. Any proposed new or additional use shall be subject to compliance with the provisions of this Zoning Ordinance in accordance with Section 17.02.030 herein and all other applicable provisions of the Placer County Code.

For those legal uses established under the provisions of the Zoning Ordinance in effect prior to [adoption date 2018], uses limited to production and tasting shall be allowed in accordance with current developments standards as determined by the County. At such time any proposed new or additional use is proposed, the project would be reviewed under the provisions of the current ordinance.

F. G. Special Notice Requirements. For all applications for a winery or farm brewery activity that is requested for property which is accessed by a private road and which requires the issuance of ~~an administrative review~~ a use permit pursuant to this section, in addition to any other notice required by Section 17.58.100(A), notice shall be provided to all property owners identified pursuant to Section 17.58.030(F). Failure of a property owner who shares access rights with an applicant to a private road to receive notice shall not invalidate the issuance of the permit.

G. H. Notice of Decision. A copy of any decision on an application for a winery or farm brewery activity that is requested for property which is accessed by a private road and which involves the issuance of ~~an administrative review~~ a use permit pursuant to this section shall be provided to all property owners identified pursuant to Section 17.58.030(F), in addition to any other person who may otherwise be entitled to notice of the decision. Failure of a property owner who shares access rights with an applicant to a private road to receive a copy of the decision shall not invalidate the issuance of the permit.

H. I. Waiver of Appeal Fee. Notwithstanding subsection (C)(1) of Section 17.60.110, the requirement of the submission of an appeal fee shall be waived for a property owner who appeals the determination of the zoning administrator to approve ~~an administrative review~~ a use permit and who owns property that shares access rights to a private road with the applicant who has received a permit. This waiver shall not apply to any appeal of a decision of the planning commission to the board of supervisors. (Ord. 5688-B § 9, 2012; Ord. 5526-B § 19, 2008)

CHAPTER 17: PLANNING AND ZONING

Definitions

17.04.030

“Agricultural processing” (land use) means the processing of crops after harvest, to prepare them for on-site marketing or processing and packaging elsewhere, including, but not limited to, the following; provided, that any of the activities performed in the field with mobile equipment not involving permanent buildings are included under “Crop production.” Agricultural processing does not include the process of composting or the processing of Cannabis sativa L.

1. Alcohol fuel production;
2. Alfalfa cubing;
3. Corn shelling;
4. Cotton ginning;
5. Custom grist mills;
6. Custom milling of flour, feed and grain;
7. Dairies (but not feedlots, see instead “Animal sales yards, feedlots, stockyards”);
8. Drying of corn, rice, hay, fruits and vegetables;
9. Grain cleaning and custom grinding;
10. Hay baling and cubing;
11. Pre-cooling and packaging of fresh or farm-dried fruits and vegetables;
12. Sorting, grading and packing of fruits and vegetables;
13. Taxidermy;
14. Tree nut hulling and shelling;
15. Wineries, farm breweries, and associated uses. See definition for “Wineries and Farm Breweries” and Section 17.56.330 for specific use requirements ~~applicable to wineries~~ and associated uses.

“Brewery” means a bonded brewery facility comprising the building or buildings used to convert malted barley and hops to beer, and to process, bottle, store, and distribute and sell said beer. A brewery, for the purposes of this section, includes milling, mashing, lautering, boiling, whirlpooling, cooling, fermenting, conditioning, packaging or bottling, bulk and bottle storage, shipping, receiving, laboratory equipment and maintenance facilities, sales, and administrative office functions, and may include tasting and events.

“Outdoor retail sales” (land use) means the outdoor display of products by a permanent business establishment (see Section 17.56.160(F)) and temporary retail operations including: farmer’s markets; sidewalk sales; seasonal sales of Christmas trees, pumpkins or other seasonal items; semi-annual sales of art or handcrafted items in conjunction with community festivals or art shows; and retail sales of various products from individual vehicles. Does not include flea markets or swap meets ~~which that~~ occupy more than two acres of land, which are considered in “Storage yards and sales lots.” (See Sections 17.56.160 (Outdoor retail sales) and 17.56.190 (Restaurants—Outdoor eating areas) for specific use requirements applicable to outdoor retail sales.

"Restaurants and bars" (land use) means ~~restaurants, bars and other establishments selling prepared foods, and drinks, or alcoholic beverages for on-premise consumption, and providing regular counter or table service to patrons. Ordering food, including from a menu, from a service counter or server, is a normal function at the establishment, as well as facilities~~ The facility may be used for dancing and other entertainment that are secondary and subordinate to the principal use of the establishment as an eating and drinking place. ~~Also~~ This definition also includes drive-in restaurants, lunch counters, brew pubs, outdoor eating areas, stand-alone tasting rooms, wine tasting rooms not on winery premises and refreshment stands selling prepared goods and drinks for either immediate or off-premises consumption. Restaurants, lunch counters, and drinking places operated as subordinate service facilities within other establishments are not included here unless they are operated as leased departments by outside operators, includes catering services incidental to food preparation for on-site consumption. See Section 17.56.190 for specific use requirements applicable to restaurants with outdoor eating areas. (SIC: Group 58)

"Roadside stands for agricultural products" (land use) means structures for the retail sale of agricultural products (except hay, grain and feed sales-included under "Farm equipment and supplies"), located on the site or in the area of the property where the products being sold were grown, including products whose primary ingredients were grown on site and were later modified (e.g., apple cider, cherry pies, fruit preserves, wine made from grapes grown on-site even if the wine is not ~~located~~ produced on site, etc.). Does not include field sales or agricultural products, which is included under "Crop production-," nor wine or beer tastings, which are included under "Wineries and Farm Breweries."

APPENDIX C

Central Valley Regional Water Quality Control Board

15 November 2017

Placer County Community Development
Environmental Coordination Services
3091 County Center Drive, Suite 190
Auburn, CA 95603

RECEIVED
NOV 17 2017
CDRA

**COMMENTS ON NOTICE OF PREPARATION FOR ENVIRONMENTAL IMPACT REPORT
(SCH PROJECT NO. 2015072019), PROPOSED WINERY AND FARM BREWERY ZONING
AMENDMENT PROJECT, PLACER COUNTY**

Pursuant to Placer County Community Development/Resource Agency's 17 October 2017 request, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff has reviewed the Notice of Preparation for revising the County's Winery Ordinance. The Central Valley Water Board is responsible for protecting the quality of surface and ground waters of the state; therefore, our comments will address water quality matters only.

The applicant proposes to revise the existing Winery Ordinance to redefine terminology, modify minimum parcel sizes for facilities under the Ordinance, and update standards and definitions. The Winery Ordinance applies to wineries located in unincorporated portions of Placer County.

Waste Discharge Requirements (WDRs)

The discharge of winery wastewater and residual solids to land is subject to regulation under individual WDRs or Central Valley Water Board Order R5-2015-0005 (the Conditional Waiver of Waste Discharge Requirements for Small Food Processors, Small Wineries and Related Agricultural Processors within the Central Valley Region, or Waiver). In accordance with California Water Code Section 13260, project proponents are required to submit a Report of Waste Discharge (RWD) to apply for individual WDRs or coverage under the Waiver. We recommend that the RWD be submitted 12 to 18 months before the expected startup date.

Domestic Wastewater

The discharge of domestic wastewater is preferably conveyed to a community sewer and wastewater treatment system. If the project involves use of an on-site wastewater system, the discharge of treated wastewater to land may be regulated by Central Valley Water Board or a local agency depending on the treatment method and discharge volume. Pursuant to the State Water Board's Onsite Wastewater Treatment Systems Policy (OWTS Policy), the regulation of septic tank and leach field systems may be regulated under the local agency's management program in lieu of WDRs. A county environmental health department may permit septic tank and leach field systems designed for less than 10,000 gallons per day (gpd). For more information on septic system regulations, visit the Central Valley Water Board's website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/owts/sb_owts_policy.pdf

For more information on waste discharges to land, visit the Central Valley Water Board's website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_land/index.shtml

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/1968/rs68_016.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the NPDES and land discharge WDRs permitting process. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittee to reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards,

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an

annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_land/app_approval/index.shtml

or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Dewatering Permit

If the proposed project includes construction dewatering and groundwater will be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Surface Water Discharges

If groundwater will be discharged to waters of the United States or storm drains, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (NPDES Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (NPDES Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the NPDES Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the NPDES Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have any questions about the storm water program, please call Steve Rosenbaum at (916) 464-4631. Additional information is available via the Internet at the Regional Board's Storm Water website http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/. For more information on Section 404 Permits contact the Sacramento District of the Corps of Engineers at (916) 557-5250 or Elizabeth Lee with the Regional Board at (916) 464-4787.

If you have any questions about the discharge to land permitting process, including dewatering discharges to land, I can be reached at sarmstrong@waterboards.ca.gov or at (916) 464-4646.



SCOTT ARMSTRONG, P.G., C.H.G.
Senior Engineering Geologist
Non-15 Waste Discharge to Land Permitting Unit

cc: Scott Morgan, State Clearinghouse, Sacramento
Placer County Environmental Health Department, Auburn

NATIVE AMERICAN HERITAGE COMMISSION

Environmental and Cultural Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>
Twitter: @CA_NAHC

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NOV 06 2017
CDRA



October 31, 2017

Shirlee Herrington
Placer County
3091 County Center Drive
Auburn, CA 95603

RE: SCH#2015072019, Winery Ordinance Update-Zoning Text Amendments, Placer County

Dear Ms. Herrington:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.

- b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
 3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
 4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
 7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources

Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
- a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions, please contact me at my email address: sharaya.souza@nahc.ca.gov.

Sincerely,



Sharaya Souza
Staff Services Analyst
(916) 573-0168

cc: State Clearinghouse

November 16, 2017

SENT VIA: SHerring@placer.ca.gov

Shirlee Herrington, Environmental Coordination Services
Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603,

SUBJECT: Notice of Preparation of an Environmental Impact Report for the Proposed Winery and Farm Brewery Zoning Text Amendment Project

Dear Ms. Herrington;

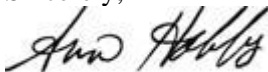
Thank you for submitting the Notice of Preparation of an Environmental Impact Report for the Proposed Winery and Farm Brewery Zoning Text Amendment Project (Project) to the Placer County Air Pollution Control District (District) for review. The District recommends consideration of the following items in preparation of the Draft Environmental Impact Report.

Environmental Review

1. The applicant, developer, operator, contractor or owner of equipment capable of releasing emissions to the atmosphere, including a generator, boiler, or heater should contact the District early to determine if a permit is required, and to begin the permit application process prior to installation and/or use. Portable equipment (e.g. generators, compressors, lighting equipment, etc) with an internal combustion engine over 50 horsepower is required to have a PCAPCD permit or a California Air Resources Board portable equipment registration. This includes equipment brought in for special events by vendors.
 - a. Processes that discharge 2 pounds per day or more of air contaminants, as defined by Health and Safety Code Section 39013, to the atmosphere may require a permit. Permits are required for both construction and operation. Developers/contractors should contact the District prior to construction and obtain any necessary permits prior to the issuance of a Building Permit. (Based on the California Health & Safety Code section 39013: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=39001-40000&file=39010-39060>)
2. If the use of fire is to be considered in the management of the vegetation, including agricultural operations, recreational fires, or the disposal of vegetation for hazard reduction, such burning will be required to comply with the District's Regulation 3.

Thank you for allowing the District this opportunity to review the project proposal. Please do not hesitate to contact me at 530.745.2327 or ahobbs@placer.ca.gov if you have any questions.

Sincerely,



Ann Hobbs
Associate Planner
Planning & Monitoring Section



P E A C E
P R O T E C T I N G E A R T H & A N I M A L S C O M P A S S I O N & E D U C A T I O N
P.O. Box 846 • Newcastle, CA 95658 • pea-ce@live.com

November 15, 2017

Shirlee Herrington
Environmental Coordination Services
Community Development Resource Agency
3091 County Center Drive, Room 190
Auburn, CA 95603

Subject: NOP of an EIR for Winery and Farm Brewery ZTA

The new winery and farm brewery ordinance is simply a re-hash of previous attempts to allow events in Residential Agricultural zones which should be illegal and prohibited. Commercial event activities do not belong in Residential Agriculturally zoned districts, and the EIR needs to cover that from the standpoint of impacts to homeowners.

The EIR needs to report on how, when, and who inserted the "by-right" for wineries or breweries for this project. Growing crops, harvesting, processing on site to create a value-added product is the only legal "by-right" that should be considered. Legally, there is no "by-right" to serve or sell alcoholic beverages, or to allow retail sales of same. But as usual, some are spinning falsehoods long and loud so that they will be considered truth and adopted. For once and for all: Delete "by-right" from any event activities. The EIR must review how deleting "by-right" will reduce impacts and allowing it will increase them.

There is no difference between private and public event impacts. With all events, when it comes to significant and unacceptable environmental affects, they're identical. Noise, traffic, shared private road use and parking, air quality, water depletion, runoff, and more, are all indistinguishable impacts generated from commercial events and must be considered one and the same in an EIR. The EIR should report how the imposition of much stricter language will reduce impacts. Regardless of how commercial wine and beer operations try to spin incompatible land uses, events are not legal or compatible land uses in Residential Agricultural or Farm zones.

The EIR must cover how or why the County determined that "private" events can be "unlimited," as if there are no impacts from holding one event after another. The EIR must cover how or why the County stuck in "unlimited," which can mean commercial events, 365 days a year, 8 to 12 hours a day, plus cumulative impacts from the other facilities all doing the same. Impacts are impacts and all must be governed under the same codes, regulations, mitigation measures and restrictions. There can be no event exceptions or exemptions for existing or future wineries or breweries. If any gathering is being held at a licensed winery or brewery, then it must fully comply without any exceptions or exemptions from one code but not another. There needs to be just one code applied equally to all.

The EIR needs to report on how "private" event definitions are being stretched to bizarre and unsupportable lengths—such as "unlimited." Under the proposed Winery and Farm Brewery ordinance, all events could be "private" by just sending out announcements and promotions by way of Facebook, email sign-ups, wine and brewery clubs that any member of the public can join, and many more social media "private" outlets. Invitations and event announcements can be sent to thousands of signers on, enrollees, or club joiners. Such commercial events can't be considered "private." The EIR must cover negative impacts of "private" commercial events the benefits from banning them entirely—no exempt events.

The EIR must include definitive language to clarify "PERSONAL" events that may not require a permit. To qualify, there can be no membership dues or other monetary consideration exchanged in any manner, and those personal events shall be held only at or in the private residence of the winery or brewery owner/s. No portion of the commercial winery or brewery facilities shall be utilized for such personal gatherings. This is in keeping with

Internal Revenue Service Tax Code that disallows any home/office business tax deductions if an area is used in any way whatsoever for private or personal use. Including this clarifying language will remove any foreseeable abuses of the “private” event allowances, a term that needs to be deleted in the proposed ordinance or clearly defined as being the same as public events. The EIR should cover the potential reduction in environmental impacts with the clarifying language.

For businesses that may occasionally utilize a commercial meeting room for personal use, the business deduction must be pro-rated and reduced accordingly. Are these “private gatherings” adjusting their tax returns when they use business facilities for private use? Wineries and breweries must be held to the same standard as all other commercial and home businesses. It’s either a commercial business operation or not. And as a commercial operation, it must be strictly held to full compliance with all commercial regulations—including zoning. The ZTA must consider revocation of a winery or brewery license if it is determined that the winery or brewery operation is using its commercial facilities for personal, aka “public” events portrayed as “private.”

The EIR must study a Condition of Approval in the proposed winery and farm brewery ordinance to require that owners of the winery or brewery operations MUST officially reside on site—on the property—with voter registration or other certification as proof of their occupancy. Their permits, including proof of occupancy, must be renewed annually as proof of compliance. The EIR study should reflect a reduction in impacts.

The EIR must address a most obvious and persistent problem: Code Enforcement and an egregious lack thereof. The EIR is costing County taxpayers almost a quarter of a million dollars—probably much more when it’s all said and done. But it will all be for naught—a complete waste of County taxpayer resources—if it doesn’t include compliance enforcement, such as regular inspections and a staffed after-hours hotline. County inspection costs and the hotline should be funded by a fee paid up front annually by the brewery or winery. Citizens should not be victimized both by unacceptable impacts and costly legal burdens of having to take civil action, especially since it is the County that is approving and inflicting these operations on neighbors and communities in Residential Ag and Farm zones. The EIR must report as to how the inclusion of enforceable conditions in the winery and farm brewery ZTA, including enforcement with penalties and fines to cover costs, will serve as a deterrent and thus should reduce impacts and complaints due to noncompliance.

The EIR must cover the proverbial elephant in the room: With increasing state and federal concerns over food security, on June 19, 2012, the Placer County Board of Supervisors signed a resolution dealing with the importance of agriculture and related food issues—adequacy, nutrition, health, well-being, and much more—which included food security and its importance. This is in keeping with the goal of protecting and preserving agricultural lands, but how do wine, beer and other alcoholic products contribute to food security when none of our children can legally consume them, and potentially would be harmful to their health if they did?

If anything, agricultural lands that are dedicated to the production of alcoholic beverages use fertile lands for a product that not only can none of our young people live on, but also, a huge number of adults either cannot or will not consume for health reasons. In the San Joaquin valley vineyards were pulled to plant nutritious nut tree crops and other plant-based foods that will feed all humans. The EIR needs to study potentially significant health and safety impacts, as well as food security, when beer and wine production replaces plant-based food crops that constitute healthy food for all.

The EIR must address huge and unacceptable occurrences of loophole language that has been pointed out every time these commercial operations try to impose more upon their neighbors.

Thank you,

/s/ Randall Cleveland

Randall Cleveland for the PEACE Team



Placer County Visitors Bureau

1103 High Street, Suite 150/Auburn CA 95603 / 530.887.2111 / 530.887.2134 fax
866.752.2371 toll free / visitplacer.com



November 16, 2017

Placer County Planning Commission
3091 County Center Drive
Auburn, CA 95603

Dear Planning Commissioners,

Placer County has incredible agricultural assets that benefit the local economy, business owners and the residents and include wineries, breweries and distilleries. The Placer County Visitors Bureau has great interest in creating greater visibility for these tourism highlights in the county.

On behalf of the board of directors of the Placer County Visitors Bureau, I'm writing to support the confirmation of the Wine and Farm Brewery Ordinance.

Thank you for your consideration.

Julie Hirota
President
Placer County Visitors Bureau

Rebekah Evans
CEO
Placer County Visitors Bureau

cc: PCVB Board of Directors
Sherri Conway



PUBLIC INTEREST COALITION
P.O. Box 671, Loomis, CA 95650



Sent via email: cdraecs@placer.ca.gov

November 16, 2017

Attn: Shirlee Herrington
Environmental Coordination Services
Community Development Resource Agency
3091 County Center Drive, Ste 190
Auburn, CA 95603

Ladies and Gentlemen:

RE: NOP of an EIR: Proposed Winery and Farm Brewery ZTA Project

We appreciate both the opportunity to submit comments on the proposed Winery and Farm Brewery (WFB) Zoning Text Amendment (ZTA) project and the County's recognition of the need to prepare EIR. Our comments may refer to specific topics more than once due to both our following the sequence in the NOP and determining slightly different nuances in the WFB. Because many of the questions, concerns, and issues raised in all the previous renditions or versions of proposed winery ordinance amendments remain, especially concerning events in Residential Agriculture (Res Ag) and Farm zones, we incorporate by reference all of our previous comments submitted with the past Negative Declarations and Mitigated Negative Declarations that dealt with the winery ordinance and the "Temporary Farm Event" proposed ZTA in 2011.

Although the WFB ZTA is focused on wineries and farm breweries located within the unincorporated areas of Placer County, the EIR must factor in the multitude of wineries, breweries (and possibly cideries) that may be located within incorporated towns or cities, but are in Res Ag or similar zones and/or are located near the County's jurisdictional boundaries. For the EIR to ignore the cumulative impacts created by wineries and breweries that are in the same appellation or Sierra Foothills district with facilities located at the rural edges of incorporated jurisdictions, which create environmental impacts that bleed into the County, would deny the public the right to be fully informed of potential impacts of the WFB ZTA, as required by CEQA.

History

For 12 years, we have participated in Winery Ordinance (WO) issues. We are not opposed to vineyard agricultural (ag) operations, or hop- or barley-growing (hops) operations, or Roadside Farm Stands as allowed by County code. Although allowing winery or brewery "tasting rooms" in lieu of roadside stands is reasonable, for good reason that allowance came with restrictions, including hours of operation and no "by-right" to hold events. To our knowledge, there were few, if any, complaints with wineries due to tasting room operations.

The crux of the controversy with the WFB ZTA is that holding an event is not, and cannot be construed, as an "agricultural" activity or operation. Holding events is appropriately allowed in Commercial or other non-residential zones, in venues which are

created and permitted for such commercial event activities. With a few exceptions, events may be allowed in other zones where families in residential areas will not be impacted. To impose commercial event activities on neighbors in Residential Ag (Res Ag)¹ zoned communities, with all the adverse or extremely disturbing impacts, is predictably contentious and unacceptable. If grape or hop growing can lead to holding events, then it follows that on their 4.6 acre ranches in Res Ag zones, beef cattle ranchers may open leather goods retail outlets or meat tasting stands or that sheep operations may open clothing or other wool/sheepskin retail outlets, ad infinitum. The EIR should address the precedent-setting potential for expanded non-ag land-uses by other ag operations as is being proposed in the WFB ZTA in terms of environmental impacts

No one is opposed to the Right-to-Farm ordinance, but the “nuisance” exemption is for ag operations only—not for any other incompatible or non-conforming activities. Hosting events is simply not an agricultural activity and is not covered by the Right to Farm ordinance. The EIR needs to address zoning compliance issues if ag industries (such as wine and beer) are allowed to hold unlimited commercial events.

The purpose and intent of Placer County’s codes dealing with Res Ag and Farm districts (zones) need to be analyzed in the EIR as to their focus.² With Res Ag parcels usually being smaller with higher densities, the focus is on a “suitable environment for family life” as well as ag uses. With Farm zones, the emphasis is on commercial agricultural operations—which does not include commercial entertainment or event operations. Although “...accommodate necessary services to support agricultural uses, together with residential land uses at low population densities” is codified, the EIR needs to examine and clarify how “services to support ag uses” can possibly be interpreted to mean “services to support commercial events” that are not ag “uses.”

In Res Ag zones, citizens may host private family parties that are held in/at their residences. If vintners or brewmasters desire to hold “private” events, then such private events must be held in their private residences and not in the winery or brewery facilities. The proposed WFB ordinance’s attempt to separate events into “private” or “public,” in order to take advantage of the proposed “unlimited events” allowances, appears to be a misleading and disingenuous ploy to circumvent meaningful commercial event constraints. Members of the public may join winery, brewery, or cidery (WB)³ club member groups, or be added to email or social media network groups. “Private” notices may then be sent and received by thousands of recipients (defacto “public”) via Facebook, Nextdoor, listservs, email lists, club memberships, and other such networks. Notices or invitations

¹ The use of “Res Ag” includes “Farm” zones which are adjacent to or near parcels that allow residential dwellings by-right that may be impacted by events as well.

² Article 17.44 – **RESIDENTIAL-AGRICULTURAL (RA) DISTRICT**
17.44.010 Residential-Agricultural (RA)

A. Purpose and Intent. The purpose of the Residential-Agricultural (RA) zone district is to **stabilize and protect the rural residential characteristics** of the area to which it is applied and to promote and encourage a suitable environment for family life, including agricultural uses.

Article 17.10 - **FARM (F) DISTRICT**

17.10.010 Farm (F)

A. Purpose and Intent. The purpose of the Farm (F) zone is to provide areas for the conduct of commercial agricultural operations that can also accommodate necessary services to support agricultural uses, together with residential land uses at low population densities.

³ In addition to wineries and breweries, there is an increase in hard cideries as well as some distilleries. Because cideries may follow the path of wineries and breweries, “WB” is intended to reference all three. Cideries may need to be incorporated into any future revised WFB ordinance, with distilleries being a remote possibility also.

sent via those modes can easily claim to be “private” in order to justify unlimited events. Unless a private event is held **in the residence** on the property, and not in the licensed WB facility, it cannot be construed as “private.” The EIR needs to address the potential for unacceptable significant impacts that will occur in Res Ag and Farm zones with pseudo “private” events.

The EIR needs to treat **all events that utilize WB facilities as “public,” non-conforming commercial activities and be limited in number of events, attendees, specific “hours of operation” time frames, and noise levels at property lines.**

General areas that the EIR should address:

Noise. Cumulative noise impacts from the expected-and-as-yet-unknown increases in breweries, wineries, cideries, and/or possibly distilleries that hold events, will adversely impact neighbors. The EIR must analyze a “saturation” limit with a cap on the number of total event-holding WBs located within a 5-mile radius of each other. [See further saturation discussion under Event Definition. Another consideration is to limit any WB events to one per year per facilities located within a 2-mile radius of another.]

All events must be permitted. When commercial events are permitted, a condition of approval (COA) must limit the decibel level at property lines to 55-70 db from 10 am to 7 pm, and event noise shall be reduced to 20 db or less at the property line from 7 pm to 10 pm. No event shall be allowed between 10 pm and 10 am.

The EIR should analyze noise of the event itself (music, presentations, programs, etc.) and noise generated by attendees either upon arrival, during the event or upon exiting the event premises (“good-bye” shouts and other phrases depending upon the state of levity, honking horns, revving engines, etc.). The time that is set for the event noise to cease must include any noise of attendees on the premises who are in the process of leaving, as well as staff, clean up activities, etc.

We strongly oppose holding WB events noise generation solely to Placer County Noise Ordinance levels (Code Article 9.36). Events are commercial activities being held for profit in Res Ag zones. As non-conforming activities that can create disturbing and contentious issues, a different noise standard is appropriate. Enforcement has not resolved problems as evidenced in two highly critical Grand Jury Reports, which confirm our positions and are incorporated by reference. See Grand Jury Reports: 2012-2013, “Placer County Winery Ordinance Enforcement Review,” and 2015-2016, “Placer County Code Enforcement Complaint Feedback and Tracking,” with the subtitle, “Inconsistency and Confusion.” The EIR must review the two Grand Jury reports and apply their conclusions to the proposed WFB ZTA in terms of environmental impacts.

We submit that the commercial nature of events being held in residential zones requires a different standard. The controversy surrounding the impacts they generate demand much more restrictive constraints than the County’s Noise Ordinance prescribes. Furthermore, the County’s Noise Ordinance was created to protect residents from disturbing noises from neighbors or residential “by-right” activities—not business or non-compliant commercial noises in residential areas. For WBs to hold events in Res Ag zones, they must be held to a much more restrictive standard, and the EIR must address both the impacts and how greater constraints will reduce or mitigate the noise impacts especially.

Equally important, in a Res Ag zone, or in any Farm zones where residential dwellings are allowed by-right and are within hearing distances, the EIR must analyze

impacts from any use of amplified sound--music, speakers, or any other types of amplified sounds.

Traffic. The EIR should conduct traffic studies to estimate traffic increases and identify safety considerations (including bicycle use) on narrow, curving, little-line-of-sight, unlighted rural roads with no shoulders, poor or confusing signage, often without any painted road center lines or “fog” lines, and infrequently patrolled, that will be used before, during, and after events and possibly involve drivers who are unfamiliar with those roads and/or have consumed alcohol. Traffic surges (event start and end times) must be analyzed with individual facility events as well as the cumulative traffic surges when multiple facilities are all holding events on the same day within the same general areas.

Further studies should be conducted related to WB facilities, including but not limited to the number of traffic citations, accidents, and DUIs or “had been drinking” (HBDs) reports that may be attributable to, or exacerbated by, WB operations and/or events.

To protect the public and inform them of traffic impacts, all permitted events must be reported to the County for posting on the County’s websites (location, date, time, etc.) so that families may adjust their own plans to avoid the impacts. If an event is being held but is not posted on the website, it should be reported to code enforcement during office hours or via the “After-hours hotline” and subject to noncompliant or violation-citation process. The EIR should examine how such an online posting requirement (by the County) may reduce noise and traffic impacts to residents.

Minimum Parcel Size. Because greater parcel sizes can create natural noise buffers, the **minimum** parcel size should be increased to 20 acres, and use permits must still be required. Reducing potential conflicts between neighboring residential land uses is an admirable goal, but many smaller rural residential homes may be adjacent to 10- or 20+ acre parcels and still be adversely impacted via any type of events. Permits may provide the only meaningful process to mitigate unacceptable, incompatible land uses impacts from events. The EIR must examine the number of parcels that are 10-acres that are adjacent to smaller residential parcels or are within hearing range of smaller parcels.

Compared to other Sierra Foothill counties with wineries, Placer County’s faulty zoning practices from previous decades created “fragmented” parcels. County decision-makers have favored disorderly urban development, including but not limited to sprawl-type isolated developments and land splits that created small clusters of residences near or adjacent to larger zoned parcels. These decisions encouraged further land split approvals and exacerbated both fragmentation and land-use inconsistencies with minimum parcel sizes. Coupled with variance approvals, the fragmented urban/rural interface has reduced opportunities for large farm production operations, and it has also created higher real estate values than other foothill counties.

It is too late to remedy County decisions that created the fragmentation problems, but that is the baseline. Purchasers of homes Res Ag zones pay higher prices and assume land uses will be compatible and enforced. Constraints on WB events brought about by fragmented parcels or past wrongful zoning decisions must not be compounded by now creating impacts from commercial event operations. WBs must not be allowed to hold events by-right, regardless of the parcel size. Neighbors who purchase their properties in Res Ag must not be subjected to a denial of their right to enjoy their properties. Impacts from non-ag-operation events, including unlimited disruptions of peace-and-quiet expectations, lasting for hours, potentially every day, or every weekend, must be clearly

prohibited in the WFB ordinance. The EIR must address fragmentation, residential rights, and the significant impacts to unsuspecting homeowners when events are allowed.

Event Definition. The NOP references the General Plan (GP) in a misleading manner. The promotion of ag operations, marketing of “County-grown” products, and preservation of ag lands are stated. But the GP also provides guidelines to analyze the suitability of a proposed agricultural service use: “It is compatible with existing ag activities and residential uses in the area.” (Agricultural Land Use, Goal 7.A.10.c); and “It will not result in a concentration of commercial or industrial uses in the immediate area.” (Agricultural Land Use, Goal 7.A.10.e)

The definitions are problematic with generalities and vagueness that will make enforcement impossible. An Agricultural Promotional Event (APE) or any type of events, promotional or otherwise, that are “unlimited” is unacceptable, unreasonable, and an invitation to abuse. The EIR must analyze not only the vague, subject-to-interpretation language, but also how such uncertainty as to what is allowed or not, can and will become contentious issues. Because of wide interpretation possibilities, there will be code endorsement complaints from ongoing unlimited event impacts. The EIR must examine County costs of investigating and processing those complaints from start to resolution.

Meaningful alternatives must be analyzed, such as: imposing a cap on the number of events for all WBs to no more than four per year; after determining a maximum number of events allowable in a specific saturated area, consider conducting a lottery among the WBs in that area that wish to hold events and distribute accordingly; depending upon code enforcement activities and complaints, consider allowing four events per year with a “credit” for an extra (five) the following year if there are no complaints registered for that current year. With the County’s plans to construct a community center venue, as well as all the other event centers in western Placer County, the EIR should examine the benefits for all WBs to hold events at event center venues—away from Res Ag zones. The EIR must properly address and analyze the very reasonable and foreseeable “wild west” nightmarish potential of cumulative impacts should all current and future WBs hold events at the same time and/or on every day/night of the week/weekends in Res Ag zones.

Special Events need to be clearly limited in number, attendees, and time frames. Also, they must require additional COA’s that are specific to the property or neighbor/community concerns. That number-of-events limit (or “cap”) must include all events—industry wide and any “private gatherings” held at the facility. The only exception might be truly “personal” gatherings of the owner which are held in his/her own personal residence and do not utilize the winery or brewery facilities in any way. The EIR must examine the reasoning behind counting some events toward a limit, not counting others, and exempting industry-wide events. The EIR must examine the definition of what constitutes an “industry-wide” event (would an agreement between three or four WB’s constitute “industry wide”? What’s the magic number and who decides? What will the environmental impacts be from one “industry wide” event per month, or week—a few wineries one week; a few breweries another week?). The EIR must examine the confusion, uncertainty, and additional environmental impacts that “this event counts” and/or “this event doesn’t count” ambivalent language will create.

An alternative for setting industry-wide commercial-type event caps or limits in Res Ag or Farm zones factors should consider the saturation of WB’s that are permitted to hold events in areas with residential properties. The limit or cap on the number of events shall be dependent upon the number of licensed WB’s within any five-mile radius of another facility. For example: Within a five-mile radius of any one WB facility, if there

are a total of four or fewer licensed WB's and/or Event Centers, then the event limit or cap shall be a total of four (4) events per year per WB facility. If there are five or more licensed WB facilities or Event Centers within a five-mile radius of any WB facility, then the cap or limit shall be no more than three (3) total events per year for all WB's located within that five-mile radius range. If any WB withdraws its permit to hold events or officially terminates its event-hosting operations and continues only with agricultural growing of wine or beer ingredient crops, the number of allowed events shall be adjusted for others in the five-mile radius. Likewise, if any new licensed WB begins operations and is permitted to hold events, the number of allowed events shall be adjusted accordingly within a five-mile radius to comply with the saturation limits.

As stated in the NOP, the current Winery Ordinance (WO) requires an Administrative Review Permit (ARP) in order to hold promotional events. It is our understanding that not one of the County's wineries is operating with a valid ARP, yet their websites, email invitations, neighbor reports and/or code enforcement complaint calls indicate events are commonplace. The EIR must examine the culture of noncompliance prevalent in the WB industry and how it may impact citizens if it continues. The WFB ordinance must include a license revocation for all non-compliance violations and increased penalties for repeat-offender violations, such as, immediate 30-day license revocation for first offense; a one-year license revocation for the second occurrence; five-year revocation for the third; and permanent revocation for the fourth occurrence. The EIR must examine the relationship between unequivocal ZTA language that avoids misinterpretation and enforceable language that will protect neighbors from significant environmental impacts.

The proposed project states, "Thus, wineries on small parcels will not be evaluated in this EIR." (NOP, pg 9, "Create Table...") We are very much opposed to the County's taking such a position. The County's responsibility is to all citizens, all neighbors, and WBs on small parcels may create just as great or greater disturbances in Res Ag zones regardless of parcel size. By their very nature, smaller parcels will have closer neighbors and most will be in closer proximity. Event impacts from facilities on small parcels are no less, especially in terms of noise disturbances, than those from facilities on larger parcels.

If it is true that not one winery has a valid ARP as required in the current WO, yet such wineries have held events, then we suggest that all WBs that desire to hold any types of events, be required to meet all requirements of the proposed WFB ordinance (no "grandfather" exemptions) and must be evaluated accordingly. No WB can be allowed to obtain permits now, after the fact that they may have held events in the past without proper permits in noncompliance with the current WO. The EIR must address such past violations and lack of permits and analyze the appropriateness of denying their being grandfathered into separate regulations instead of whatever is finally adopted.

To properly mitigate the event allowance for existing properly licensed wineries, breweries, or cideries in a fair and just manner, the EIR must examine adopting a policy that may apply a grandfather allowance but only if both these conditions are met: **(1) the facility is fully permitted to hold commercial events and (2) obtained all proper permits (to hold any of the events that they may have held) before the time they held any events.** In other words, if any existing winery has not obtained an ARP or a CUP to hold events, and/or if it has held events without proper permits, then it shall be required to fully comply with the proposed WFB ordinance conditions, just as any other future WB shall be.

The EIR must analyze the controversy created, especially from noise and traffic, when events are held in Res Ag zones and examine both the motives for what may be a resistance (1) to comply with the WO, and (2) to enforce the WO by the County—both of which in turn exacerbate environmental impacts. The EIR should (1) study current WO non-compliant operations or events (and resultant impacts); (2) factor in new or future WBs and analyze potential impacts that may occur at the same rate of noncompliance as current non-compliant operations. Because the current noncompliance situation is compounded due to what appears to be a lack of consistent, if any, code enforcement, the EIR must also analyze the potential for increased violations and impacts within the WB industries when operators (existing and future) know there are no consequences. Included in the analysis should be the myriad of economic costs to homeowners, communities, and the County's resources.

Hours of operation. Please see our comments in “Noise” for event hours and noise levels. Additionally, normal daily tasting hours should be limited from 10 am to 6 pm with no extended tasting hours. Otherwise, tastings can morph into events, with all the negative impacts—excessive traffic, noise, etc.—again with little-to-no permitting required or enforcement. The EIR needs to address the impacts from any “extended” tasting hours.

Waste disposal. The public was informed by a vintner that a number of wineries are in violation of wastewater requirements. If accurate, then the degree of noncompliance and its significant impacts must be analyzed by the EIR. Just as restaurants are closed down by health inspections until the problems are fully resolved, the same degree of enforcement and inspection must be imposed on WBs, especially when it comes to wastewater. Statewide and nationwide, groundwater sustainability concerns are at an all-time high, but if there are scofflaws, there can be no tolerance or delays in taking enforcement action; the facilities need to be shut down. If the proposed WFB ordinance is adopted, any such noncompliance or violations that result in a revocation must require that the WB must reapply for its licensing and permitting under any new ordinance. The EIR must examine how such strict adherence to compliance with deterrence will reduce environmental impacts.

The WFB ZTA must stipulate that annual or bi-annual County inspections of WB septic systems and wastewater discharges shall be conducted and certified for compliance. As with any health and safety inspection, any noncompliance and/or violation shall require an immediate closure of the facility with a short time frame for correction to rescind the revocation. The EIR should examine how such an inspection and enforcement protocol will reduce environmental impacts.

Access Standards. In Res Ag or Farm with residences, non-County Maintained Roads (shared private access roads) are maintained by neighbors who use their roads for personal ingress and egress. The written proposed approval requirement from a “majority of the individuals who have access rights” is inadequate. First, any approval vote must be unanimous because it amounts to a taking of a private road for public uses. Second, if/when a WB presents its proposal for a vote of approval to use the private road, it must specifically include the expected number of daily trips by the public for tasting hours of operation, and a separate calculation for any events that are to be held. An estimated cost of road repair and maintenance attributed to the public's use for tasting or event activities must also be provided to the residents before the vote. Should the WB owner agree to pay proportionately for the maintenance and repair work that the WB causes, that would be part of the approval.

Based on the WB owner's presentation before the vote, if the use of the private road is approved, but later it is determined that the WB owner miscalculated and underestimated either the number of trips (traffic on the private road) and/or the estimated maintenance and repair costs attributable to the extra WB road usage, and/or increased its operations, then any individual who has access rights and lives on the road, shall be allowed to call another vote to either rescind the private road use by the WB or negotiate other provisions for the use to continue. Should the WB then continue the non-agreed upon operations, or continue without unanimous approval of the changed conditions, the County shall be informed of the decision, apply a "revocation of approval by the individuals who have rights to the road," revoke all permits, and enforce accordingly. The EIR should examine how such stipulations in a private road approval will reduce environmental impacts.

Under section G. Special Notice Requirements, a property owner's failure to receive notice as being grounds for his/her dismissal in the approval process is unacceptable. This section should be reworded to state that "Failure of the WB owner to show proof of notice delivery shall invalidate the issuance of the permit." Similar to "serving" any important or legal documents, the WB owner must provide certified "proof of delivery" in order for a "failure to receive" excuse be implemented.

The same exact position stated above for Section G also applies to Section H. Notice of Decision. No property owner or any other person who may have standing in the legal processes should ever be denied a possible right of recourse based on a failure to receive a copy of the decision. If a certified proof of delivery was not generated, then grounds for invalidation of the permit issuance should be honored.

The EIR needs to address these types of issues because if not settled, they have the potential to become problems later and create intolerances for resolving noise, traffic, or other environmental impacts.

The NOP has inexplicably set an arbitrary date to grandfather in potentially non-complying operations (NOP, page 26, F. Continuing Applicability of Use Permits and Existing Legal Operations). This gives carte blanche approval to wineries or breweries that have not obtained required permits, including ARPs, or complied with the WO from its adoption in 2018. By providing such an amnesty "window" to continue with non-compliant operations by those who refused to comply before, it rewards non-compliance at the expense of neighbors. The date for existing WB to have obtained proper use permits must be set at the time the existing WO went into effect—October 22, 2008. Otherwise, the EIR should evaluate separate sources of impacts—those from existing WB and those from future WB's that will operate under the proposed WFB ZTA.

The EIR needs to spell out in unequivocal terms that WBs may not operate as restaurants or bars in Res Ag zones. The language in the "Food Regulations" section of the proposed WFB ZTA revisions may invite restaurant operations. By allowing any type of food preparation that requires a "commercial kitchen," the door is open to operate as a restaurant or a bar or morph into a "bistro." The proposed WFB ordinance must include unequivocal language that regular food service shall be prohibited as will Commercial Kitchens. Because of code enforcement's track record, simply stating that "Restaurants are not allowed as part of the winery or farm brewery..." carries no weight for compliance, is subject to misinterpretation, and/or open to different interpretations depending upon the intent of the WB operator, and consequently will create potential increases in negative impacts, especially with waste water, septic, etc.—all of which must be examined by the EIR.

Economic Development. The excessive attention, at County taxpayer expense, given to “Economic Development” (Econ Dev) efforts seems to promote commercial interests at the expense of citizen homeowners. How far should Econ Dev concepts reach? Are economic values of homeowner parcels in Res Ag zones (with no commercial activities) subordinate to WB parcels with two acres of planted wine grapes or hops that may or may not be viable?

The General Plan policy (cited in the NOP) relates to “County-grown products” (mentioned elsewhere in this document). However, bottled products of WBs, may be, and often are, composed of ingredients that are grown in part or wholly outside of Placer County. Furthermore, Placer County wines may be blended with wine grapes grown completely out of the district or appellation. At least one winery and possibly two others grow no grapes at all. The EIR must analyze the reality of commercial event activities being promoted as ag operations (County-grown) for Econ Dev purposes, when due to loose, unenforceable language, the ag operations are clearly subordinate to commercial unlimited event activities.

The General Plan reference also states that those County-grown products may be “key components to enhancing the economic viability of Placer County agricultural operations.” We submit that WB’s are grossly overrated with regard to their economic contribution to Placer County. The EIR must analyze exactly how much of “Placer-grown agricultural products or crops are actual ingredients in wine or beer. We submit that it is shockingly small or insignificant. Thus, promoting “County-grown” cannot be applied to most of the wineries or breweries that desire to host unlimited events based on that unsubstantiated claim.

We support WBs, want them to succeed financially--contribute to Placer County’s well being and remain sustainable ag operations--but not with unlimited, incompatible, non-conforming, commercial activities which come at the expense of neighbors or communities. The ag operation is the growing and harvesting of the crop, with possibly value-added processing, tasting, and sales. Residents living in Res Ag zones, that are near/next to WBs that stretch operations one step further to hold commercial events, are vulnerable to diminished enjoyment of their properties due to noise, traffic or other adverse impacts created by non-conforming land uses, and may also suffer a substantial economic loss in the value of what may be their largest or only asset—their home.

With disclosure laws, neighbor “wars,” and lending practices (especially), it is reasonable and foreseeable to conclude that allowing WBs unlimited or more than six events per year will lower property values of neighbors’ properties. The economic development topic in the NOP and WFB ZTA is too narrowly focused only on the WB operations. Instead, the EIR must address the potential negative impacts (including but not limited to noise, traffic, etc.) in entire communities that may result in declining property values across the board for homeowners. In addition to proximity, the EIR must consider noise variations based on different atmospheric conditions, elevations, and other conditions where non-ag commercial events create disturbing or annoying noise that may travel great distances (miles, in some instances) and which may legally require disclosure upon selling the property. The EIR must analyze the economic fallout that such property-value declines will create to the County’s property tax base and revenue streams if an unlimited, by-right, allowance of commercial events WFB ZTA is approved.

The NOP in citing 17.56.330, on page 16 (pdf) states that the purpose of that section is to provide for the “orderly development of wineries and farm breweries...and to encourage the economic development of the local agricultural industry, provide for

sampling and sales of value-added products, and protect the agricultural character and long-term viability of agricultural lands.” The EIR should cover each of the following issues:

- “orderly development” analysis must include an analysis of “disorderly” incompatible land use potentials that occur when WB’s numbers increase and disrupt neighbors, weekend after weekend, night after night.
- “encourage economic development of the local agricultural industry” must be evaluated. The EIR must document how holding events at WB’s actually contribute to encouraging Econ Dev of the ag industry and to what extent. We submit that the non-ag activity of holding commercial events generates such adverse impacts that it prevents home values from increasing at the rate of home values in non-event ag areas; that revenue to the County and other districts from taxes is also reduced; and that property values will decline in areas subjected to negative impacts from events.
- “provide for the sampling and sales of value-added products” should be covered by the functional equivalent of Roadside Farm Stands only in the form of WB tasting rooms. Tasting rooms are in line with the concept of an in-lieu farm stand. This purpose is consistent with the public’s perceptions of WBs being open during limited hours for tastings and sales. However, there is no nexus to the Right to Farm Ordinance and holding events, such as reunions, weddings, fundraisers, birthdays, winemaker dinners, or any other non-ag operational activity in Res Ag zones.
- “protect the agricultural character and long-term viability of agricultural lands” is a purpose that most citizens strongly support, especially with ever-increasing concerns about food safety, climate change, and a host of other threats to ag/farm lands. However, the word “viability” may be interpreted in many ways. In the context used, most assume it means ag lands’ viability as being able to produce food and/or fiber (micro climate, soil types, etc.). Another group may use the word “viability” to mean usable for their commercial gain, which we submit is the antithesis of the intended purpose. The EIR must analyze this purpose and the impacts from different interpretations.

Furthermore, the EIR must examine how allowing unlimited events (that normally would be permitted only in commercial zones), **threatens long-term ag/farmland viability** because (1) the incentive to hold events may lead to a phase out of raising or cultivating any viable crops (since only the “planting” is required) to eventual utilization of WB facilities as defacto commercial event centers without incurring traditional costs of Commercial zone operations.

The EIR must clarify the use of the word “viable,” apply it only as to its intended use in context of WB **agricultural** operations, and analyze how holding events meets the intended ag-operation purpose.

Commercial Econ Dev efforts cannot be prioritized over private citizens’ rights (including the economic values of their homes) when it comes to residential land use compliance and compatibility. The proposed WFB ordinance appears to favor one industry’s commercial operations and economic advantages to the detriment of others. The EIR must analyze the benefits (both economic and environmental) of deleting all references and any allowances of “unlimited events” in the proposed WFB ordinance.

Initial Study & Checklist

A. BACKGROUND

The very first statement, “...wine industry concerns...have been raised...” suggests that this CEQA process and the EIR may be biased in favor of WB industries over citizens. That statement is followed a few sentences later with, “Based upon the need...in order to hold a greater number of events by-right, staff determined it was appropriate to re-examine...meet the desires of the community and the winery owners.” In the 12 years that we have been actively involved with event issues in Res Ag zones and followed the lack of adherence and noncompliance with the 2008 WO and a general lack of enforcement, we have never heard, read, or witnessed any effort by the County to stop wineries that were holding events without the proper ARP. Additionally, the same can be said in terms of community residents ever stating a preference to put up with increasing numbers of events or designating them “by-right” in their already “by-right” residential zones. The EIR should examine how prioritizing event-generating commercial operations over homeowner/residents’ rights exacerbates environmental impacts.

Adding breweries (and possibly cideries) to the proposed WFB ZTA, is appropriate. However, the statement that brewery facilities “also produce adequate agriculture necessary to create a value-added agricultural product (i.e. craft beer)” is highly questionable and may not be accurate. The EIR must analyze exactly how much (what percentage) of beer comes directly from the hops or barley crops grown in Placer County. Indications are that the actual crops grown and used may be miniscule. And if so, the contribution to producing adequate ag is minimal and not a factor in preserving or protecting ag lands. It should be noted that not all wineries in Placer County are producing “adequate agriculture” for their product—a few licensed WB’s may have no planted acreage as required in the proposed WFB ordinance.

The EIR must examine WB operations to contrast and compare **actual ag production** of wine grapes or hops by (1) WBs that hold events, (2) WBs that do not hold events but have tasting rooms, (3) WBs that sell their value-added products without tasting rooms or hosting events, (4) the acreage or tonnage of wine grapes or hops harvested by non licensed WBs in Placer County (growers only), and (5) the tonnage or percentage of the non WB growers’ harvests that are sold to Placer county WBs. Such information could provide a realistic assessment of WB’s contribution to ag operations in Placer County.

Add Definition of Boutique Facility

Placer County’s “fragmented” parcels create a variety of parcels sizes mixed in one community (e.g., 4.6 acre, 1 acre, and 10- or 20-acre parcels) either adjacent or sharing the same private roads. Thus, to balance the needs and protect the rights of homeowners living next to or near, a boutique facility should be subject to a CUP or MUP (whichever provides more protection to residents) in Res Ag zones or districts where residences are allowed by-right.

Define New 10-Acre Minimum Parcel Size

Although breweries are not mentioned, the proposed change to allow wineries (and presumably breweries) without a use permit in RES (Resort) Commercial zone district must exempt any WB (and require a use permit) in a Resort Commercial zone district if there are homeowners close enough to the facility to be negatively impacted by noise, traffic, water supplies or other adverse conditions. If a RES zone has no residential neighbors within a 4- or 5-mile radius, and if its operation would create no land-use conflicts, then possibly the exemption from the use permit would be allowed. But a blanket exemption in any zone where homeowners occupy residences by-right, either adjacent or nearby, should not be approved. The EIR must examine how exempting any

operations from the land-use permit may both create and/or exacerbate environmental impacts, especially with neighboring residents.

We support increasing the minimum parcel size limit but urge that it be at least a 20-acre minimum to reduce potential conflict between neighboring residential land uses. Even if the minimum size limit is met (10, 20, or 30 acres), with Placer County's haphazard and admitted fragmented development, along with its wide range of different-sized adjacent parcel sizes, and different elevations, the larger the minimum acreage size, the greater the potential for reduced conflicts. However, should residential land uses be adjacent or nearby, regardless of their parcel size, a use permit should be required, specifically to address commercial events constraints.

If holding any events will be a part of commercial WB operations, there can be no allowance "by-right" of operations in areas where residential is currently allowed "by-right." If a WB intends to grow grapes, hops, etc., create a value-added agricultural product, and have no events (with noise or traffic to/from the facility), or tasting rooms, only then might a "by-right" ag exemption from requiring a use permit be justified. The threshold to require a use permit, or not, must depend on COAs that set a maximum number of events (after mitigating for noise, traffic, etc.), limit the extent of public patronage at the facility (hours of operation, attendee numbers, etc.), and the existence of residential land use rights nearby or adjacent that may be impacted. The EIR must address how limiting the allowances will not only reduce negative environmental impacts but also reduce conflicts.

Modify Event Definition

If the General Plan is followed, a WB in Res Ag zones must be an ag operation and market "County-grown products. The assumption is that such ag operations will enhance the economic viability of the County's ag operations and preserve/protect ag lands. Already mentioned is the fact that some WB operations may not use any Placer County-grown product, yet the WB may be bonded, licensed, and operate with a tasting room (functional equivalent of a Farm Stand). However, as soon as "commercial events" are introduced into the process (non-conforming land use), a diversion from the General Plan's intention is set in motion. The expectations of orderly development by homeowners living in residential zones by-right with WBs, and protection of their residential land use rights, are significantly and needlessly impacted.

The fact that vintners expressed "that a small part of their business model is to hold private events" is irrelevant and should not influence any decisions with regard to exemptions. Reducing land use impacts, enforcing ordinance compliance, and creating meaningful alternatives should be the focus of the proposed WFB ordinance. If an industry claims its business model is to hold concerts, or weddings, rallies, drag racing, etc., in Res Ag zones, it would be an equally illogical, non sequitur to the principles of orderly development and compatible land uses to validate and/or factor those claims into a proposed ZTA that is meant to support ag operations and protect the rights of neighbors. As currently proposed, the WFB ordinance would exempt from any review non-advertised gatherings of unlimited size and duration as well as the types events mentioned above that are usually held in permitted event venues. The EIR must analyze negative impacts generated from the County's adopting an industry's business model when it is clearly incompatible and does not comply with the allowed land uses in Res Ag zoning.

The EIR must evaluate not only the risk of converting viable farmlands to facilities and/or additional parking areas, etc., but also the actual protection and preservation of agricultural lands provided by the minimum "two acres on-site planted" requirement. Any

existing or future WB facility wishing to avail itself of the zoning benefits provided in the proposed ZTA must only “plant” two acres (vineyard, hop yard, or other agriculture related to beverage production). To the extent that the General Plan ag protection and preservation applies, the EIR should evaluate how a “two-planted-acres” requirement will suffice to protect agricultural lands. The EIR must also evaluate how such a low minimum requirement—with no obligation for perennial care, cultivation, or other efforts to keep the planting viable—will become an incentive to develop facilities merely to host events. The EIR must evaluate the possibility of the WFB ZTA language ultimately discouraging continued investment in actual agricultural operations through the domino effect, introduction of incompatible uses, and the conflicts they create. The EIR must analyze the potential for this ZTA to induce conversions on other agricultural lands and not provide the preservation and protection that the General Plan supports.

There is a point at which the economic viability of a commercial operation is the responsibility of the proprietor and not the responsibility of rural residents or the government. Furthermore, if a WB must rely on a member-based model in order to sell products, and those members must regularly travel into residential districts, it is evident that those types of member-based business operations that create significant impacts do not belong in Res Ag, Farm or other zones where residential land use is by-right. Simply having a winery, brewery, or other type of club or membership or “rewards” programs to facilitate or promote sales does not justify any approvals of incompatible land uses—especially with egregious “unlimited events” allowances. The EIR needs to address the promotion of Econ Dev as it relates to promoting commercial events and exacerbates adverse environmental impacts.

Instead of clarification, the proposed definition that states events “**could** be considered promotional in nature” magnifies contentious problems. Even worse, it cannot be enforced. It leaves residential neighbors vulnerable to unmitigated, ongoing, unlimited, significant impacts. The EIR must analyze and address all such vague, unenforceable language.

The “Agricultural Promotional Event” (APE) as stated removes needed constraints and thus denies homeowners in Res Ag zones needed protections, especially from unlimited APE’s. The meaningless words, “...including but not limited to” simply exacerbates an “anything goes” mind set. This clause, “...private parties where the only alcohol served is produced by the winery/farm brewery” is misleading because wineries can buy bottled wine, cellar it, and with their labels attached, call it their wine.

In order to be informed of “County-grown” issues, the EIR needs to include legal definitions of wine and beer products and the specific meaning of terms used. This will inform the public how Placer County winery operations may apply them, including but not limited to: labeling regulations (“labeler, shiner, generic”) aging, producer, bottler, bonded, custom crush, blend product, unknown origin concentrate, and other terms used in WB operations. The EIR needs to inform the public as to the “flexibility” allowed in WB operations and how much actual contribution to “County-grown” occurs.

We propose that the proposed APE definition be deleted. Tasting rooms should suffice with patronage limits and set hours of operation. The maximum number of tasting visitors shall be limited to 35 people at one time or to the maximum rated capacity of the facility, whichever is smaller. Tasting room hours should be set between 10 am and 6 pm with no extended hours. Most importantly, tasting rooms must adhere to their function as allowed in the General Plan: Tasting Facilities. Tasting facilities are the functional

equivalent of Roadside Farm Stands; the primary function of the tasting area should be solely the marketing and sale of the wine and/or beer products produced at the WB.

The EIR needs to address and explain how all the modified event definitions and associated concerns, some described above, comply with the General Plan.

The “Special Event” proposed definition is again a non-conforming commercial activity with terms that are just as vague and unenforceable as previous proposals. By adding the unlimited event designations, which, as we have pointed out in this document and others have in their commenting, event noticing or announcements can be manipulated to qualify almost any event as “private.” Thus, there are no meaningful limits. The EIR needs to address how Special Events will impose greatly increased numbers of events with unacceptable noise, traffic, and other significant impacts on homeowners whose residential land use is by-right.

Equally disturbing is that as written, the proposed WFB ordinance provides no recourse or relief for homeowners. Making the ag-related component subordinate to the primary purpose of the event, and allowing all kinds of events and facility rentals, makes the WB a defacto event center. The EIR needs to compare the proposed WFB ordinance to the County’s adopted Event Center Ordinance and inform the public of the similarities and differences. Because the Event Center Ordinance requires a Conditional Use Permit (CUP), then it follows that because the proposed WFB ordinance is similar, then CUP’s should be required also, especially for Special Events.

Possibly one of the most obvious attempts to circumvent the creation of a meaningful, fair, and just WFB ordinance is evidenced by first stating Special Events will be “limited in number.” However, whether by intention or accident, “private gatherings” are then expressly excluded (from the “limited in number”) and thus will be unlimited. “Private gatherings” may appear innocent and innocuous, but we submit it is most deceiving. They can easily be “public gatherings” that hide behind “member clubs” (which anyone can join), email listservs, and/or a multitude of social networking options (Facebook, Nextdoor, and too many others to list here). Thus, rather than creating a meaningful WFB Ordinance with enforceable definitions and actual limits to protect the public and homeowners rights from an unlimited number of large public gathering events, what is proposed appears to be a ruse, that, if adopted, will create unacceptable significant impacts. The EIR needs to address how such misuse of the word “private” to increase defacto “public” events may create additional significant environmental impacts by avoiding permitting processes.

Create Table Outlining Event Allowances

In Table 1, “Maximum Special Events Allowed Per Year,” it is assumed that “staff” refers to paid employees. However, with Special Events, especially with nonprofit organizations, volunteers may be recruited. Will they be counted and included in the number of attendee limits? Because it is unlikely that all staff and/or volunteers will car pool, it is reasonable and foreseeable to assume that they will each commute in separate cars, thus significantly impacting traffic, either at the beginning and/or ending of events or, all day, depending upon the type of Special Event and staff/volunteer assigned shifts. With largest events of 100 or 200 attendees, staff/volunteer attendees may create significant increases in traffic to/from the event. If similar events are occurring in other WB within a 2-, 3-, 4-, or even 5-mile radius, it is also reasonable and foreseeable to know that the impacts will be not only significant but unacceptable. The EIR must address all such reasonable and foreseeable possibilities that can exacerbate noise and traffic impacts, as well as the others.

To avoid the perception of “favoritism,” or worse, along with problems that arise with a ministerial Zoning Clearance review (“C”) approval—we strongly suggest that NO “C” permitting be included or allowed as an approval option in any of the proposed WFB ordinance, or in any WB permitting processes, where residential zoning exists or is adjacent or nearby. There may be other constraints, but as has been noted, problems with one brewery in the rural Lincoln area may have been curtailed IF the approval process had been open and transparent. Instead, one County staff person arbitrarily granted a C—clearance—for the brewery to proceed. Neighbors were not noticed and thus became parties to legal matters; the controversy spilled over and impacted other neighbors in the vicinity. Yet the County, that created the controversy with its ministerial Clearance approval, wiped its hands of the mess.

Approvals of any type of potentially contentious project or any project that may conduct incompatible or non-conforming land uses (such as WBs with commercial events in Res Ag or Farm zones), should never be the purview of one person in the County. No WB “C” ministerial decision should be made at a staff level without input from the public, with no right of appeal, and no standards for environmental protection. The “C” Clearance applicable standards do not require site surveys, studies or inspections. Therefore, the standards do not include a mechanism to trigger further environmental review and thus do not provide assurances that a particular event, or even operations, would not result in environmental impacts. The process must be transparent, and requests for approvals must be via a permitting process that notices all parties who may be impacted with hearings that are open to the public.

The EIR must address all foreseeable allowed uses and their related negative impacts that will be generated from the issues and nuances mentioned above, involving both existing and all potential future WBs, commercial events that are private in name only (public in reality), and ministerial clearances where a public hearing, and at a minimum, a CUP would be the appropriate permitting review level.

Clarify Hours of Operation

The normal “tasting hours” from 10 am to 6 pm appear to be reasonable. However, the tasting “closing” must be more specific. Does it mean all patrons must be off the premises by 6 pm? Otherwise, a group may purchase bottles of wine/beer to consume outside or at on-site areas outside the tasting room area. Any such “extended tasting hours” must be counted as an event and applied to the maximum hours allowed.

Allowing commercial “events” to continue to 8 pm, Sundays through Thursdays, may impact working families and school children. Noise impacts are unacceptable in a Res Ag area when families have jobs and/or school early the next morning. The proposed WFB ordinance needs to address the “gap” time between when events should shut down and the time patrons actually leave the premises. Allowing events to go to 8 pm, for example, may mean that noise and traffic on a work night for most, will continue until 9 or 10 pm. No event should last longer than 6 pm on a “work/school/week” night.

The same impact problems are true for Friday and Saturday night commercial events. Noise from events cannot be allowed until 10 pm, in part because by the time patrons and staff leave, it’s closer to 11 pm or midnight. Noise and traffic impacts at those hours are unacceptable. In Res Ag areas, it is more reasonable to set the Fri/Sat commercial time limits from 10 am to 8 pm. If patrons or facility renters want parties to last longer, there are plenty of excellent venues throughout all of Placer County that can accommodate such requests. The EIR should examine alternative venues for late night events in Res Ag areas that are permitted in proper zones.

Update Potable Water and Waste Disposal Sections

The EIR needs to describe a monitoring process as to who will be counting people served within the 60-day period (more than 24 people served in a 60-day period) to trigger the public water system requirement. Who and how is the 60-day count period established? Might the count start over with every event? If we are reading this stipulation correctly, if a facility owner serves 200 people every weekend for 7 or 8 weekends in a row (approximately 42- to-56 day period), then the public water system would not be required, yet the groundwater draw could be excessive.

Counting heads of attendees is an unreasonable threshold due to its being impossible to monitor as well as potential for inaccuracies. The problem is with water usage, and that is what needs to be measured to trigger the public water system requirement. We submit that rather than rely on the “trust me” model or head counting every 60 days, **a meter must be placed on all WB wells** that will indicate and report electronically actual water usage. A usage threshold must be set, above which bottled water for consumption must be required and/or a public water system shall be required. The EIR must address the accuracy of a well meters vs relying on head counts during 60-day periods as to the best way to assess threats to groundwater sustainability. The EIR must examine the types of pollution and/or draw downs that WB water usage may create.

The same clarification is needed for wastewater disposal or discharge into a septic system. Regardless, or in spite of permit requirements, the County was essentially publicly noticed at the November 1, 29017, NOP meeting that quite possibly these codes are being violated.

Water usage and septic systems must be inspected regularly on an annual or bi-annual basis by certified inspectors and signed off as to their proper functioning and compliance. This is currently the procedure for rural residents who have metered treated/public water with backflow devices. The EIR must evaluate the benefits of electronic metering of both water usage and regular septic system inspection requirements in order to reduce the risks of draw downs and/or wastewater contamination.

With all permits and COA’s issued, it is imperative that consequences for non-compliance must be clearly stated and include an immediate revocation of all WB permits until the problem is corrected, and inspected by certified specialists. Once a permit is revoked, the proposed WFB ordinance must contain a re-instatement provision that requires full compliance with all current regulations—there can be no re-instatement to the previous regulations (no hint of grandfathering).

Update Access Standards Section

Our suggestions are included elsewhere in this comment letter.

Add Wineries as Allowable Us by-right in Resort Zone District

Our suggestions are included elsewhere in this comment letter and include concerns whenever residential zoning is included in the RES zone and in proximity to the WB facility.

Framework of Analysis

The “checklist discussion” (1.) states that it “will focus on the potential physical environmental impacts associated with the ability to conduct Agricultural Promotional Events, which are not limited in number by the proposed Zoning Text Amendment.” The EIR must focus on potential impacts from ALL events from ALL WB’s. Even if each WB is limited to a total of four events per year, that “limited” number of events in a Res Ag

zone, multiplied by every WB in the area, will create severe, significant impacts. Whether it's a limited or unlimited event, it creates and adds cumulative impacts. The EIR must examine the totality of the limited and unlimited events in Res Ag and Farm zone with fragmented parcels.

The "checklist discussion" (2.) refers to existing facilities but wrongfully focuses on only the Medium and Large parcels where APE's would be allowed by-right. This unacceptable approach ignores both the fragmentation aspects of Placer County (with Small, Medium, and Large WB facilities distributed throughout or near Res Ag and/or Farm zones) and the fact that Small parcel-sized WB's can produce equally unacceptable adverse environmental noise levels for hours and/or multiple unlimited days with the same adverse impacts. The EIR must examine the faulty assumptions that environmental impacts from any type of event—Special or APE—will somehow be less significant than the other, and or that Small WB's will have events with reduced noise levels, or hours of events, or traffic trips.

We strongly object to allowing any APE's by-right in Res Ag or Farm zones where fragmented parcels and/or other residences may be in proximity (4 to 5 miles, depending upon elevations, atmospheric conditions, etc.). The EIR must provide the rationale as to how the "APE by-right" or any of the "by-right" allowances are being considered. And the EIR must examine the degree to which residential by-right is being subordinated to any type of event by-right. The EIR must analyze impacts from WB facilities that may host multiple APEs per day (to stay under facility attendee legal capacities) by "staggering" them throughout each of the unlimited days allowed. The EIR must analyze the potential for events every day and the impacts in Res Ag areas where such incompatible commercial (non ag) land uses were not anticipated or allowed.

The Framework states that "All future winery/farm brewery applications would be subject to the proposed..." WFB ordinance. This suggests that existing WB will not be subject to the revisions. It is our understanding that none of the existing wineries that held events (regardless of whether they called them public or "private") ever complied with the existing WO. Therefore, there is no legal precedent to grandfather into compliance, an industry that did not comply with the existing WO in the first place. There may be WB's that have "complied" because they have never held events of any kind that required the permit, and/or they were only open for tasting during allowed hours. Those might be the only exemption to consider as grandfathered candidates. However, if they, or any "existing" winery or brewery choose to hold events without proper permits (such as a valid ARP), then their impacts do not change, and they contribute to the whole of the environmental impacts, especially as they relate to existing homeowners in Res Ag zones. They must not be considered for any kind of amnesty/grandfathering. The EIR must evaluate the reasoning behind and merits of "grandfathering" or "exempting" or any allowance of a "non-applicable" requirement for compliance with any WB and how the environmental impacts from existing non-compliance may be continued with all the associated negative impacts.

The EIR should explain how the statement can be made that while the ZTA is not expected to directly induce the development of additional medium or large wineries/farm breweries, the proposal would provide greater flexibility with respect to the amount of APE's or Special events. The paragraph continues with "should consider the potential environmental effects," which we appreciate, but it then stipulates, "...at future wineries/breweries," which is unacceptable. The EIR must explain how any events, but especially unlimited events with associated adverse environmental impacts will be

different (significant? non-existent? or even insignificant?) when the same type of event is being held at either an “existing” WB or a “future” WB. We submit that the impacts from commercial events from existing and/or future WBs in Res Ag or Farm-with-residences zones will all create similar, if not identical, noise, traffic, air quality, water, and other impacts. All WB types of events and their impacts when held by both existing and future WB must be analyzed.

Throughout the NOP and IS, a statement is continually made, that the proposed project will provide greater flexibility with regard to the amount of APE events. It appears that loosening constraints, allowing “unlimited” activities, and creating potential for different interpretations may be what is meant by “greater flexibility”; however, “flexibility” is often a code word for “non-enforceable.” If every WB with the allowed unlimited events held events every day, all day, there would be huge impacts. There may be claims, “Oh, we’d never do that.” However, laws or ordinances are not, and cannot be, founded on a “trust me” adage. Unlimited events are akin to a proposed subdivision development where the number of units is “unlimited” instead of a specified number. The odds are, that would never be approved because of the potential abuse and impacts. For the EIR to reliably address all potential environmental impacts from events that are allowed to occur with either the word “unlimited” or “private” (when, as explained in this document, with electronics and social media networks “private” is another way of hosting “public” gatherings without limits), it must include an analysis of impacts from all day events (staggered times or open house) that last during allowed hours of operation.

WBs in RES Commercial zoning districts that have no “planted” wine grapes or hops may be reasonable, but a use permit should always be required. Otherwise, because wineries (and possibly breweries) may put their own labels on bottles, then what will distinguish a WB in a RES Commercial zone from being a “bar” (beer, wine, or cider bar)? The EIR needs to examine why a WB in a RES Commercial zone that operates without growing the required crops should not be considered a “bar.” If it only processes plant ingredients from elsewhere, perhaps it needs to be classified as an industrial processing operation. If it simply affixes its label to a product bottled processed and bottled elsewhere, perhaps it needs to be classified as a retail sales outlet. If it serves WB, then possibly the proper classification would be as a bar, since it doesn’t meet the ag operation definition requirements. The EIR must address the nuances of the RES Commercial zoning allowances and their potential for creating negative impacts.

B. ENVIRONMENTAL SETTING

The information in this section omits very critical information that is directly related to the proposed WFB ordinance. First: Due to either ignorance or politics, instead of following professional land use planning standards, with well-defined zones, County decision makers allowed and/or approved inappropriate land splits, variances, sprawl, zoning changes (in a couple of cases for single parcels only) and other willy-nilly permitting that has resulted in a hodge-podge of not only different parcel sizes but also a mixture of dissimilar land uses. Fragmentation is the baseline.

Second, because of some County leaders’ apparent addiction to “economic development,” seemingly to the abandonment of environmental protection principles, it appears that the County is considered one of the fastest growing counties in the state. This dubious distinction of urban growth has compromised the County’s ag production potential. With current food security concerns, Placer could have played a major role with ag production, but instead it favors and fosters urban development while playing lip service to ag preservation. This is our appraisal of the “Environmental Setting.”

WB tasting rooms with limited days and hours of operation are usually not a problem in Res Ag and Farm (with residential) zones; and if they preserve or protect agricultural operations, they are supported. But with the County's terrain and landscape in rural Res Ag and Farm zones, event center-type operations created disturbances that crossed the line, in a great part due to fragmentation. All the adverse impacts that have been mentioned throughout this document and by others are detrimental to property values, have curtailed rights to enjoy one's property, and created major conflicts in neighborhoods. The proposed WFB ordinance exacerbates the impacts and problems with its unacceptable "flexibility," "unlimited," and "by-right" impositions as well as more vague and unenforceable language. The EIR needs to analyze how such loose, vague and ambiguous language in the proposed ZTA can bring about orderly growth while creating significant environmental impacts.

Other concerns to consider in the EIR:

How will the impacts from unlimited events (whether they be APE's, "private gatherings" or any other designations for which the County has no way of estimating) be identified, let alone mitigated? The EIR needs to analyze traffic and noise impacts of every by-right, unlimited WB as if were to utilize its full allowance of events as described in the proposed WFB ZTA—every day, from 7 am to 10 pm or two less hours on work nights. Water supplies, especially with the recent efforts to deal with groundwater sustainability must be evaluated and mitigated.

How did events (APE's or Special or unlimited) become "by-right"? Every parcel, every facility, every community and unincorporated neighborhood is unique. "By-right" implies a one-size-fits-all, which is simply not the case in Placer County with its diverse terrain and landscapes. Very similar problems have been experienced with the "C" Clearance. Those, just as with "by-right," should not be applied to non-conforming land use issues (e.g., non-ag operational commercial events), especially in a County with admitted parcel and zoning fragmentation. In the 12 years of wrestling with the WO and noncompliance issues, the "by-right" concept has never been on the table. The EIR needs to ascertain who or how the "by-right" provision was inserted into the WB discussion and evaluate its multiple potential significant negative impacts.

The ruse of "private gatherings" as previously discussed must be examined and deleted as a consideration in the proposed WFB ordinance; all events hosted or held at any WB facility shall be counted toward the maximum cap or limit. The EIR must analyze the reduction in environmental impacts when all events at the WB facilities are counted. The EIR must also factor in the cumulative impact reductions across the board if all WB facilities are held to the same standard.

The EIR must examine the notion that a complete "**facility rental**" is somehow a legitimate use of a facility that is supposed to be an ag operation and not an Event Center venue. Facility rental is more a Vacation Rental and should require a different set of inspections, COA's and performance standards. The EIR must examine the land-use issues involved with any type of "facility rental" operation and the impacts created when it may be "unlimited."

Allowing 12 Special Events will potentially impact all the households in the area every weekend for three months straight. It is reasonable and foreseeable to assume those three months would be the summer months when families may be outside in the evenings. When the events that are "not included" in the limits (thus, "unlimited events") are factored in, the immense significance of the unacceptable impacts in Res Ag zones is staggering—theoretically impacting neighbors 365 days per year, all day. For large parcel-

sized facilities to be allowed to hold larger commercial events and to hold more of them, is unreasonable by anyone's standard in a Res Ag zone. A more reasonable alternative is for the WBs to rent event venues in a properly zoned area. The EIR must analyze the benefits and reduction of environmental impacts by suggesting alternatives that include holding more than five events at appropriately zoned event center venues.

I. AESTHETICS

The EIR needs to explain the rationale or logic of these sentences in the first paragraph. "It could also be considered that Agricultural Promotional Events, such as wine release parties, winemaker dinners, etc., as well as Special Events such as private parties, fundraisers, and social or educational gatherings, where outside alcohol is allowed, are not incongruent with the rural agriculture landscape where the facilities are located. Such promotional agri-tourism activities could be compared to some of the events held at the various farms and ranches throughout Placer County."

First, all the events listed are indeed incongruent with the peaceful and quiet rural ag landscape where the facilities are located. Rural Placer County is not Sacramento's midtown on a 2nd Saturday art walk, yet gatherings with 200 people every weekend may resemble them and would certainly be incongruent with the rural ag landscape.

Second, the "promotional" aspect of the APE is supposed to be promotional for the ag operations of the WB operation. However, it has now morphed into agri-tourism, implying that other types of events are being held constantly at farms and ranches throughout Placer County. This is simply not true. Most farms and ranches are not holding events on a regular basis throughout the County. Agri-tourism events are more commonly held in appropriate locations (Farmers Markets) or as annual events (Mandarin Festival, Farm and Barn, etc.). The EIR needs to clarify and evaluate impacts that such misapplication of agri-tourism activities may have on Res Ag and Farm zones (with residents).

In this section, there may be a significant impact with Items 3 and 4. The quality of the site's surroundings will be substantially degraded potentially every night and day of the year, from 10 am to 10 pm on weekends, with unlimited events and their noise and/or traffic and/or night glare from 200 people (plus staff) leaving the events late at night. These are the types of impacts that are certainly incongruent with the current conditions.

If the discussion information is correct, it appears that RES-zoned parcels are not going to be growing the required two acres of grapes or hops. Therefore, it seems inappropriate to label them for licensing or bonding purposes as a "winery" or "brewery" when their operations resemble a bar or a processing operation more than an agricultural operation per se. The EIR needs to address the impacts from an operation that is not a viable ag operation as defined, yet it may be approved to operate under the WFB ordinance in order to take advantage of event provisions.

II. AGRICULTURAL & FOREST RESOURCES--

The EIR must evaluate the whole of the ordinance on Res Ag and Farm zones located in all of the unincorporated portions of Placer County—not just "existing" wineries and farm breweries.

The EIR should evaluate food security issues with the potential loss of edible food crops if/when such fields are converted to wine grape vineyards and hops due to increased operations of existing WB or increases in new/future WBs.

Related to increased conflicts, which will increase enforcement costs, we urge evaluation of the myriad of mitigation measures that could be incorporated into the WFB

ordinance, including but not limited to: deleting all references to “unlimited events” and “by-right” relative to WB; ending events in Res Ag zones 1 or 2 hours earlier than the proposed endings; limiting the decibel level at property lines to 55-70 db from 7 am to 7 pm; reducing the allowed event noise to 20 db or less at the property line from 7 pm to 9 pm; and allowing no WB event activities or noise 9 pm and 7 am.

III. AIR QUALITY

In general, we agree with the Discussion. However, due to “Clearance” approvals coupled with, credits unique to the industries, tax write offs, and other economic advantages that WB operations enjoy, the proposed WFB ZTA’s liberal allowance of events in Res Ag and Farm zones may indeed provide start-up incentives. The “C” clearance makes a mockery of governmental permitting openness and transparency by not having to notice neighbors—and rightfully creates public trust issues. That alone, in a Res Ag and/or Farm zone, can be a huge affront.

The EIR needs to examine “C” Clearance approvals in light of the “no surprises” refrain and apply it as it impacts homeowners in Res Ag and Farm zones (when WB’s may pop up next door or nearby with commercial non-ag operations). Permitting of non-conforming land uses should always be only via a thorough vetting and never via a “C” Clearance permitting decision. We urge removal of all the “C” approval designations and replacement with a CUP or MUP. The EIR also needs to examine the “C” Clearance in terms of its potential to bring favoritism and politics into the land-use permitting process with all the non-evaluated, negative impacts (with no mitigation) that creates.

IV. BIOLOGICAL RESOURCES

The potential impacts to wildlife are significant with both noise before unlimited events end as well as potential for additional auto collisions via excessive traffic as attendees drive narrow County roads in the dark at times when many mammalian wildlife species become active. The EIR needs to thoroughly address wildlife impacts, such as critical deer habitats, migratory routes, and habitat impacts for special status species.

IX. HYDROLOGY & WATER QUALITY

In addition to groundwater depletion and recharge issues associated with holding unlimited and/or events with even more than 25 attendees, let alone 200, being “Potentially Significant Impact[s],” it is reasonable and foreseeable to predict that many of the other listed issues may also be potentially significant, and must be analyzed. If/As the “unlimited” event allowances occur or increase, parking will have to be expanded thus creating or increasing environmental impacts, such as: impermeable surfaces, drainage issues, polluted surface runoff as well as increased runoff rates as predicted with climate change models, etc. Or, it is likely that increased parking needs for unlimited events will spill over onto public roadways with resultant traffic impacts.

The EIR must address each one of those issues in the context of each WB having defacto unlimited events by claiming the events are “private gatherings” and all future “by-right” development of wineries or farm breweries—both of which will create significant impacts. The EIR must also address any WB having multiple events, on multiple days. It’s not just one private gathering; rather, it may very well be two, three, or more staggered private gatherings (e.g., 10 am to 1 pm; 1 pm to 4 pm; 4 pm to 7 pm) or even more with staggered 2-hour events. With no monitoring or limits as to the number of events being held, and no coordination in terms of saturating one specific area with multiple events, it

follows that the aggregated and cumulative impacts may seriously impact water sustainability.

X. LAND USE & PLANNING

The Placer County General Plan does not support commercial events in Res Ag zoned. The General Plan policy clearly states that the County promotes agricultural operations and permits a wide variety of promotional and marketing activity, but it is only for **County-grown** products in agricultural zone districts. Unlimited commercial events are not ag operations to begin with and not supported by the General Plan or the Right to Farm ordinance. More importantly, the products winery and breweries serve at the unlimited events which carry their label, or the label of others, may not be grown in Placer County at all. Thus, the claim that the General Plan allows wineries or breweries to promote their products via any commercial events is simply not true.

The EIR needs to determine how the County can enforce “County-grown”—how will the wine or beer ingredients be tested and analyzed to pinpoint exactly where the wine grapes or hops were grown. Furthermore, the grape or hop tonnage harvested on the winery or brewery’s farmland, the tonnage purchased from other ag lands located in Placer County and used or blended to process, bottle, and then label as being from that winery or brewery, must be calculated. The percentage of the product that actually was grown in Placer County operations must be proven in order for WB’s to claim their operations and events are supported by the General Plan.

We submit that individual homeowners’ experiences and court records will provide compelling evidence that allowing events in Res Ag and/zones has, and will continue with this impact and keep it at a “significant” level: “Result in the development of incompatible uses and/or the creation of land use conflict.

Related, we submit that allowing commercial events in Res Ag and/zones, either limited or unlimited, results in a substantial and noncompliant, incompatible alteration of the present or planned use of an area. Rural farmlands that allow residential land uses by-right are on the receiving end of non-conforming, non-compliant commercial land uses which is what hosting events creates—a violation of the zoning codes—“alteration of the present or planned use of an area.”

We strongly disagree with the IS statement that holding events as by-right allowances “would not directly result in the conversion of important farmland.” We submit that in part because of the profitability of hosting commercial events, and any adoption of by-right allowances to hold them (especially “unlimited”), incentives will be created to eventually reduce ag operations to the bare minimum (merely planting two acres) and convert farmlands to un-permitted, defacto event centers in zones where they would not be allowed. Such a conversion is not only possible, but because of the meaningless language in the acreage “planted” requirement, it’s highly suspect as to its intention. The proposed WFB language requires only the “planting” of at least two acres of wine grapes or hops and is considered useless as a sustainable ag operation COA. The EIR must analyze the effectiveness of the word “planted” a required agricultural nexus, and expand upon consequences when the two acres remain “planted” but not cultivated.

The language of the proposed WFB ordinance must be expanded to include not only “planted,” but also “...including a minimum number of continuously cultivated viable wine grapes or hops, the harvest of which shall be used as ingredients to produce a majority of the wine or beer processed, bottled and sold by the WB under its label.” This requirement must be a condition of approval in order for the operation to continue as a winery or a brewery. The language must include stipulations that unannounced inspections

to verify sustainable crop viability, harvest, and proof of processing shall be required. Otherwise, “planting” as the sole ag requirement can be perceived as deceptive and misleading with no enforcement value. The EIR must study and analyze the real possibility of conversions to non-ag operations or to commercial event operations when weak language, such as “planted” suggests an invitation to convert with no consequences. The EIR must examine how the word “planted” is meaningless when the proposed WFB ordinance demands certainty.

The EIR needs to define the “tenants of agri-tourism” in light of the IS statement that the purpose of the ZTA “is to preserve and protect farmland while also supporting tenants of agri-tourism,” which is broadly understood as any agriculturally-based activity that offers visitors an opportunity to experience a farm or ranch. The EIR needs to define how an ag-based activity may be experienced on a farm or ranch in a Res Ag zone via attendance at an event (party, wedding, reunion, etc.) when may not even come close to being an “ag-based activity or experience” per se.

The EIR needs to address these questions in term so impacts: How will ag-based tourism activities be implemented with wineries and breweries? Does a commercial event at a WB facility constitute an ag-based activity? How will such ag-based tourist activities impact residents in Res Ag zones and be mitigated? Will there be tour busses, or will there be auto traffic with drivers who may be unfamiliar with navigating the County’s narrow rural roads that have no shoulders and that are often utilized by bike riders? The EIR needs to analyze the appropriateness of agri-tourism activities in Res Ag areas and impacts from traffic, noise, and other negative impacts. The EIR needs to analyze ag tourism impacts from activities in the County’s Res Ag fragmented areas.

The IS further states that “Generally, the text amendment is intended to balance the needs of various stakeholder groups and support the core principle that the **primary use of the property is for the growing and processing of grapes or hops.**” The EIR needs to analyze what frequency of tourism activities constitutes a primary use of the property for growing and processing grapes or hops.

XII. NOISE

This one issue appears to negatively impact more people, more often, and more severely than any of the other negative impacts, but traffic is a close second. Noise from events appears to be the primary cause of complaint calls and appear to be the most problematic for County code enforcement (compliance) resolve. Residential zoning allows homeowners to live in such zones by-right. With a given right to enjoy one’s property (including peace), we urge that the EIR evaluate meaningful mitigation measures that would help reduce the negative impacts associated with noise. These are similar to the Placer County Planning Commissions noise limit proposals in the earlier WO revision attempts.

With the baseline being quiet, or low ambient noise levels with occasional acceptable agricultural operations noise, the EIR must analyze impacts to that baseline. WB’s that may be or will be located in Res Ag zones or any rural areas may affect ambient noise levels. Any new or existing winery/brewery that holds unregulated private or public events every weekend—especially in Spring, Summer, and Fall—will certainly increase ambient noise levels due to traffic, activity in parking areas, outdoor gatherings, and amplified music whether indoors or out. The EIR must cover noise levels starting from the baseline—no- to low-ambient levels—and address (1) impacts created by commercial events in the Res Ag or Farm (with residences) zones; and (2) concerns about enforcement

or lack thereof; and (3) Grand Jury reports related to the lack of enforcement (cited in this document).

The EIR must analyze the fact that the current Noise Ordinance is intended for homeowner protection from the occasional noise violation—excessive or amplified sounds from a long-lasting party, dogs barking, etc. It was not intended for continuous days of non-conforming, incompatible commercial event noises that are imposed upon unsuspecting neighbors in Res Ag or Farms with residences. The EIR must address the potential to allow no commercial events at any WB—keep WB activities limited to tastings only. The EIR must consider alternatives for commercial events, such as renting event venues that are permitted in proper zoning, just as everyone else must do.

XV. PUBLIC SERVICES

Discussion Item XV-1

We question the accuracy of the statement in the IS that “future increase in events would not result in increased demand on fire service providers...” and with the IS assumption that existing facilities pose no new service demands. That may be true in terms of new “fire” facilities, but it is not true in terms of increased demand for other fire services which include safety inspections, compliance, reports, etc. A winery in Placer County has/had not complied with its fire safety requirements, yet it continued to hold non-permitted events. At monthly district board meetings, the fire chief of the serving district reported the unsuccessful efforts to obtain compliance. With the chief’s last report, it is/was our understanding that the fire district could go no further and turned the not only noncompliant but also health and safety issue over to the County for enforcement. The resolution is unknown, but it illustrates the time and resources required and spent when there is noncompliance and a refusal to resolve the issue, which in turn subjects visitors, event attendees, and nearby neighbors to potentially compromised safety standards.

The EIR must examine the demands on fire district personnel with both existing and future WBs in terms of inspection, noncompliance, follow ups, report preparations, etc., and provide possible actions that may be taken to resolve the issue—citations, court order to stop operation (TRA’s), revocation of permits/license, etc.

XVII. TRANSPORTATION & TRAFFIC

In relaxing standards and a stated goal of “flexibility,” and adding “by-right” to the mix, the proposed WFB ordinance increases the number of commercial events in Res Ag and Farm zones as well as their intensities and negative impacts. If such events were located in Commercial, Industrial or other properly zoned areas where there would be little-to-no impacts on narrow, windy, rural roads, traffic might not be an impact of concern. Providing WB’s with an open-ended authorization to hold unlimited events, and not curtailing the hours of operation, has the potential to create unacceptable traffic on curving, narrow rural roads, especially in the late spring, summer, and early fall months. Equally concerning is allowing WBs to rent out their facilities.

The EIR must analyze all the potential traffic impacts from Small or Boutique to Large WB’s holding unlimited events of any nature and the potential safety impacts. Just as critical is for the EIR to examine the WB’s authority to rent out their facilities and to explain why such facility rentals do not convert the supposed ag operation into a defacto Event Center that requires a CUP.

The EIR must analyze the traffic increases created with by-right new wineries and unregulated and by-right gatherings at existing and new wineries that will not only affect level of service on County roadways, but will also result in potential safety impacts to

pedestrians, cyclists, and residents. Many of the roads currently used for wineries, or that may be in the future, are private roads designed for residential use. Heavy tourist traffic on these narrow, winding roadways create a nuisance and a safety hazard for residents and may conflict with existing farm vehicle and bicycle use on these roadways.

The EIR must analyze the fact that the proposed ZTA allows unlimited, unregulated gatherings for wineries/breweries, coupled with the fact that due to the seasonal nature of such events, most private and public events are likely to take place on weekends between late April/early May thru October. Therefore, there is a potential for multiple events to be held every weekend, if not every day, for over six months of the year with the potential for thousands of vehicles and related trips. The multitude of huge significance nightmarish impacts on residents near or next to such facilities cannot be underestimated and must be fully examined in the EIR.

Other Issues for Analysis

In spite of ongoing noncompliance or code violations, the WFB NOP states that a re-examination of the WO is appropriate “in order to hold a greater number of events by-right.” The EIR should examine what appears to be an illogical leap from non-compliant hosting of events to relaxing rules to allow more even more events. The EIR must analyze the legitimacy of staff’s authority to re-examine the WO and, based on a nebulous need, modify some standards in order to hold a greater number of events by right. The EIR needs to establish staff’s motivation to conclude that in spite of a decade of non-compliance, with possibly little-to-no code enforcement, that there was a need to modify the WO standards in order for wineries or breweries to hold even greater numbers of events by-right. Based on neighbor complaints, the EIR should examine why community needs to hold a fewer number of events were not an equally factored into the WFB ZTA.

The EIR must examine and address why such noncompliance (evidenced by no ARP’s being issued and/or by code enforcement complaints), ongoing violations, and a lack of enforcement are occurring. The EIR must assess the proposed WFB ZTA language as to its enforceability and include options for code enforcement. The EIR should suggest rigorous and restrictive conditions of approvals, rather than relaxing the existing WO to accommodate non-compliance. The EIR should explain the role and effectiveness of code enforcement to protect neighbors and communities from adverse impacts created by non-compliant, non-permitted events. The EIR must examine and compare the current laissez-faire approach to winery violations and their associated impacts versus consistent enforcement with penalties, fines, and/or revocation of licenses to cease operations. Is it reasonable to foresee greater code compliance with consistent enforcement and a reduction of the most common complaints (such as noise) and other impacts?

The EIR must examine not only cumulative impacts but the incremental impacts that will have cumulative effects in the Res Ag and Farm (with residents) zones. It must further address noise from other proposed projects in the County, as well as existing Event Centers and other non-winery/brewery venues that regularly host events (Flower Farm, Newcastle Wedding Gardens, Gold Hill Gardens, Maple Rock Gardens and numerous country and golf clubs that all hold events which are equivalent in size and coincident in season and time of day with those allowed in the proposed WFB ordinance. Events at these venues, together with events allowed by the proposed ZTA, have the potential to result in significant loss of agricultural land, and significant increases in traffic, which would result in a cumulatively significant impact on circulation and public safety. Those impacts would in turn result in significant impacts to air quality and noise. Together, these projects would also result in more intensive use of rural lands that would result in

cumulative impacts on biological resources. The EIR must provide in depth analysis of these potentially significant cumulative impacts.

Related to all of the above, the EIR must provide effective, enforceable mitigation measures to offset the significant impacts. Just a couple of obvious alternatives are for any WB that wishes to hold events to hold them in established venues located in proper zones, or utilize the County's proposed "Event Center" in its government center off Bell Road.

Beginning around 2005,ⁱ Placer County received citizen complaints regarding winery operations, and subsequently proposed a highly contested winery ordinance (adopted in 2008). Other proposals have attempted to deal with mounting citizen concerns and issues of incompatible land use. Throughout the past decade, at many County meetings where allowing commercial winery events in Residential Ag and Farm zones (that can, do, and will disturb neighbors) were discussed, the process was contentious and controversial. It pitted neighbor against neighbor (including the filing of legal petitions, restraining orders, complaints to County Code Enforcement), and a multitude of adverse environmental impacts, including but not limited to noise, traffic, natural resource impacts and others.

Because of the controversy and disruptions that neighbors who live in the vicinity of wineries and breweries have experienced over the past 12 years, the EIR should provide the public with information to justify or explain the stated rationale, "a primary reason for revising the ordinance was to relax the requirements to hold events"?ⁱⁱ The EIR must identify and analyze the likelihood of increased disruptions and negative impacts (traffic, noise, air quality, and others) associated with relaxed requirements to hold events. It must also analyze how an alternative revised ordinance with more restrictive requirements to hold events would benefit neighbors and communities and result in reduced negative impacts.

Relaxing requirements is arbitrary and specious, with no guarantees, and cannot be justified from a community benefit perspective. By what standard did the County conclude that relaxing requirements for winery and brewery operations, including events, would resolve the incompatible land uses in Res Ag and Farm zones?

The NOP creates a perception of a bias that is not conducive to building trust that the proposed WFB ordinance or the forthcoming Environmental Impact Report (EIR) will be fair, just, or accurate in its analysis. This statement, "Based upon the need to modify some standards in order to hold a greater number of events by-right, staff determined that it was appropriate to re-examine the existing Winery Ordinance to meet the desires of the community and the winery owners." With the first portion of that sentence, how can a WFB ordinance in Res Ag and Farm zones be justified based on the need of a commercial alcohol consumption industry? What rationale was used to include the "by-right" phrase? With the second part of the statement, how did staff determine the desires of the community?

The EIR needs to explain how a need to hold a greater number of events by-right is/was a need or desire of the community? Because the EIR foundation may be based on such assumptions, how did staff come to these conclusions?

Other than commercial wineries, how were non-winery/brewery members of the community's "desires" determined? Are they included in the EIR analysis? Since this statement seems to be a foundation for the need of a revised WFB ordinance, the EIR needs to explain and/or describe staff's rationale in arriving at that conclusion.

Project Purpose and Objectives

The first phrase of the WFB ZTA policy focus, to “preserve and protect farmland” as well as the second phrase, “the primary use of the property is for the growing and processing of agriculture...value-added product” are supported by the vast majority of citizens. However, the ZTA policy focus then adds two questionable purposes, “supporting tenants of agri-tourism” and “balance the needs of various stakeholder groups,” both of which, in a context other than a ZTA might be valid. However, injecting them into this highly controversial ZTA has all the earmarks of a not-so-subtle attempt to override the purpose of zoning. Zoning codes and ordinances are enacted to keep incongruent land uses separated (residential, commercial, industrial, agricultural, Farm, etc.) so that the use of the properties within each district are reasonably uniform.

The EIR needs to explain how or why agri-tourism, or commercial “stakeholder needs” may trump or in any way reduce efforts to preserve and protect ag and farmlands in Res Ag and Farm zones.

The oft-repeated illogical claim may be made that profiting from commercial events will preserve and protect Res ag and farmlands. Res ag and farmlands are protected and preserved by three County supervisor votes—not by a farmer or rancher’s decision to quit an his/her ag operation or farm activities. Please examine the nexus between zoning ordinance compliance and the preservation and protection of ag and farmlands.

There have been examples of wineries or breweries closing down in Res ag zones; yet the farmland remains preserved and protected by zoning enforcement. The EIR needs to examine the premise that ag and farmlands will be better protected by strict, enforceable zoning, than by incompatible, non-conforming activities.

It is common knowledge that commercial event activities can and do occur in Res ag zones with little-to-no agricultural operations occurring on the property. Renting out a facility in a Res Ag zone to hold weddings, concerts or other for-profit events cannot be shoe-horned into being legitimate ag operations. Most importantly, any facility rental, “where the property owner is compensated in exchange for the use of the site and facility (referred to as a facility rental)” must be prohibited because it is in fact operating as an even more egregious non-conforming land use: An Event Center. Such facility rentals have no nexus to ag operations, and most likely no ag promotional value. Facility rentals must remain the exclusive function of Event Center designations and should be contained in Commercial zoning categories or possibly Industrial categories, rather than Res Ag or Farm.

The EIR needs to compare traditional Res Ag and Commercial zoning standards and explain why holding unlimited commercial events in Res Ag zones is not a defacto land-use zoning change (Commercial or other zoning categories) and/or an Event Center where a CUP should be required.

The “wide variety” is another area with no explanation provided. Does it mean rodeos, motorbike racing, battle of the bands, or any similar type of objectionable, disruptive gatherings? The EIR needs to delete vague, broad, and meaningless terms that can tip WB operations into code violations. The EIR needs to clearly define activities that will be prohibited in Res AG and Farm zones and which will be allowed, set solid numbers for limits of all types of event activities, and cap number of attendees to avoid both confusion and misinterpretation.

The vague language and lack of meaningful constraints in the proposed WFB ordinance creates enforcement problems and/or monitoring issues with regard to using case

or barrel production levels to determine size categories. Who will monitor the annual number of cases produced to ensure compliance? If it is the County, will an inspection feed be added to annual license renewals?

The EIR must examine:

Alternative venues for WB events, such as other venues located in appropriate zones where wineries and breweries may hold for-profit events to promote their products.

Expansion of the area of notification for both initial permitting and modifications to a minimum of a 1,000' radius. A more meaningful distance would be the potential range of the impacts—especially noise and traffic. The current 300' notice requirement is insufficient for WBs that will host events that will potentially impact residents far beyond even 1,000 ft.

A posting of all permits on County website to enable neighbors/community to confirm an event is permitted, along with the 24-hour hotline to assist with code enforcement.

Mandatory permit renewals via a sunset clause of existing and future permits and a mandatory revocation of permits if the WB ag operation or facility is not operating as presented/predicted.

Mandatory requirements for on-site security in ratio to number of guests; doubled if alcohol is being consumed.

Addressing WB impacts in all areas of the county where WB (and/or distilleries) may be permitted. The NOP appears to focus only on western Placer County, but WBs may be approved in higher elevations. The fact that wine grapes or hops may not grow, or are not grown, does not seem to be a deterrent to opening either type of facility. If there are Res Ag zones where WB's may be permitted, then environmental impacts must be considered with the entire County in mind.

We look forward to reviewing a full and meaningful level of environmental review.

Thank you for considering our views,



Marilyn Jasper, Chair

Sierra Club Placer Group, Conservation Comm
Public Interest Coalition

ⁱ August 3, 2005, Auburn Journal, *Mt. Vernon Winery still having zoning troubles*. "...classified as "commercial" operations rather than "agricultural." <http://www.auburnjournal.com/article/mt-vernon-winery-still-having-zoning-troubles>

ⁱⁱ Placer County, NOP, October 17, 2017, "Modify Event Definition," page 8.

Comments on the proposed Winery/Farm Brewery Ordinance revisions, 11/1/17

On P 24 (G, H and I), "Special Notice Requirements," "Notice of Decision," and "Waiver of Appeal Fee" the ordinance language has been changed to replace "administrative review" permits with "use" permits. Am I correct in inferring that the term "use" permit applies only to ARPs, MUPs, and CUPs, and excludes zoning clearances (C)?

If so, these sections seem to say that permitting a winery or brewery to hold events by zoning clearance no longer requires notification to property owners who share access rights by private road, and also no longer requires notification of the decision to approve. (The sections qualifying the above paragraphs apply specifically to ARPs, not zoning clearances.) If not, why is this phrase included?

The language on Page 19 E 2.b. (bottom of the page) is also strange. {See below for the text in question.) As written it appears that a winery or brewery will be required to obtain permission from property owners holding access rights to shared private roads to have wine tastings BUT (by the language on p 24) NO PERMISSION IS NEEDED TO HOLD EVENTS. A property owner on a shared-access road might be confused into thinking he or she was only agreeing to a wine tasting room when in fact the facility will also be using the road access to host events (a similar disagreement was a contributing cause of severe neighborhood strife at the Goathouse Brewery).

By sec 17.06.050, a "zoning clearance" is a *"routine land use approval ...for land uses that are consistent with the basic purposes of the particular zone (e.g., houses in residential zones), and are unlikely to create any problems that will not be adequately handled by the development standards."*

The zoning clearance is granted at the sole discretion of the Planning Director and his staff and section 17.06.040 (A) specifically requires that the application *"shall be reviewed and approved or disapproved within five days of filing."*

The use of zoning clearances to approve unlimited events by right at wineries and breweries in Farm zoning is a misapplication of the zoning clearance process.

Introducing a business that will create the amount of noise and traffic generated by an unknown, and potentially unlimited, number of social events into Farm zoning which is a mixture of private residences and agricultural businesses of many types does not meet the standard of a land use "consistent with the basic purposes of the zone that is unlikely to create any problems...." By granting zoning clearances to these uses, it appears that there will be no requirements for neighborhood notification, no requirement for approval from property owners with shared access, and no appeal process.

The five-day approval turnaround and the above lack of notification requirements give the appearance that the county and the vintners/brewers are well aware that these applications will not be welcomed in many neighborhoods in Farm zoning, and are attempting to have the uses approved by a hasty secretive process.

Wineries and/or breweries in the neighborhood that hold events in addition to daily tasting impose significant noise, traffic and environmental impacts upon the property values of nearby citizens. To give us no opportunity at all to comment upon venues that will affect the value of our properties and our use and enjoyment of them sends the message that our needs are secondary to those of the vintners and brewers. **Please remove the "zoning clearance" designation for these facilities in Farm zoning and return to the previous ARP requirement.**

A handwritten signature in black ink, appearing to read 'Carol Rubin', with a stylized, cursive script.

Carol Rubin

2079 Country Hill Run

Newcastle

Supporting sections from the codes, current and proposed

(*italics are mine*)

Proposed: Page 24 ?? G. Special Notice Requirements. For all applications for a winery or farm brewery activity that is requested for property which is accessed by a private road and which requires the issuance of ~~an administrative review~~ a use permit pursuant to this section, in addition to any other notice required by Section 17.58.100(A), notice shall be provided to all property owners identified pursuant to Section 17.58.030(F). Failure of a property owner who shares access rights with an applicant to a private road to receive notice shall not invalidate the issuance of the permit.

Sec 17.58.100 deals with requirements under ARPs. Since ARPs are no longer necessary, it appears this section is no longer relevant?

17.58.100 Administrative Review Permit

When an Administrative Review Permit (ARP) is required by Sections 17.52.130(B)(1)(b), (B)(1)(d) or 17.56.170(B)(1) to authorize a proposed land use, the permit shall be processed as set forth in Sections 17.58.020 et seq., (Applications—Filing and initial processing), except as follows:

Similarly, Sec 17.58.030 also deals with requirements under ARPs and also appears to be no longer relevant:

17.58.030 Required Application Contents

F. For all applications for a winery activity that requires the issuance of an Administrative Review Permit pursuant to Section 17.56.330 for a property which is accessed by a private road, the applicant is required to provide the names and mailing addresses of all property owners who have access rights to or share use of the private road. The applicant shall exercise all reasonable efforts to identify and use due diligence to ascertain the names and addresses of all such property owners and shall include a summary of all such efforts with the list of names and addresses as part of the application

Proposed H (p 24). Notice of Decision. A copy of any decision on an application for a winery or farm brewery activity that is requested for property which is accessed by a private road and which involves the issuance of ~~an administrative review~~ a use permit pursuant to this section shall be provided to all property owners identified pursuant to Section 17.58.030(F), in addition to any other person who may otherwise be entitled to notice of the decision. Failure of a property owner who shares access rights with an applicant to a private road to receive a copy of the decision shall not invalidate the issuance of the permit.

See comment above; Sec 17.58.030 deals only with ARP requirements.

Proposed I (p 24). Waiver of Appeal Fee. Notwithstanding subsection (C)(1) of Section 17.60.110, the requirement of the submission of an appeal fee shall be waived for a property owner who appeals the determination of the zoning administrator to approve ~~an administrative review~~ a use permit and who owns property that shares access rights to a private road with the applicant who has received a permit. This waiver shall not apply to any appeal of a decision of the planning commission to the board of supervisors. (Ord. 5688-B § 9, 2012; Ord. 5526-B § 19, 2008)

I am confused here. The language seems to indicate the ZA will approve “a use permit” but by Sec 17.06.050 these “C” “use permits” will be granted as Zoning Clearances:

17.06.040 Zoning Clearance Procedure

Where Section 17.06.050 requires zoning clearance as a prerequisite to establishing a land use, evaluation of the proposed use by the Planning Department to determine whether such clearance may be granted shall be accomplished as follows. No building, grading or other construction permit, or business license or other authorization required by this code for a proposed use shall be issued by the responsible department until *zoning clearance has been granted by the Planning Department*, or a discretionary land use permit has been approved for the use pursuant to Article 17.58 (Discretionary land use permit procedures).

A. Timing of Clearance. A zoning clearance evaluation and the granting of such clearance shall be accomplished by the Planning Department at the time of their review of any building, grading

or other construction permit, or business license or other authorization required by this code for the proposed use. Where no such other authorization is required, a request for zoning clearance shall be filed with the Planning Department using the forms provided, *and shall be reviewed and approved or disapproved within five days of filing.*

17.06.050 2. **Zoning Clearance.** These uses are allowable subject to zoning clearance (“C” uses on the tables) (see Section 17.06.040). Zoning clearance *is a routine land use approval* that involves Planning Department staff checking a proposed development to ensure that all applicable zoning requirements will be satisfied (e.g., setbacks, height limits, parking requirements, etc.). Zoning clearance is required by this ordinance for *land uses that are consistent with the basic purposes of the particular zone (e.g., houses in residential zones), and are unlikely to create any problems that will not be adequately handled by the development standards* of Article 17.54 of this ordinance (General Development Standards) and this subchapter.

Page 19 E 2.b. (bottom of the page)

c. Access—Non-County Maintained Roads. If a winery is accessed by a private road, the *applicant shall provide reasonable proof of access rights* as determined by the engineering and surveying division.

b. Non-County Maintained Roads

(i) An encroachment permit shall be required to address County Land Development Manual ingress, egress, and sight-distance engineering design standards and serving Fire District requirements where the non-County maintained road connects to a County maintained road, and if the applicable standards are not already met.

(ii) If a winery or farm brewery *has public tasting and is accessed by a private road*, the applicant shall provide proof of access rights as determined by the County and an affirmative written statement of the legal right to access and use said road for the purposes of the requested facility. The owner must also obtain written approval of the governing board of the applicable road maintenance association or homeowners association. If no governing body or association

exists, written approval from a majority of the individuals who have access rights to the road shall be required. The owner shall include with said statement the proposal for road maintenance or provide evidence of an existing road maintenance agreement. The owner shall be required to indemnify the County for any claims resulting from said road access.

(iii) The facility must obtain written approval of the governing board of the applicable road maintenance association or homeowners association. If none exists, written approval from a majority of the individuals who have access rights to the road shall be required.

Zoning Text Amendment. Thus, wineries on small parcels will not be evaluated in this EIR. **Table 1**

Maximum Special Events Allowed Per Year[1]

Parcel Size (Acre)	Max Attendees (Excluding Staff)	Max Special Events / Year	Use Permit Requirement
4.6-9.9	50	6	MUP[2]
10-20	100	6	C
20+	200	12	C

[1] Agricultural Promotional Events with attendance greater than 50 are limited per this Table.

[2] A Minor Use Permit is required for a Winery or Farm Brewery for parcels 4.6-9.9 acres in size in Zone Districts where allowed by the Land Use and Permit Table (Section 17.06.050). This use permit will consider conditions for events as limited by this table.

C = Zoning Clearance (Placer County Code Section 17.06.050)

MUP = Minor Use Permit (Placer County Code Section 17.06.050)

Shirlee Herrington

From: Ellie Mulloy <ellimae40@gmail.com>
Sent: Thursday, November 02, 2017 3:29 PM
To: Placer County Environmental Coordination Services
Subject: New Winery Ordinance

I'm against of the new ordinance-as it will create more traffic on our country roads--plus more noise & intoxicated drivers . Elinor Mulloy Godley road Lincoln.

Shirlee Herrington

From: Steve Cook <cookfarm145@att.net>
Sent: Saturday, November 04, 2017 6:27 PM
To: Placer County Environmental Coordination Services
Subject: Winery brewery ordinance change

Hello,

I am strongly opposed to any winery/brewery ordinance changes for one main reason, public safety. When people go to wineries or breweries they drink alcohol. While most or some do so responsibly there are a number that do not do so responsibly. Then they get on the road drunk and hurt or kill people. Our small Placer County curvy roads are already more dangerous than most roads without drunk drivers. When you add people that are drinking and then drive you are asking for problems!!! Please do not allow this.

I am pro small business and having places for people to gather. I just do not think making these changes benefits the public or the residents that live here.

Thank you for hearing my concerns

Steve Cook

Sent from my iPhone

CDRA
Placer County Environmental Coordination Services
3091 County Center Dr., Suite 190
Auburn, CA 95603

November 9, 2017

RE: Proposed Winery and Farm Brewing Zoning Text Amendment

To Whom it May Concern:

I support the right to farm in Placer County, and agriculture as a whole. That is one of the reasons I moved to Newcastle to begin with. I have livestock, work hard, and enjoy the peace and quiet rural living affords me, which is something I have worked for all of my life.

If I were to find myself next to an event center, or a winery or brewery having unlimited promotional events of up to 50 people throughout the year, I would not be happy.

I live on Chili Hill Road, a mile from Gold Hill Road, and even I can hear Gold Hill Gardens music from my property on some occasions. I can't even imagine what this is like for nearby neighbors, but it can't be good. A ten acre minimum parcel size is certainly not nearly large enough to not still impact the surrounding neighborhood without many additional restrictions.

Another concern is the people leaving these venues after drinking and getting on our roads. I've already had a drunk driver not make the turn by my house and go through my fence and into my pond and fleeing on foot. But even drivers not under the influence drive entirely too fast on our narrow, rural roads already, sometimes exceeding speeds of more than 55 miles per hour. I take my life in my hands just walking my dogs along these roads, let alone riding my bicycle- which I also like to do, but feel it becomes less safe to do so every year.

The proposed unlimited promotional events for wineries is a potential use that equates to a host of local upscale bars operating right in our neighborhood. Just the added traffic alone is enough for me to say no to this component of the proposed amendment in front of us. I did not move out here to live next to a commercial use neighbor that on any given day throughout the year, can have 50 people visiting onsite, parking and driving in and out next to my property.

Grow the grapes, hops, etc., on the FARM zoned rural properties- the properties along the more sensitive rural collector roads, but do not increase the number of promotional events or special events these operations can have in these areas.

I would ask for no increase of activities or events in the FARM zoning areas in an effort to continue to promote an acceptable relationship between the neighbors and the winery/breweries in our area and encourage the winery and brewery owners to continue to work with their neighbors to correct current negative impacts, which their neighbors are experiencing. There are some improvements that could be made to the existing ordinance and current usage at some of the sales and promotional event locations, being mostly noise and parking problems, that could be resolved if these owners are willing to be good neighbors, but for the most part what you have in place is working, without being overly intrusive to the neighborhoods around them, while still allowing public events and sales at these locations.

As far as adding larger and more frequent events, this is not the right fit for our FARM community. We are not Napa or Sonoma County, and don't want to be modeled after them. Those areas experience major problems with traffic and conflicts between the homeowners and wineries on a regular basis. Please don't bring these problems to Placer County.

I urge you to consider only allowing the proposed expanded use and sales, on properties only located in a more compatible zoning district for the intensified public uses proposed, and not the properties in the FARM zoning areas of the County.

The Winery/Brewery use is different than any other agricultural sales we see in the FARM zone areas. For instance, mandarins are for sale only 2-3 months a year, alcohol is not involved and the growers do a good job of working with their neighbors to avoid problems. Fruit stands, another great use – like mandarin sales, their customers are in and out quickly and on their way, limiting their impact to the neighborhood. Not so with the wineries and breweries.

Please thoughtfully consider the thousands of homeowners that would prefer to not have the proposed changes approved, versus the few winery and brewery owners pushing for additional allowances and approval.

Don't turn our rural neighborhoods in Newcastle, Lincoln and Auburn into a mini Napa valley, with all the problems associated with it and start enforcing the current standards in the existing Winery Ordinance, because the self-policing by the Winery/Brewery owners is not working.

Sincerely,



Diana Boswell

7405 Chili Hill Road, Newcastle

Shirlee Herrington

From: Mike Carson <mike@goldhillgardens.com>
Sent: Tuesday, November 14, 2017 12:10 PM
To: Placer County Environmental Coordination Services
Subject: Winery Ordinance Update

Good afternoon.

I would like to make the following comments relative to the Notice of Preparation for the EIR for the proposed Winery and Farm Brewery Zoning Text Amendment Project.

Attachment A 17.56.330 Section B. Definitions.

- Public Tasting. Needs to include "beer". Refers to wine **and beer** sampling by the public.

Attachment A 17.56.330 Section D Winery and Farm Brewery Uses:

- **1.a. Minimum Parcel Size.** It is not clear if the minor use permit process for a parcel less than 10 acres but greater than 4.6 acres is allowed. Should it be included in the description as follows: 4th sentence in section D1.a. Wineries **and farm breweries** proposed in Forest, Farm and Agricultural Exclusive zone districts...
- Also, under 1.a.(ii) should this include a boutique brewery?
- **8c. Winery/Farm Brewery waste water.** It is not clear if the waste water is used for surface irrigation whether or not is allowed or if it will require a permit from either the County or the RWQCB.
- **8.d. On-site Sewage Disposal.** It seems that the last sentence may have been cut short. It does not read correctly in reference to the portable toilet use.

I am not sure if this is the correct format to provide my comments, so if someone could send me a reply response before 11-16-17, I would greatly appreciate it.

Thank you, Mike Carson

Gold Hill Gardens
2325 Gold Hill Road
Newcastle, CA 95658
Ph: (916) 663-3060
Mike@GoldHillGardens.com
<http://www.facebook.com/GoldHillGardens>
<http://goldhillgardens.com/>

Shirlee Herrington

From: Nadine Hubbard <idanana47@icloud.com>
Sent: Tuesday, November 14, 2017 5:59 PM
To: Placer County Environmental Coordination Services
Subject: Wineries

We moved to Newcastle in 1994 from Orange County California. We chose this wonderful area for the rural farm, quite atmosphere. Our area has changed dramatically in the pasted years due to the opening of Wineries. Our rural roads are not safe with the drunk drivers driving on it. In the last 5 years we have had 3 drunk drivers go through our fencing to our expense. We now have a winery about three acres from our front door. The noise level is so loud with music playing and costumers yelling over music we can't enjoy our front pond with our family any more. If we could build a sound proof wall and "bill " it to Placer County we would. But relatively is we need to have ordinance in this rural area. And I'm not sure it can happen. In less you the county do something to help and understand our problem.

Nadine Hubbard
6285 Wise Road
Newcastle, California
[Idanana47@gmail.com](mailto:idanana47@gmail.com)
Sent from my iPad

November 15, 2017

Nikki Steegan
Placer County Planning Department
3091 County Center Drive #190
Auburn, CA 95603

RECEIVED
NOV 16 2017
CDRA

RE: NEGATIVE DECLARATION ON THE REVISION OF THE 2008 WINERY ORDINANCE

Environment – (noun) 1. The surroundings or conditions in which a person, animal lives or Operates. 2. The natural world, as a whole or in a particular geographical area, especially as affected by human activity.

To identify the environmental effects of the proposed Winery/Brewery Ordinance is very simple. It's the cause and effect principal (as stated in my written declaration on 7/24/2015). The **cause** is the increase in alcohol related businesses allowed by Placer County in Agriculture Zoned area. The **effect** is an increase in vehicle accidents, Driving Under the Influence and other related incidents created from consumption of alcohol.

In 2015 Negative Declaration I submitted the stat's from California Highway Patrol for a 30 day period in 2014 in which there were 16 arrests for Driving under the Influence in my neighborhood. I am awaiting currents numbers from CHP to see if those arrests have increased since the number of alcohol related businesses have been allowed to open for business in my neighborhood.

Because Placer County **has refused** to enforce the 2008 Winery Ordinance and not responded to complaints filed by neighbors this situation now has resulted in a Public Nuisance issue (see CA Civil Code 3480). Placer County has **refused** to enforce the Winery Ordinance; yet **does** take action against the Marijuana Ordinance and holds monthly hearings for those not in compliance with the Marijuana Ordinance, it appears that Placer County has formed a "special relationship" with the vintners of Placer County. **A special relationship exists where a local government singles out a particular party from the general public and affords that person or group special treatment.**

Until Placer County severs this special relationship with the Vintners and actually enforces a County Ordinance, the 2008 Ordinance should remain intact and enforced.

This new proposal from the Placer County Vintner's will have an adverse impact upon the public's safety, quantifiable, direct and unavoidable impact, based on objective, identified documentation.

Lorrie Lewis
6245 Wise Road
Newcastle, CA 95658
530/885-3410



Shirlee Herrington

Subject: FW: public hearing response

From: Alan Bodtker [<mailto:alan@alsinteriors.net>]

Sent: Wednesday, November 15, 2017 9:53 AM

To: Crystal Jacobsen; Leigh Chavez; npappani@raneymanagemnt.com

Cc: Nikki Streegan

Subject: public hearing response

Crystal, Nikki, Leigh & Nick,

Thank you for hearing our comments on Wednesday November 1, 2017 regarding the wine ordinance.

My concerns are as follows;

1. Density; what is the county doing about this? Will every property be able to open a winery, brewery or event center? I am within 3 miles of (3) event centers, (2) breweries and possibly (5) wineries. Most of us didn't move to the country for it to become another Napa or Sonoma. We moved here for the peace and quiet without the burdens of weekend traffic. Is it fair that the county is burdening 99% of the populous to appease 1%? The county needs to take this seriously into consideration.
2. Enforcement; Code enforcement does not respond on weekends when all or most of the violations occur. Wineries, breweries and event centers need to be held accountable for their violations. If it doesn't happen now, how will it happen when you propose to increase the amount of these?
3. Traffic; With increased traffic and potentially more drunk drivers on our country roads, how is the county prepared to deal with this? According to the local MAC meetings, CHP is down officers as well as Placer County sheriffs. I've already tried to get a posted speed limit on Virginiatown road between Fowler and Gold Hill with no success. It doesn't make snice that Fowler rd., which is wider and straighter that V town has a posted limit of 35 mph, while V town, which is narrower, hillier and more windy, is unposted and therefor is 55mph. Virginiatown is also a major cyclist thorough fair on any given day. I would hate to see an accident caused by a participant of one of these places.

Thank you for taking my comments into consideration.

Alan Bodtker

A.L.S. Interiors, Inc.

Office 916 344 2942

Cell 916 825 3361

Comments regarding EIR for Proposed Winery and Farm Brewery ZTA project

Placer County wineries and breweries have had countless events without the required permits because Placer County does not have a system in place to regulate, enforce or revoke permits. Activities requiring these permits at wineries and breweries should not be allowed until a sufficient regulatory system for permits is in place.

The EIR needs to evaluate the impact a new ordinance would have on existing wineries and breweries (including 4.6-9.9 acre facilities), not just new facilities. Biological, Environment, Traffic, Noise, Road Access, Septic and Air must all be studied. The EIR must also evaluate the impact of allowing multiple events at a facility in a 24 hour period. As written the ordinance leaves the number of events and patrons grossly undefined.

Placer County does not have a method in place to track the number of people attending events at wineries/breweries or the frequency of their events. As such, Placer County cannot reasonably enforce the California Safe Drinking Water Act, septic requirements or a Winery/Brewery Ordinance.

Placer County needs to evaluate the impact of a new ordinance on law enforcement which is inadequate for the proposed ordinance changes.

If the proposed ordinance is going to allow increased patrons and/or events at existing wineries/breweries, then EIR needs to evaluate the Consistency of the

project with Adopted Plans and Policies where the existing wineries/breweries exist including the wineries/breweries between 4.6-9.9 acres.

The EIR needs to evaluate the impact of the proposed ordinance on the safety of children who board school busses near the entrance or exit of a facility.

The EIR needs to evaluate the impact of agriculture chemical applications on the public, neighbors and environment (including 4.6-9.9 acre facilities)

The EIR cannot evaluate the impact of Temporary Outdoor Events, Special Events, Industry-wide events until it is clarified how many such events can be held per year and whether they can be held as single day events or multiple day events.

Thank you for the opportunity to comment on the EIR for Ordinance 17.56.330 Wineries and Farm Breweries.

My main concerns in no particular order:

No notification is required to property owners in the vicinity of any proposed winery/brewery/event centers. We had no notification that the Hillebrand Brewery NOR their next door neighbor BARN EVENT CENTER was being proposed or permitted. This has been a huge impact to the neighborhood for noise and traffic.

Noise levels have had a Negative impact on our ability to enjoy our backyard patio, not just once in a while but daily/weekends

Negative impacts to unlimited number of neighboring events which impacts TRAFFIC, ENVIRONMENT, UNDERGROUND WATER TABLE,

Allowing UNLIMITED events under 50 attendees at all venues is not indicative of the farming/agricultural zone

"Agricultural Promotional Event" should be held in a Commercially zoned property, not in the Country where private citizens dwell and are negatively affected by noise, traffic and more.

There is a LACK OF code enforcement when complaints are filed. Who in the County enforces the number of attendees, noise levels, etc?

CODE ENFORCEMENT is not addressed in the EIR nor the current or proposed Ordinance. Who is available from the County after normal weekday business hours and weekends, to contact that will respond to complaints?

"Special Events" is not necessary for a winery or brewery to function as defined in the Agricultural Processing definition: "means the processing of crops after harvest crop production..."

Public Well/Small Public Water System/Domestic Well. The negative impact of drawing underground water from surrounding properties is of deep concern to make sure our water availability is not impacted. According to the Placer County Health & Human Services Environmental Health Department "there is no specified limit to the amount of public wells that can be placed within Placer County. How is the County going to regulate how many Public Wells will be allowed to ensure no negative impact to surrounding property owners?

Neighboring property owners are forced to listening to events, loud PA systems, speech and music. The definition in the Noise Ordinance includes: simple tone noise means ANY sound that is DISTINCTIVELY AUDIBLE as a single pitch (frequency) or set of pitches. Includes sound consisting of SPEECH and MUSIC.

We have grave concern in the saturation of alcohol related businesses in the country atmosphere. There are too many winding, small country roads enjoyed by bicyclists, walkers, joggers and the alcohol impaired behind a wheel is disconcerting to our safety. Will there have to be a death by a wine/brewery patron to decide that the county coffers are less important to someone's coffin?

There is no requirement to notify adjoining property owners that own private roads to wineries/breweries event centers.

Why was Bottled water requirements removed from 17.56.330 (B) Impact to underground watertable? This would reduce the negative impact of public wells and groundwater.

COMMENTS:

#It states on page 5 of 37 of the "Chapter 17: Planning and Zoning" Modify Event
Page 1

Definition 2nd paragraph:

"Vintners expressed that a SMALL PART OF THEIR BUSINESS MODEL is to hold PRIVATE EVENTS where the consumer is required to purchase a certain amount of wine per attendee as a requirement of utilizing the facility.

Comment - "Small part of their business". Appears that this revision in the ordinance is allowing for unlimited events and large events to occur which didn't seem to be the intent; but to allow vintners to sell their farmed products without the fanfare. Music, outside parties with impact to loud speech and music was not intended, but will be allowed in this proposed amendment, at unlimited small events and increased number of large events.

#17.56.330 Wineries and Farm Breweries (A) Purpose

Comment - Why was "agricultural -production" removed? Isn't that the purpose of ag/farm zoning?

#17.56.330 (B) Definitions

"Agricultural Promotional Events" are being allowed to occur in an unlimited amount of events.

Comment - Who regulates the less than 50 people at each event? Can more than one "under 50" event occur in the same day -during the entire daily operational hours? This wording potentially allows the negative significantly impacts of events happen during the entire time of operating hours. Unlimited events are unacceptable in the rural country by many of the impacted residents.

"Special events"

Comment - 6 a year is too much already. Increasing this also is described in the EIR as a significant Negative impact to the County.

#17.56.330 (D) (1) A. Minimum parcel size. "10 acres reduce potential for conflict between neighboring residential land uses"; "inherently create a natural buffer for noise when the use occurs in accordance with standard setbacks on the site".

Comment - 10 acres DOES NOT reduce conflict as I am 10 acres downwind from an existing 10 acre brewery its neighboring 10 acre event center. Sound carries out in the country. As stated in the Attachment B Initial Study & Checklist page 5 of 37 second paragraph: "Noise and traffic generating promotional events, such as wine club event, have the potential to negatively affect adjacent land uses." Additional Comment: What does the County have in effect to regulate the location of event centers? These two event centers, one being a brewery and the other a private residence that holds events in their new barn, are contiguous properties that conflict with noise (two different sets of music/PA systems), traffic etc.

#17.56.330 (E) (2) (B) Non-County maintained roads -(ii) Adjacent property owners, who might own the underlying fee property which the PUE is located.

Comment - Adjacent property owners should have a say on the increased traffic impact, dust impact, noise impact, as it is private property for access to a commercial use. (iii) Remove the words "If none exists" and require written approval from (remove -- "a majority of") the individuals who have access rights to the road.

#17.56.330 (E) (2) (C) - Access Standards

Comment - There is no language addressing the elimination/mitigation impact of dust or noise to adjacent property owners

#17.56.320 (E) (4) (a) - Noise Regulations

Comment - code enforcement needs to be addressed either here or in a separate line

item. In many cases the event centers/wineries/breweries have demonstrated no consideration to neighbors with the PA systems and music levels. And we are not aware of any successful actions taken by code enforcement to reduce this negative impact.

#17.56.320 (E) (7) (a) Potable Water - Where is the definition of a "public well", "domestic well", "small public water system"? In the "Attachment B" Initial Study & Checklist, page 18 of 37....2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a NET DEFICIT in aquifer volume or a lessening of local groundwater -----POTENTIALLY SIGNIFICANT IMPACT

COMMENT: THIS IS VERY CONCERNING TO SURROUNDING NEIGHBORING PROPERTIES!!!!\

#17.56.320 (e) (7) (A) III. "the facility owner certifies that the well will not serve more than 24 people, 60-days or more per year"

Comment - How is this enforced? Language needs to be incorporated for compliance.

#17.56.320 (G) Special Notice Requirements - Failure of a property owner who shares access rights with an applicant to a private road to receive notice SHALL NOT INVALIDATE the issuance of the permit....

Comment - Why not? Each property owner using the private road should be notified. Recommended language - SHALL INVALIDATE.... (remove NOT)

FINAL COMMENTS:

ATTACHMENT B - Initial Study & Checklist		
pg 12 of 37 IMPACT	II Agricultural & Forest Resources	POTENTIALLY SIGNIFICANT
pg 12 of 37 IMPACT	III Air Quality	POTENTIALLY SIGNIFICANT
pg 13 of 37 IMPACT	IV Biological Resources	POTENTIALLY SIGNIFICANT
pg 14 of 37 IMPACT	V Cultural Resources	POTENTIALLY SIGNIFICANT
pg 16 of 37 IMPACT	VII Greenhouse Gas Emissions	POTENTIALLY SIGNIFICANT
pg 18 of 37 IMPACT	IX Hydrology & Water Quality	POTENTIALLY SIGNIFICANT
pg 22 OF 37 IMPACT	X Land Use & Planning	POTENTIALLY SIGNIFICANT
pg 24 of 37 IMPACT	XII Noise	POTENTIALLY SIGNIFICANT
pg 26 of 37 IMPACT	XIII Paleontological Resources	POTENTIALLY SIGNIFICANT
pg 31 of 37 IMPACT	XVII Transportation & Traffic	POTENTIALLY SIGNIFICANT
pg 32 of 37 IMPACT	XVIII Tribal Cultural Resources	POTENTIALLY SIGNIFICANT
pg 33 of 27 IMPACT	XIX Utilities & Service Systems	POTENTIALLY SIGNIFICANT

F. MANDATORY FINDINGS OF SIGNIFICANCE:

1. Does the project have the potential to degrade the quality of the environment, substantially impact biological resources, or eliminate important examples of the major periods of California history or prehistory? YES
2. 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)

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

YES

"This increased activity would result in additional vehicle traffic, and in turn, an increase in air quality emissions, which could be considered individually limited but cumulately considerable. Such increased emissions could also have a substantial adverse health effect on human beings."

"As a result, the proposed Zoning Text Amendment could indirectly induce air quality emissions associated with future facilities subject to the Ordinance. By-right development on the limited number of S-zoned properties in western Placer County could result in impacts to biological resources and/or important examples of California's history. These are POTENTIALLY SIGNIFICANT impacts..."

I would like to see this ordinance reduce the current number of "for profit" events that fall outside the wine/beer sales and not allow the increase of events as proposed.

Thank you for allowing our comments,
Prince Residence
1274 Monument Place
Newcastle, CA

The summation of the Environmental Issue on page 32 of 37 and page 33 of 37 states POTENTIALLY SIGNIFICANT IMPACT on all three environmental issues;

Winery and Farm Brewery Zoning Text Amendment NOP Scoping Meeting Comment Summary

Date: November 1, 2017

Time: 6:00 PM

Location: Planning Commission Hearing Room

I. Presentation by Project Planner Nikki Streegan

II. Verbal Comments (arranged in order of “appearance” of commenter):

Carol Rubin – Newcastle resident

- The commenter provided an NOP comment letter to Planning Staff for the record.
- The commenter requested clarification regarding the ordinance language, specifically related to use permits and development standards.
- The use of zoning clearances to approve unlimited events by right at wineries and breweries in Farm zoning is a misapplication of the zoning clearance process.
- Clarification is needed regarding whether a winery or brewery would be required to obtain permission from property owners holding access rights to shared private roads in order to host events (not just in order to have wine tastings).
- The commenter has concerns that the proposed ordinance does not appear to require neighborhood notification or approval from property owners with shared access, with respect to events.
- The commenter expressed concerns regarding the amount of noise and traffic, as well as other environmental impacts associated with events.
- Concerns regarding process for notification of meetings and the project.

Marilyn Jasper – on behalf of Sierra Club and Public Interest Coalition

- The commenter expressed concerns regarding the relaxing language of the proposed ordinance.
- The Placer County General Plan supports County-grown agriculture; however, many vintners buy grapes elsewhere rather than growing their own grapes.
- The one-acre minimum planting is not necessarily viable farming. There is no language in the ordinance that says the one-acre crop must be viable and included in the wine or beer product.
- Unlimited events is unacceptable; there is no way to measure the noise and traffic impacts.
- Issues with definition of “private events.” Private can be Facebook, email, a club, Sam’s Club, Costco, etc.
- Concerns regarding the staggering of events, as is done in other counties.

Lorrie Lewis – Newcastle resident

- Commenter expressed concerns regarding saturation of alcohol-related businesses in small area.
- The commenter asks the question of why are alcohol-related businesses allowed in an agricultural-zoned area and at such a high density.
- Commenter expressed concerned about the lack of enforcement of the current winery ordinance and discusses the lack of follow-up from the County, which has resulted in issues.
- Two Grand Jury reports filed regarding the current winery ordinance and code enforcement and County has not taken/implemented any recommendations.
- Commenter understands that the County may be ceasing the weekend code enforcement line because, allegedly, no calls are being made. However, this is the public's only resolution when wineries are having their events/parties.
- County's lack of code enforcement has created a public nuisance, as defined in Civil Code 3480.
- Until County enforces the current winery ordinance, nothing should take place.
- Commenter expressed concerns regarding the noise levels that would be generated by the project.

Gary Beebe – Local resident

- The commenter lives along Wise Road, next to Goathouse brewery.
- The commenter is concerned regarding traffic along roadways, specifically mentioning air quality (dust) and noise.
- The commenter has concerns regarding enforcement, stating that current issues are dealt with on a complaint-basis and that the County has been predominantly unresponsive to complaints.
- Concerns regarding who will monitor the 50-person cap. Will the County be monitoring the attendance cap?
- Concerns regarding parking issues, particularly along the access road to Goathouse.
- The commenter expressed concerns about groundwater supply; the groundwater table south of Wise Road is overdrafted such that retaining tanks are now being used by property owners to operate their houses. Project will place additional demands on groundwater.
- Concerns related to how wineries/breweries dispose of their waste products.
- Concerns regarding lack of requirement to pave access roads.
- Open NID ditch runs along the access road and there is no protection of the ditch. Goathouse patrons could drive into the ditch and commenter would be held liable.
- The commenter expressed concerns about drunk drivers leaving events, and potential lawsuits related to accidents on neighboring properties.

Bob Lund – Newcastle resident

- The commenter expressed concerns regarding the noise levels and requests that the EIR address noise at nearby residences associated with winery/brewery sound systems – e.g., whether facility doors are closed or open, such that speaker noise can be projected into surroundings.

- The commenter requests that the EIR include an analysis of effects on groundwater supply, as there have been issues at neighboring properties.

Don Dupont – Rock Hill Winery

- The commenter had clarification questions regarding the existing ARP being elevated to MUP.
- Commenter notes that his property is zoned Res-Ag and asks whether he will need to obtain an MUP under the proposed ordinance.
- If some wineries require MUPs, will they be required to conduct traffic and noise studies?
- Concerns regarding how the County has “changed the rules” for wineries which affects projects currently in the process.

Alan Bodtker – Newcastle resident

- The commenter requests that the EIR address sound, traffic, code enforcement, and density issues.
- What if every ten-acre parcel along Virginiatown Road decides to open a winery, event center, or a brewery?
- The commenter is concerned regarding the prioritization of agri-tourism versus the health and wellbeing of local residents.
- The commenter requests that the EIR address fire and life safety issues, including maximum allowable occupancies, Fire Marshall review and approval, and permitting.

Heidi Hanson – Lincoln resident

- The commenter expresses concern regarding parking issues, including provision of sufficient parking and overflow parking issues during events, and does not want to see a repeat of Hidden Falls.

Susan Ames – Resident along Wise Road

- The commenter has questions and concerns regarding the split of ten acres and above and 9.9 acres and below for events, as it seems arbitrary.
- Commenter lives between two large wineries over 20 acres that have events every weekend and can still hear noise, so larger parcel sizes does not necessarily mitigate noise impacts for adjacent property owners/receptors.
- The commenter is concerned regarding code enforcement, particularly associated with noise.
- The commenter is concerned regarding property value of nearby properties, associated with noise and traffic issues.

Diana Boswell – Newcastle resident

- The commenter lives approximately one mile east of Gold Hill Gardens and expressed concerns regarding noise.
- Newcastle is very quiet and she can hear Gold Hill Gardens, approximately one mile away.

- The commenter expresses concern regarding drunk drivers and potential incidents at nearby properties, stating that she's already had an incident involving such at her property.
- The commenter expresses concerns regarding having both daytime and nighttime events (i.e., increasing chances of drunk driving).
- The commenter expresses concerns regarding safety of bicyclists along roads.
- The commenter has concerns regarding winery and brewery uses being considered under the Farm Zone, particularly stating how such uses differ from other farm uses in the area, particularly calling out the mandarin farms and how they are only seasonal (i.e., seasonal traffic and not associated with the potential for drunk driving).

Frank Myers – Meadow Vista resident

- The commenter requests that the EIR specifically analyze effects of these quasi-commercial uses on nighttime ambient noise levels and take into consideration the increase from existing levels and distances.
- The commenter notes his concern that typical agricultural districts are much quieter than commercial districts.
- The commenter requests that the ordinance and/or EIR distinguish between simply growing grapes versus other ancillary activities not traditionally associated with wineries (e.g., events), which would more closely resemble commercial uses and should be evaluated as such.
- The commenter suggests that subsequent evaluation may be needed for such uses/activities.

Jeff Evans – Bear River Winery

- Bear River Winery has been operating for eight years and does not do events, other than "trail" events (e.g., Grape Days of Summer). The Winery produces 350 to 500 cases per year.
- The commenter has questions regarding the requirement for commercial septic systems, stating that other wineries in the area have been permitted to use a residential septic system. Due to size of his operations, commercial septic system does not seem necessary. The commenter questions what is cutoff and how applicable it is.
- The commenter is concerned regarding the requirement to plant two acres of grapes, as he currently buys grapes from elsewhere (District 10) and only makes/blends wines on-site. Many existing, on-site oak trees would need to be removed, and the hillside would be affected, in order to plant grapes on his site.
- The commenter states that his 4.7-acre property is within a resort commercial zone, not residential/agricultural and questions how the ordinance would apply to his operations.

Teena Wilkins – Vina Castellano Winery

- The commenter states that she would like the County to encourage and promote farming in the Farm Zone.
- The commenter states that she needs to host events in order to help support business. She cannot make enough money as a small farmer to sell product wholesale and make a living by solely farming.

- If current path is maintained, the only people who will be able to do wineries will be wealthy people, who are not farmers; they will do more commercialized versions of wineries, which will be more intensive.
- The commenter agrees with other comments made regarding the need for regulations on amplified music.
- The only noise complaint that Vina Castellano has received was related to their tractor, which they resolved with adjacent neighbor.
- The commenter notes that previously, residential uses (without appurtenant farming) were not allowed in the Farm Zone and that, now that they are, more complaints and inconsistency of uses is occurring. The commenter requests that the County put the needs of the farming uses within the Farm Zone first, rather than those of individual residences.

Carol Prince – Newcastle resident

- The commenter lives near the new brewery on Virginiatown Road and states that she was never notified of the new use. Thus, the commenter requests that notification to neighboring properties be provided when new use is going in.
- EIR should address adjoining properties and their uses. The property next to the brewery built a barn and they are hosting weddings and other events.
- The commenter requests that the EIR address issues related to noise, traffic, property values, water supply, and safety of bicyclists along Virginiatown Road associated with potential drunk drivers.

Richard Lewis – Newcastle resident

- The commenter expressed his concern regarding notification of meetings. Using MAC meetings for notification is not a sufficient method.
- The commenter reiterates majority of concerns brought forth, primarily related to enforcement, specifically calling out issues of noise and dust.
- If enforcement issue is not resolved, the EIR will be ineffective.
- The commenter states that some wineries go above and beyond requirements and some do not comply. The commenter implies that there needs to be some enforcement of requirements to make sure all are complying. Currently, enforcement is complaint-based, which is not efficient or effective.
- The commenter requests that the EIR address code enforcement.

APPENDIX D

ATTACHMENT B

INITIAL STUDY & CHECKLIST

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the following described project application. The document may rely on previous environmental documents (see Section C) and site-specific studies (see Section I) prepared to address in detail the effects or impacts associated with the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.) CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an EIR, use a previously-prepared EIR and supplement that EIR, or prepare a Subsequent EIR to analyze the project at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a Negative Declaration shall be prepared. If in the course of analysis, the agency recognizes that the project may have a significant impact on the environment, but that by incorporating specific mitigation measures the impact will be reduced to a less than significant effect, a Mitigated Negative Declaration shall be prepared.

A. BACKGROUND:

Project Title: Winery and Farm Brewery Zoning Text Amendment	Project #: PCPJ 20130151
Entitlement(s): Zoning Text Amendment	
Site Area: Countywide	APN: Various
Location: Unincorporated Placer County	

In the years since the County of Placer's 2008 Winery Ordinance was approved, wine industry concerns regarding the County's existing Winery Ordinance have been raised, specifically citing a lack of Promotional Events allowed without a use permit. Under today's ordinance, wineries are required to apply for an Administrative Review Permit in order to hold promotional events, such as winemaker dinners. This permit allows for a maximum of six promotional events per year. Based upon the need to modify some standards in order to hold a greater number of events by right, staff determined that it was appropriate to re-examine the existing Winery Ordinance to meet the desires of the community and the winery owners.

The Placer County Planning Commission held a series of workshops between December 2013 and February 2015 in relation to the review and adoption of a Zoning Text Amendment to the County Winery Ordinance. The workshops introduced and analyzed a variety of potential changes to the ordinance. Public comments provided by the Planning Commission, Placer County Vintners Association, Placer County Agricultural Commission, the Municipal Advisory Councils, and community members were taken into account in order to address the diversity of ideas on the subject. Subsequent to the February 26, 2015 workshop, County staff prepared a draft Zoning Text Amendment and Initial Study/Negative Declaration (IS/ND) to review the potential environmental effects associated with implementation of the Zoning Text Amendment. The IS/ND was circulated for a 30-day public review period beginning on July 11, 2015 and closing on August 10, 2015. During the public review period, the County received comments from one law firm, one public interest group, and three individuals on the adequacy of the proposed Negative Declaration. As a result of public comment, County staff brought the Zoning Text

Amendment to the Planning Commission as an information item during a regularly scheduled public hearing on January 14, 2016. During this public hearing, County staff informed the Planning Commission that the County's Environmental Review Committee had determined that, in light of the comments received on the IS/ND, an Environmental Impact Report must be prepared.

Subsequent to the January 2016 public hearing, a task force of internal staff members was formed in order to develop the Zoning Text Amendment. The task force included staff members from various disciplines within the Community Development Resource Agency, Department of Public Works and Facilities, Environmental Health Services, Economic Development, and Agricultural Commissioner's office. In early 2017, the task force determined that some modifications should be made to the ordinance. Based on agency and public comments, the team proposed eight modifications to the January 14, 2016 version of the draft Winery Ordinance. The proposed changes were presented before the Planning Commission on June 8, 2017 at a final public workshop in order to discuss the merits of the proposed changes and for County staff to receive comments.

Additionally, the Zoning Text Amendment is now referred to as the Winery and Farm Brewery Zoning Text Amendment in order to regulate farm breweries. Similar to wineries, these facilities also produce adequate agriculture necessary to create a value-added agricultural product (i.e. craft beer).

Project Location:

The proposed project amends the existing Winery Ordinance that regulates wineries in the unincorporated portions of Placer County. All of the existing wineries, and current and pending farm breweries, are located in the western-central portion of the County (see Figure 1).

Project Description:

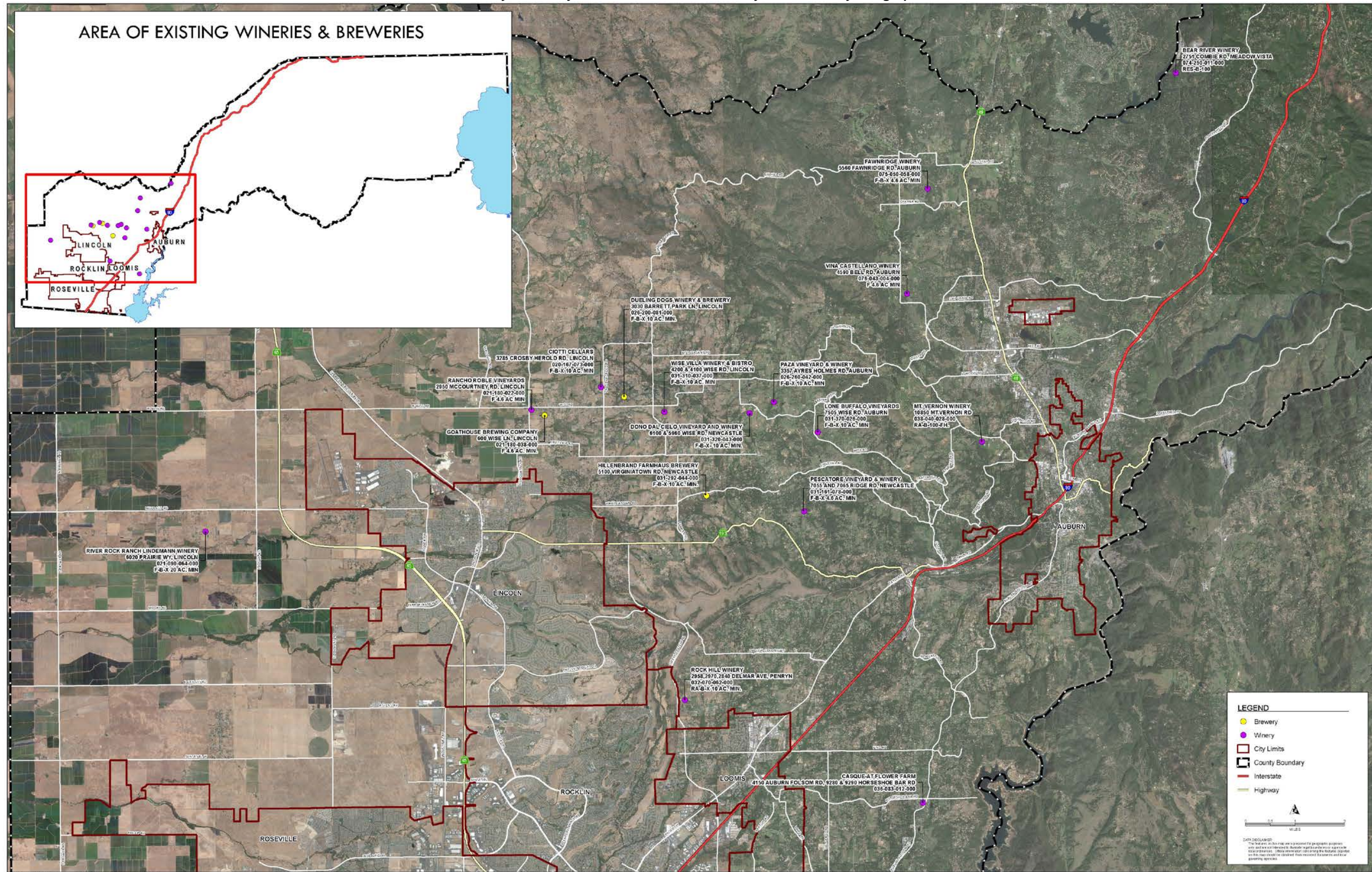
Project Purpose and Objectives

The policy-focus of the proposed Zoning Text Amendment is to preserve and protect farmland while also supporting tenants of agri-tourism. The Zoning Text Amendment is intended to balance the needs of various stakeholder groups and support the core principle that the primary use of the property is for the growing and processing of agriculture in order to make a value-added agricultural product.

Project Overview

The existing Winery Ordinance (the Winery Ordinance) was adopted on August 26, 2008 and consists of Section 17.56.330 (Wineries) and Section 17.04.030 (Definitions) of the Placer County Code. The draft language of the Winery and Farm Brewery Ordinance Zoning Text Amendment contains County staff's proposed changes based on public comment received during ongoing outreach efforts.

Figure 1
Placer County Boundary in Relation to Current Winery/Farm Brewery Geographic Area



Summary of Proposed Ordinance Changes

The draft Ordinance language includes the following substantive changes to the current Winery Ordinance:

- Add Definition of Farm Brewery to the Ordinance
- Add Definition of Boutique Operation to the Ordinance
- Define New 10-Acre Minimum Parcel Size
- Modify Event Definition
- Create Table Outlining Event Allowances, Maximum Capacity, and Use Permit Requirement
- Clarify Hours of Operation
- Update the standards for Potable Water and Waste Disposal
- Update the Access Standards
- Add wineries as allowable use by-right in Resort (RES) zone district

The following section will discuss certain, proposed text changes in further detail.

Add Definition of Farm Brewery

In recent years, the Community Development Resource Agency has been asked to make a determination that farm breweries are the functional equivalent of wineries. From a land use perspective, these facilities function very similarly. The agricultural product is grown and then processed on-site, the public may come to the site to sample and drink the product, and the venue may host promotional events to sell their product. The land use would be required to meet the same development standards as a winery, including parking, access, hours of operation, noise regulation, lighting, food facilities, tasting facilities, provision of water, and waste disposal. Events would be regulated under the same standards and guided under similar General Plan policy to promote agricultural operations and permit a wide variety of promotional and marketing activities for County-grown products in agricultural zone districts. For the purposes of acknowledging this niche within the growing craft beer industry, the following definitions are proposed to be added to the ordinance.

“Brewery” means a bonded brewery facility comprising the building or buildings used to convert malted barley and hops to beer, and to process, bottle, store, and distribute and sell said beer. A brewery, for the purposes of this section, includes milling, mashing, lautering, boiling, whirlpooling, cooling, fermenting, conditioning, packaging or bottling, bulk and bottle storage, shipping, receiving, laboratory equipment and maintenance facilities, sales, and administrative office functions, and may include tasting and events.

“Farm Brewery” means a facility, for the brewing and bottling of beer that produces less than 15,000 barrels of product per year and grows hops and agricultural products necessary for making the beverage.

The definition of a Farm Brewery would be added to Section B. Definitions, within Section 17.56.330. The intent of limiting the definition to this section is to acknowledge a regulatory framework needed for a Farm Brewery and distinguish this use from other brewery-type uses that are allowed in other zone districts under the “Restaurants and Bars” and “Food Products” land uses.

Add Definition of Boutique Facility

The proposed project would define *boutique facility* as “a winery with annual production less than 2,500 cases, or a farm brewery with annual production less than 200 barrels.” The proposed project specifies that boutique facilities would be allowed in Residential Agricultural and Residential Forest zone districts subject to a Minor Use Permit; and Farm, Forest, and Agricultural Exclusive zone districts without a use permit. No events shall be allowed at a boutique facility other than those afforded with a Temporary Outdoor Event Permit in compliance with County Code Section 17.56.300.

Define New 10-Acre Minimum Parcel Size

Currently, wineries are allowed without a use permit in Agricultural and Resource districts (Agricultural Exclusive (AE), Farm (F), and Forest (FOR)), the Heavy Commercial (C3) zone district, and Business Park (BP), Industrial (IN), and Industrial Park (INP) zone districts. Under the proposed project, wineries would continue to be allowed in these zone

districts without a use permit. The only proposed change is that now wineries would also be allowed without a use permit in the RES (Resort) Commercial zone district.

According to Section E.1. of the current Winery Ordinance, the minimum parcel size for establishment of a winery is 4.6 acres in the Agricultural and Resource (AE, F, FOR) zoning districts.¹ The remaining zoning districts where wineries are currently allowed without a use permit (C3, BP, IN, and INP), do not have parcel size limits. Under the proposed project, a minimum parcel size of 10 acres would now be required for any new winery to be established without a use permit in the AE, F, and FOR zoning districts. The intent of increasing the minimum parcel size from 4.6-acre minimum to 10-acre minimum in these zone districts is to reduce potential for conflict between neighboring residential land uses and commercial agricultural operations. Agricultural and some rural residential land uses are afforded the right to farm in accordance with Placer County Code Section 5.24.040. At the same time, noise- and traffic-generating promotional events, such as wine club events, have the potential to negatively affect adjacent land uses. The County has identified that a greater parcel size could alleviate these adverse effects for two main reasons. First, larger parcel sizes inherently create a natural buffer for noise when the use occurs in accordance with standard setbacks on the site. Second, the shift to allow these operations by right on parcels 10 acres or greater is consistent with counties from around the state.

Under the proposed project, the new category of farm breweries would be allowed on a minimum 10-acre parcel without a use permit in the AE, F, and FOR zoning districts, and with a Minor Use Permit in RA and RF Residential zoning districts.

Modify Event Definition

As noted previously, a primary reason for revisiting the ordinance was to modify the requirements to hold events; predominantly the types of events that are an inherent part of the member-based business model that wineries leverage to sell their product. The County has determined that it is critical to establish a clearer definition of events for two main reasons: 1) General Plan policy cites promotion of agricultural operation and the marketing of County-grown products as key components to enhancing the economic viability of Placer County agricultural operations, as well as the preservation and protection of agricultural lands; and 2) several comments regarding the inadequacy of the “event” definition were made during the Initial Study/ND comment period for the 2016 draft ordinance.

Vintners expressed that a small part of their business model is to hold private events where the consumer is required to purchase a certain amount of wine per attendee as a requirement of utilizing the facility. The proposed definition clarifies that these events, with fewer than 50 people at one time, and where only the winemaker’s wine is sold, could be considered promotional in nature. The redefinition of “event” under the proposed amendments now distinguishes between Agricultural Promotional Events and Special Events, as follows:

An “Agricultural Promotional Event” is directly related to the education and marketing of wine and craft beer to consumers including but not limited to winemaker/brewmaster dinners, release parties, membership club parties, and private parties where the only alcohol served is produced by the winery/farm brewery. An Agricultural Promotional Event accommodates 50 people or less. There are limited occurrences when greater than 50 people are in attendance and those shall be regulated in the same manner as a Special Event. See Table 1.

“Special Event” is an event of greater than 50 people where the agricultural related component is subordinate to the primary purpose of the event. Included in this definition are events such as private parties, fundraisers, social or educational gatherings where outside alcohol is allowed, and events where the property owner is compensated in exchange for the use of the site and facility (referred to as a facility rental). Special Events do not include industry-wide events, the normal patronage of a tasting room, and private gatherings of the owner where the general public does not attend.

Whereas, the currently adopted ordinance restricts the number of promotional events at each facility to six per year, subject to first securing an Administrative Review Permit, the proposed project redefines “event” to distinguish between Agricultural Promotional Events and Special Events. A Special Event would continue to be limited in number, similar to

¹ According to Section E.1. of the current Winery Ordinance, the minimum parcel size for establishment of a winery is also 4.6 acres for RA and RF zoning districts; but wineries in these zones are currently subject to an Administrative Review Permit, and under the proposed project, would be subject to a Minor Use Permit. As such, wineries in these two residential zones would continue to require use permit approval; and thus are not discussed further.

the current ordinance. Agricultural Promotional Events, on the other hand, would not be limited in number, though each event must not exceed 50 attendees at any given time.

Create Table Outlining Event Allowances, Maximum Capacity, and Use Permit Requirement

Under the proposed project, maximum attendance at winery and farm brewery events is now limited based upon parcel size (see Table 1). The number of Special Events and Agricultural Promotional Events with attendance greater than 50 is also limited based upon parcel size. Based upon the data in Table 1 and Section F of the proposed Zoning Text Amendment, *Continuing Applicability of Use Permits*, it is important to understand that existing wineries on small parcels (4.6-9.9 acres) in the County would not be allowed to conduct more than six promotional events per year under the new Ordinance, unless they obtain a Minor Use Permit or modification to any pre-existing permit from the County. Given that small wineries are already allowed six events under the currently adopted Ordinance (with an Administrative Review Permit), there is no net change to the operations of wineries on small parcels associated with the proposed Winery and Farm Brewery Zoning Text Amendment. Thus, wineries on small parcels will not be evaluated in this EIR.

Table 1 Maximum Special Events Allowed Per Year^[1]			
Parcel Size (Acres)	Max Attendees (Excluding Staff)	Max Special Events / Year	Use Permit Requirement
4.6-9.9	50	6	MUP ^[2]
10-20	100	6	C
20+	200	12	C
<p><i>[1] Agricultural Promotional Events with attendance greater than 50 are limited per this Table.</i></p> <p><i>[2] A Minor Use Permit is required for a Winery or Farm Brewery for parcels 4.6-9.9 acres in size in Zone Districts where allowed by the Land Use and Permit Table (Section 17.06.050). This use permit will consider conditions for events as limited by this table.</i></p> <p><i>C = Zoning Clearance (Placer County Code Section 17.06.050)</i></p> <p><i>MUP = Minor Use Permit (Placer County Code Section 17.06.050)</i></p>			

Clarify Hours of Operation

The currently adopted Winery Ordinance does not specify allowable hours of operation. Typical tasting hours at today's wineries occur between 10am and 6pm, while special extended tasting hours or other events continue into the evening and end by 8pm Sunday-Thursday and 10pm Friday-Saturday. Codifying tasting hours is one way to regulate that the facilities are for sampling the product and typically would not operate into the evening. The Winery and Farm Brewery Zoning Text Amendment proposes the following:

All facilities shall be allowed to conduct normal tasting hours from 10am-6pm. Events shall be allowed from 10am to 10pm on Friday and Saturday and from 10am to 8pm Sunday through Thursday. If a winery or farm brewery is required to have an Administrative Review Permit, Minor Use Permit, or Conditional Use Permit by this ordinance or has an existing permit and is lawfully operating, limits on hours of operation will be in accordance with the conditions placed on those entitlements.

Update Potable Water and Waste Disposal Sections

Potable Water

The currently adopted ordinance requires the facility owner to provide bottled water for consumption if more than 24 people in a 60-day period are served, unless otherwise approved by the County Environmental Health Division.

The Zoning Text Amendment proposes to clarify potable water standards in accordance with State regulations. For example, if a facility serves more than 24 people daily, 60 days or more per year, then a public water system shall be required. The type of public water system would be a Transient-Noncommunity water system, which includes

restaurants, campgrounds, small wineries, motels and other non-residential facilities. Such a public water system requires a permit from the State Water Resources Control Board, Division of Drinking Water.
Waste Disposal

The Zoning Text Amendment clarifies that winery or farm brewery process wastewater is prohibited from being discharged to a septic system. A Waste Discharge Permit or Waiver of Waste Discharge issued by the Regional Water Quality Control Board is required prior to building permit issuance if the wastewater will not be discharged into a community sewer system, but rather an alternative form of discharge would be used, such as land application.

Additionally, the Zoning Text Amendment clarifies that a separate septic system needs to be provided if a winery or farm brewery has buildings with plumbing.

Update Access Standards Section

The Zoning Text Amendment requires facilities open to the public and having access from a County-maintained road to construct to a paved commercial encroachment standard per the County Land Development Manual (LDM) engineering design plates.

For facilities that are accessed by non-County maintained roads, the owner would be required to obtain an encroachment permit from the County to update ingress, egress, and sight-distance per the County LDM engineering design standards and serving Fire District requirements where the non-County maintained road connects to a County-maintained road, if existing conditions do not already meet standards.

Add Wineries as Allowable Use by-right in Resort Zone District

The Zoning Text Amendment would allow a winery to be developed by-right in the Resort (RES) Zone District. This zone district accommodates commercial land uses and is typically found in mountainous areas, water-oriented areas, or other areas with commercial recreation potential. The RES-zoned properties within western Placer County, where new facilities could be expected based upon factors such as elevation, soil type, etc., are limited to twenty-six parcels, five of which are vacant.

Adoption and Implementation

The proposed project will be considered by the Planning Commission with final adoption of the revised Winery and Farm Brewery Zoning Text Amendment by the County Board of Supervisors (BOS). The following actions will be required:

1. Certification of the EIR for the proposed project by the County BOS
2. Adoption of the Winery and Farm Brewery Zoning Text Amendment by the County BOS

Framework of Analysis

The changes proposed to the currently adopted Winery Ordinance help inform what would be the appropriate framework for the environmental analysis contained in this checklist. The framework for the environmental analysis would be as follows:

1. The checklist discussion will focus on the potential physical environmental impacts associated with the ability to conduct Agricultural Promotional Events, which are not limited in number by the proposed Zoning Text Amendment.
2. The checklist discussion regarding how the proposed ordinance would change operations at existing facilities, and potentially result in increased environmental impacts, will focus on the existing Medium (10- to 20-acre) and Large (>20 acres) parcel-sized wineries/farm breweries, where Agricultural Promotional Events would be allowed by-right. This includes the following existing facilities:

Medium Parcel Size (10- to 20-acre)

- Wise Villa Winery and Bistro
- Lone Buffalo Vineyards
- Rancho Roble Vineyards

- Vina Castellano Winery
- Rock Hill Winery
- Goathouse Brewery
- Hillenbrand Farmhaus Brewery

Large Parcel Size (>20 acres)

- Mt. Vernon Winery
- Dono Dal Cielo Vineyard and Winery

3. All future winery/farm brewery applications would be subject to the proposed Winery and Farm Brewery Zoning Text Amendment. Under the proposed project, these future facilities would be afforded the ability to host an unlimited number of Agricultural Promotional Events and large wineries/breweries would be afforded the ability to host 12 Special Events each year (an increase of six per year). Therefore, while the Zoning Text Amendment would not be expected to directly induce the development of additional medium or large wineries/farm breweries, the proposed project would provide greater flexibility with respect to the amount of Agricultural Promotional Events and Special Events that may occur at future wineries/farm breweries. As a result, the checklist should consider the potential environmental effects associated with the ability to conduct Agricultural Promotional Events and Special Events at future wineries/farm breweries subject to the proposed Winery and Farm Brewery Zoning Text Amendment.
4. The checklist will evaluate the net change that would allow wineries in the RES Commercial zoning district without a use permit.

Based upon GIS data provided by Placer County, a total of 671 parcels are zoned RES; and roughly half of them are zoned as condominium uses, which means several are stacked on one another. An estimated 344 parcels are not condo uses; and these are concentrated in existing high elevation resort areas, where new wineries are neither anticipated, nor in most cases, feasible due to soil type, elevation, and land use incompatibility (i.e., surrounded by urban development). The RES-zoned properties within western Placer County, where new facilities could be expected based upon factors such as elevation, soil types, etc., are limited to twenty-six parcels, five of which are vacant. The remaining parcels either contain some form of development, or they comprise portions of water features that are actually zoned RES (e.g., portions of Rollins Reservoir).

5. The checklist will evaluate the net change that would allow up to six additional Special Events (12 total) or Agricultural Promotional Events with attendance >50, at facilities on large parcels (>20 acres).

Therefore, with the exception of a small potential of construction of new by-right facilities in the RES zone, this Initial Study will focus primarily on operational impacts at existing and future facilities subject to the Zoning Text Amendment, rather than construction impacts.

B. ENVIRONMENTAL SETTING:

Placer County is a geographically diverse county. The western portion of the County contains suburbs of the Sacramento Region and large amounts of open farm land, the central portion of the County consists of communities such as Auburn, Loomis, and Granite Bay located in the Sierra Foothills, and the eastern portion of the County lies within the Lake Tahoe Region. Placer County is one of the fastest growing counties in the state. Between 2000 and 2010, the County's population grew from 248,399 to 348,432. The majority of wineries are located in the Farm Zone District in the western half of the County, as illustrated in Figure 1.

C. NATIVE AMERICAN TRIBES: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

An offer to consult under AB 52 regarding tribal cultural resources has been forwarded to the tribes which have identified themselves as being traditionally and culturally affiliated with the area. This offer of consultation may result in a request for consultation by the tribes and/or their identification of on-site tribal cultural resources. If consultation is requested within the timeframe defined by AB 52, Placer County staff will consult with the tribe to determine whether tribal cultural resources are present and can be avoided or impacts can be appropriately mitigated.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

D. PREVIOUS ENVIRONMENTAL DOCUMENT:

The County has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigable impacts resulting from the proposed project. Relevant analysis from the County-wide General Plan and Community Plan Certified EIRs, and other project-specific studies and reports that have been generated to date, were used as the database for the Initial Study. The decision to prepare the Initial Study utilizing the analysis contained in the General Plan and Community Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

Section 15168 relating to Program EIRs indicates that where subsequent activities involve site-specific operations, the agency would use a written checklist or similar device to document the evaluation of the site and the activity, to determine whether the environmental effects of the operation were covered in the earlier Program EIR. A Program EIR is intended to provide the basis in an Initial Study for determining whether the later activity may have any significant effects. It will also be incorporated by reference to address regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The following documents serve as Program-level EIRs from which incorporation by reference will occur:

- ➔ Placer County General Plan EIR
- ➔ Auburn/Bowman Community Plan EIR
- ➔ Granite Bay Community Plan EIR
- ➔ Horseshoe Bar/Penryn Community Plan EIR
- ➔ Meadow Vista Community Plan EIR
- ➔ Newcastle/Ophir General Plan EIR
- ➔ Weimar/Applegate Community Plan EIR

Section 15183 states that "projects which are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or site." Thus, if an impact is not peculiar to the project or site, and it has been addressed as a significant effect in the prior EIR, or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.

The above stated documents are available for review Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in the Tahoe Division Office, 565 West Lake Blvd., Tahoe City, CA 96145.

E. EVALUATION OF ENVIRONMENTAL IMPACTS:

The Initial Study checklist recommended by the State of California Environmental Quality Act (CEQA) Guidelines is used to determine potential impacts of the proposed project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the project (see CEQA Guidelines, Appendix G). Explanations to answers are provided in a discussion for each section of questions as follows:

- a) A brief explanation is required for all answers including "No Impact" answers.
- b) "Less Than Significant Impact" applies where the project's impacts are insubstantial and do not require any mitigation to reduce impacts.

- c) "Less Than Significant with Mitigation Measures" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).
- d) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- e) All answers must take account of the entire action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA Guidelines, Section 15063(a)(1)].
- f) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [CEQA Guidelines, Section 15063(c)(3)(D)]. A brief discussion should be attached addressing the following:
 - ➔ **Earlier analyses used** – Identify earlier analyses and state where they are available for review.
 - ➔ **Impacts adequately addressed** – Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - ➔ **Mitigation measures** – For effects that are checked as "Less Than Significant with Mitigation Measures," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- g) References to information sources for potential impacts (i.e. General Plans/Community Plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously-prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached and other sources used, or individuals contacted, should be cited in the discussion.

NOTE: The following terms are included in the checklist sections indicating the County department responsible for reviewing the CEQA topic:

PLN	Planning Services Division
Air Quality	Planning Services Division-Air Quality
ESD	Engineering and Surveying Division
EHS	HHS-Environmental Health Services

I. AESTHETICS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (PLN)			X	
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (PLN)			X	
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (PLN)			X	
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN)			X	

Discussion Item I-1, 2, 3, 4:

Official scenic vistas have not been designated by Placer County. The Placer County General Plan provides examples of scenic areas, which include river canyons, lake watersheds, scenic highway corridors, ridgelines and steep slopes (see General Plan Policy 1.K.1). The existing wineries and farm brewery that are being evaluated in this Initial Study are not located in any such areas. Furthermore, the proposed Zoning Text Amendment would not lead to the physical alteration of the existing wineries and farm brewery, such that the visual character or quality of the sites and their surroundings could be substantially degraded. Rather, the Zoning Text Amendment would allow the existing facilities to hold an unlimited number of Agricultural Promotional Events, and for the two existing facilities on parcels greater than 20 acres, an additional six Special Events per year (12 total). Such by-right allowances would not affect the visual character or quality of the sites. It could also be considered that Agricultural Promotional Events, such as wine release parties, winemaker dinners, etc., as well as Special Events such as private parties, fundraisers, and social or educational gatherings where outside alcohol is allowed, are not incongruent with the rural agricultural landscape where the facilities are located. Such promotional agri-tourism activities could be compared to some of the events held at the various farms and ranches throughout Placer County.

As discussed previously, the proposed Zoning Text Amendment would not increase the number of zones where wineries and farm breweries could be developed by-right, with the exception of the County's Resort (RES) zone district. The RES-zoned properties within western Placer County, where new facilities could be expected based upon factors such as elevation, soil types, etc., are limited to twenty-six parcels, five of which are vacant. The use characteristics of a winery and farm brewery would not be more intense from an aesthetic perspective than what would be otherwise allowed by the RES zone. According to the Purpose and Intent of the RES zone district, it is applied to mountainous areas, water-oriented or other areas with significant natural amenities and commercial recreational potential, with good access to major highways. Any structures developed on future wineries or farm breweries in the RES zone would be subject to the size, height, and setback limitations applicable to all other structures.

Further, the proposed Winery and Farm Brewery Ordinance revisions require the primary purpose of any winery or farm brewery to be the growing and processing of wine grapes or hops, respectively, on the property or on other local agricultural lands; therefore, new winery and farm brewery sites will remain agricultural in nature and will maintain agricultural landscapes.

In conclusion, the proposed Zoning Text Amendment would not result in aesthetic impacts. It should also be noted that the proposed revisions to Section 17.56.330 would require all lighting for new wineries to include compliance with the County's Rural Design Guidelines and be "Dark-Sky compliant." This addition will prevent potential increases in light and glare in rural areas of the County from adversely affecting nighttime views. Therefore, potential aesthetic impacts resulting from the proposed Zoning Text Amendment would be ***less than significant***. No mitigation measures are required.

II. AGRICULTURAL & FOREST RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local 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? (PLN)	X			
2. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)	X			
3. Conflict with existing zoning for agricultural use, a Williamson Act contract or a Right-to-Farm Policy? (PLN)	X			
4. 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))? (PLN)	X			
5. Involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use? (PLN)	X			

Discussion Item II-1, 2, 3, 4, 5:

The existing wineries and farm brewery that are being evaluated in this Initial Study are located on agricultural lands within western Placer County. The proposed Zoning Text Amendment would not lead to the direct physical alteration of the existing wineries and farm brewery, such that any on-site important farmland could be converted. Rather, the Zoning Text Amendment would allow the existing facilities to hold an unlimited number of Agricultural Promotional Events, and for the two existing facilities on parcels greater than 20 acres, an additional six Special Events per year. Such by-right allowances would not directly result in the conversion of important farmland. However, the potential exists for increased operations to result in indirect effects to important farmland, such as disturbance of farmland for overflow parking purposes. In addition, the increased operations at the existing facilities could create conflicts with adjacent, agriculturally-zoned properties.

Furthermore, future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County could result in the conversion of important farmland and/or forest lands, depending upon current conditions at the site, which will be evaluated further in the EIR. This is considered a ***potentially significant*** impact.

Further analysis of these impacts will be discussed in the Agricultural Resources chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

III. AIR QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (PLN, Air Quality)	X			
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (PLN, Air Quality)	X			

3. Result in a cumulatively considerable net increase of any criteria for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (PLN, Air Quality)	X			
4. Expose sensitive receptors to substantial pollutant concentrations? (PLN, Air Quality)	X			
5. Create objectionable odors affecting a substantial number of people? (PLN, Air Quality)	X			

Discussion Item III-1, 2, 3, 4, 5:

The proposed Zoning Text Amendment would allow existing facilities to host an unlimited number of Agricultural Promotional Events at the existing facilities that are the subject of this Initial Study. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. This increased activity would result in additional vehicle traffic, and in turn, an increase in air quality emissions.

Similarly, while the Zoning Text Amendment would not be expected to directly induce the development of additional wineries/farm breweries, with the possible exception of winery/farm brewery development on a few RES-zoned properties, the proposed project would provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries. In addition, for new facilities on parcels greater than 20 acres, the proposed project would allow six more Special Events per year. As a result, the proposed Zoning Text Amendment could indirectly induce air quality emissions associated with future facilities subject to the Ordinance. The potential increased criteria pollutant emissions could adversely affect regional air quality in an area that is designated non-attainment for certain pollutants. This is a **potentially significant** impact.

Further analysis of these impacts will be discussed in the Air Quality chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

IV. BIOLOGICAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. 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 & Game, U.S. Fish & Wildlife Service or National Oceanic and Atmospheric Administration Fisheries? (PLN)	X			
2. 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 of restrict the range of an endangered, rare, or threatened species? (PLN)	X			
3. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN)	X			
4. Have a substantial adverse effect on any riparian habitat or other sensitive natural community, including oak woodlands, identified in local or regional plans, policies or regulations, or by the California Department of Fish & Game, U.S. Fish & Wildlife Service, U.S. Army Corps of Engineers or National Oceanic and Atmospheric Administration Fisheries? (PLN)	X			

5. Have a substantial adverse effect on federal or state protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) or as defined by state statute, through direct removal, filling, hydrological interruption, or other means? (PLN)	X			
6. Interfere substantially with the movement of any native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nesting or breeding sites? (PLN)	X			
7. Conflict with any local policies or ordinances that protect biological resources, including oak woodland resources? (PLN)	X			
8. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (PLN)	X			

Discussion Item IV-1, 2, 3, 4, 5, 6, 7, 8:

The existing wineries and farm brewery that are being evaluated in this Initial Study are located on agricultural lands within western Placer County. The proposed Zoning Text Amendment would not lead to the direct physical alteration of the existing wineries and farm brewery, such that any on-site important biological resources could be disturbed. Rather, the Zoning Text Amendment would allow the existing facilities to hold an unlimited number of Agricultural Promotional Events, and for the two existing facilities on parcels greater than 20 acres, an additional six Special Events per year. Such by-right allowances would not directly result in the disturbance of sensitive biological resources. However, the potential exists for increased operations to result in indirect effects to sensitive resources, such as disturbance of undeveloped areas for overflow parking purposes. In addition, the increased operations at the existing facilities could create noise that may have the potential to disrupt wildlife in the surrounding environs.

In addition, future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County could result in the disturbance of sensitive biological resources, depending upon current conditions at the site, which will be evaluated further in the EIR. The proposed project would also provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries. In addition, for new facilities on parcels greater than 20 acres, the proposed project would allow six more Special Events per year. This potential for increased activities at future facilities, as a result of the proposed project, could lead to disruption of wildlife. This is considered a **potentially significant** impact.

Further analysis of these impacts will be discussed in the Biological Resources chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

V. CULTURAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Substantially cause adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5? (PLN)	X			
2. Substantially cause adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5? (PLN)	X			
3. Have the potential to cause a physical change, which would affect unique ethnic cultural values? (PLN)	X			
4. Restrict existing religious or sacred uses within the potential impact area? (PLN)	X			

5. Disturb any human remains, including these interred outside of formal cemeteries? (PLN)	X			
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Discussion Item V-1, 2, 3:

The existing wineries and farm brewery that are being evaluated in this Initial Study are located on agricultural lands within western Placer County. The proposed Zoning Text Amendment would not lead to the physical alteration of the existing wineries and farm brewery, such that any on-site cultural resources could be disturbed. Rather, the Zoning Text Amendment would allow the existing facilities to hold an unlimited number of Agricultural Promotional Events, and for the two existing facilities on parcels greater than 20 acres, an additional six Special Events per year. Such by-right allowances would not directly result in the subsurface disturbance of cultural resources.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County could result in the disturbance of cultural resources. This is considered a **potentially significant** impact.

Further analysis of these impacts will be discussed in the Cultural Resources chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

VI. GEOLOGY & SOILS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Expose people or structures to unstable earth conditions or changes in geologic substructures? (ESD)			X	
2. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)			X	
3. Result in substantial change in topography or ground surface relief features? (ESD)			X	
4. Result in the destruction, covering or modification of any unique geologic or physical features? (ESD)			X	
5. Result in any significant increase in wind or water erosion of soils, either on or off the site? (ESD)			X	
6. Result in changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake? (ESD)			X	
7. Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? (ESD)			X	
8. Be located on a geological 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? (ESD)			X	
9. Be located on expansive soils, as defined in Chapter 18 of the California Building Code, creating substantial risks to life or property? (ESD)			X	

Discussion Item VI-1, 2, 3, 4, 7, 8, 9:

According to the Placer County General Plan, Placer County lies within a seismically active area of the western United States, but beyond the influence of the highly active faults found along California's coast. The western portion of the County is generally characterized by low seismicity, and is not in an area at risk for severe ground

shaking associated with earthquakes.² While lower-intensity earthquakes and associated seismic effects could potentially occur at the wineries and farm brewery that are the subject of this Initial Study, and the proposed Zoning Text Amendment would be expected to expose more people to these hazards than is currently occurring under the adopted Winery Ordinance, the on-site structures would have been designed consistent with the California Building Code (CBC), as overseen by Placer County through the building permit process. The CBC contains provisions to safeguard against major structural failures or loss of life caused by earthquakes or other geologic and geomorphological hazards.

In addition, future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County would be required to comply with State and local building codes. The proposed project would also provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries subject to the proposed Zoning Text Amendment. However, any future on-site structures at these facilities would be built in accordance with the then-current CBC, which would ensure no adverse effects would occur to people. This is considered a **less-than-significant** impact. No mitigation measures are required.

Discussion Item VI-5, 6:

As discussed in this Initial Study, the proposed Zoning Text Amendment would not be expected to result in additional on-site development at existing wineries and the farm brewery within the County. Rather, the proposed amendment would allow increased activity at the existing facilities, which would not be expected to increase soil erosion. For the limited potential to develop future facilities by-right on RES-zoned properties within western Placer County, the County's Grading, Erosion, and Sediment Control Ordinance (Article 15.48) would address potential erosive effects associated with construction. This is considered a **less-than-significant** impact. No mitigation measures are required.

VII. GREENHOUSE GAS EMISSIONS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant and/or cumulative impact on the environment? (PLN, Air Quality)	X			
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (PLN, Air Quality)	X			

Discussion Item VII-1, 2:

The proposed Zoning Text Amendment would allow existing facilities to host an unlimited number of Agricultural Promotional Events at the existing facilities that are the subject of this Initial Study. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. This increased activity would result in additional vehicle traffic, and in turn, an increase in mobile source greenhouse gas emissions.

Similarly, while the Zoning Text Amendment would not be expected to directly induce the development of additional wineries/farm breweries, with the possible exception of winery/farm brewery development on a few RES-zoned properties, the proposed project would provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries. In addition, for new facilities on parcels greater than 20 acres, the proposed project would allow six more Special Events per year. As a result, the proposed Zoning Text Amendment could indirectly induce greenhouse emissions associated with future facilities subject to the Ordinance. The potential increased greenhouse gas emissions could adversely affect the environment. This is a **potentially significant** impact.

Further analysis of these impacts will be discussed in the Cumulative Impacts and Other CEQA Sections chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

² Placer County. *Countywide General Plan EIR* [pg. 9-1]. July 1994.

VIII. HAZARDS & HAZARDOUS MATERIALS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials? (EHS)			X	
2. 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? (EHS)			X	
3. Emit hazardous emissions, substances, or waste within one-quarter mile of an existing or proposed school? (PLN, Air Quality)			X	
4. 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? (EHS)			X	
5. 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 for people residing or working in the project area? (PLN)			X	
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area? (PLN)			X	
7. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (PLN)			X	
8. Create any health hazard or potential health hazard? (EHS)			X	
9. Expose people to existing sources of potential health hazards? (EHS)			X	

Discussion Item VIII-1, 2, 3, 4, 5, 6, 8, 9:

The proposed Zoning Text Amendment would allow existing facilities that are the subject of this Initial Study to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. The types of events that could be anticipated include but are not necessarily limited to winemaker dinners, release parties, wine club parties, fundraisers, and private parties where the only alcohol served is produced by the winery/farm brewery, as well as social or educational gatherings where the property owner is compensated in exchange for the use of the site and facility. These types of activities would not involve the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials, nor reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. With respect to food handling, which is not considered a hazardous material, it is noted that the proposed Zoning Text Amendment requires service and/or preparation of food in an existing or new tasting room to be subject to prior approval and applicable permitting by Environmental Health. If food is prepared on-site, wineries shall have a commercial kitchen. The kitchen shall only be used in conjunction with on-site events and shall comply with all conditions for a commercial kitchen, as specified by the Environmental Health Division.

Similar to the other zoning districts where wineries and farm breweries are permitted (e.g., Agricultural and Resource zoning districts), future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County would be required to comply with State and local building codes related to use of hazardous materials. In the event that construction of future winery or farm brewery facilities under the Zoning

Text Amendment would involve transport, use, and disposal of hazardous materials such as solvents, paints, oils, grease, and caulking, these materials are anticipated to be handled consistent with applicable federal, state, and local regulations. Small amounts of these materials would be on site at any given time and are typical materials used in construction projects. Similar to existing facilities, operations of future winery and farm brewery facilities on RES-zoned properties, including fermentation and cultivation, would likely use hazardous materials as defined in the California Health and Safety Code, including nitrogen, carbon monoxide, and sulfur dioxide gases. In Placer County, a business is required to have a Hazardous Materials Business Plan (HMBP) if its inventory exceeds any of these threshold quantities:

- Solids - 500 lbs. or more
- Liquids - 55 gallons or more
- Compressed Gasses - 200 Cubic Feet or more

A HMBP specifies the use, quantities, storage, transportation, disposal, and upset procedures for hazardous materials in accordance with State and County regulations, and including Identification of: 1) Owner/Operator Identification; 2) Chemical Description Page; 3) Map of storage; 4) Emergency Response Plan; and 5) Employee Training. With the standard requirement for an HMBP for any future by-right wineries and farm breweries that would use hazardous materials in the above-stated quantities, regular maintenance, use, and storage of chemicals are not anticipated to result in hazardous conditions.

As discussed in this Initial Study, the proposed project would also provide greater flexibility with respect to the amount of Agricultural Promotional Events and Special Events that may occur at future wineries/farm breweries subject to the proposed Zoning Text Amendment. However, any future events would not be expected to involve routine use of hazardous materials, for the reasons discussed above. This is considered a **less-than-significant** impact. No mitigation measures are required.

Discussion Item VIII-7:

The proposed Zoning Text Amendment would allow existing facilities that are the subject of this Initial Study to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. These additional by-right events would bring additional people to these facilities on a temporary basis. However, according to CAL FIRE, none of the existing facilities are located in a Very High Fire Hazard Severity Zone.³

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County would be required to comply with State and local building codes related to wildland-urban interface (CBC Chapter 7A), if the property is located in a Very High Fire Hazard Severity Zone. The wildland-urban interface code includes requirements for defensible space around structures, ignition-resistant building materials, etc.

The proposed project would also provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries subject to the proposed Zoning Text Amendment. However, any future on-site structures at these facilities would be designed in compliance with CBC Chapter 7A, which would ensure no adverse effects would occur to people. This is considered a **less-than-significant** impact. No mitigation measures are required.

IX. HYDROLOGY & WATER QUALITY – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Violate any federal, state or county potable water quality standards? (EHS)			X	
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local groundwater	X			

³ http://frap.fire.ca.gov/webdata/maps/placer/fhszl_map.31.pdf; accessed August 22, 2017.

supplies (i.e. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (EHS)				
3. Substantially alter the existing drainage pattern of the site or area? (ESD)			X	
4. Increase the rate or amount of surface runoff? (ESD)			X	
5. Create or contribute runoff water which would include substantial additional sources of polluted water? (ESD)			X	
6. Otherwise substantially degrade surface water quality?(ESD)			X	
7. Otherwise substantially degrade ground water quality? (EHS)			X	
8. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map? (ESD)			X	
9. Place within a 100-year flood hazard area improvements which would impede or redirect flood flows? (ESD)			X	
10. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (ESD)			X	
11. Alter the direction or rate of flow of groundwater? (EHS)			X	
12. Impact the watershed of important surface water resources, including but not limited to Lake Tahoe, Folsom Lake, Hell Hole Reservoir, Rock Creek Reservoir, Sugar Pine Reservoir, French Meadows Reservoir, Combie Lake, and Rollins Lake? (EHS, ESD)			X	

Discussion Item IX-1, 7:

The proposed Zoning Text Amendment would allow existing facilities that are the subject of this Initial Study to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. Such events would not be expected to result in the violation of federal, state, or county potable water quality standards, or otherwise substantially degrade ground water quality.

Under the proposed Zoning Text Amendment, the “event” definition has been modified to distinguish between Agricultural Promotional Events and Special Events, whereby Agricultural Promotional Events of 50 people or less at any one time are not limited in number. As a result of this added flexibility, the number of days throughout the year during which events may be held at existing facilities could increase.

The currently adopted Winery Ordinance requires the facility owner to provide bottled water for consumption if more than 24 people in a 60-day period are served, unless otherwise approved by the County Environmental Health Division. The Zoning Text Amendment proposes to clarify potable water standards in accordance with State regulations. For example, if a facility serves more than 24 people daily, 60 days or more per year, then a public water system shall be required. Similarly, potential by-right wineries or farm breweries on RES-zoned properties in western Placer County could require a public water system if the facility would serve more than 24 people daily, 60 days or more per year. The type of public water system would be a Transient-Noncommunity water system, which includes restaurants, campgrounds, small wineries, motels and other non-residential facilities. Such a public water system requires a permit from the State Water Resources Control Board, Division of Drinking Water. As a result, if any of the existing facilities would like to host more than 24 people daily, 60 days or more per year, under the proposed Zoning Text Amendment, they would be required to install a public water system and obtain a permit from the State Water Resources Control Board, Division of Drinking Water. Any new water wells would need to be constructed in accordance with the California Department of Water Resources Bulletin 74-81, “Water Well Standards, State of California.”

As part of this process, new wells are tested for bacteria and other contaminants in accordance with federal and state laws protecting water quality. Groundwater supplies must not exceed primary or secondary drinking water standards as measured by the State and Federal MCLs. Groundwater supplies must conform to standards to be considered for potable use. Because groundwater in wells is tested for known contaminants, impacts to groundwater quality would not be significant.

Groundwater contamination can result when man-made products such as gasoline, oil, and chemicals get into groundwater. When this occurs, groundwater may be rendered unsafe and unfit for human use. Major sources of contamination include storage tanks, septic systems, hazardous waste sites, landfills and widespread use of fertilizers, pesticides, and other chemicals. The primary contaminants of concern that could leach into groundwater supplies as a result of winery and farm brewery operations would be from use of fertilizers, herbicides, pesticides, petroleum products, and volatile organic compounds. These contaminants, if present, have the potential to be absorbed and could contaminate groundwater during the growing season. However, any new wells would be required to comply with the setbacks requirements in DWR Bulletin 74-81, which include minimum setbacks from storage and preparation areas for pesticides, fertilizers, and other chemicals. This is considered a **less-than-significant** impact. No mitigation measures are required.

Discussion Item IX-2:

The proposed Zoning Text Amendment would allow the existing facilities that are the subject of this Initial Study to conduct an unlimited number of Agricultural Promotional Events. Such increased activity would result in additional demand for groundwater resources for those facilities having groundwater wells. Should additional by-right development of wineries or farm breweries occur at RES-zoned properties within western Placer County, they too, could increase the demand on groundwater resources. This would be considered a **potentially significant** impact if the additional demand would result in substantial depletion of groundwater resources.

Further analysis of these impacts will be discussed in the Utilities and Service Systems chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

Discussion Item IX-3, 4, 5, 6, 12:

The proposed Zoning Text Amendment would allow existing facilities that are the subject of this Initial Study to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. Such events would not be expected to result in the degradation of surface water quality, including the watershed of important surface water resources, nor increase the rate or amount of surface runoff.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County could impact surface water quality during construction, if topsoils are loosened and subject to wind and/or water transport to downstream waters; however, construction activity would be required to comply with State and local building codes related to grading and water quality protection. For example, the County's Grading, Erosion, and Sediment Control Ordinance requires a Grading Permit for any retaining walls exceeding four feet in total height, as measured from bottom of footing to the top of the wall and /or supporting a surcharge; cuts or fills exceeding 4 feet in depth; fill or excavation greater than 250 cubic yards; or soil disturbances exceeding 10,000 square feet on slopes 10 percent or greater; or as otherwise required by Placer County Code, Article 15.48, Placer County Grading, Erosion, and Sediment Control Ordinance. In granting a permit, the Placer County Community Development Resource Agency may impose any condition deemed necessary to protect the health, safety and welfare of the public, to prevent the creation of a hazard to public or private property, prevent erosion and to assure proper completion of the grading, including but not limited to (see Article 15.48.240):

1. Mitigation of adverse environmental impacts as disclosed by any environmental document findings. This includes the proper disposal of any hazardous material identified in the initial planning phase. The Director of Health and Human Services will approve hazardous materials management;
2. Improvement of any existing grading to comply with the standards of this article;
3. Requirements for fencing or other protecting of grading which would otherwise be hazardous;
4. Requirements for dust, erosion, sediment and noise control, and hours of operation and season of work, weather conditions, sequence of work, access roads and haul routes;
5. Requirements for safeguarding watercourses, whether natural or man-made, from excessive deposition of sediment or debris in quantities exceeding natural levels;
6. Requirements for safeguarding areas reserved for on-site sewage disposal;

7. Assurance that the land area in which grading is proposed and for which habitable structures are proposed is not subject to hazards of land slippage or significant settlement or erosion and that the hazards of flooding can be eliminated or adequately reduced;
8. Requirements for safeguarding existing water wells.

With respect to degradation of surface water quality during operation of any future by-right wineries and farm breweries within RES-zoned properties, these facilities would be required to comply with the County's NPDES Phase II MS4 permit. According to the permit, site design measures are required for all projects that create and/or replace (including projects with no net increase in impervious footprint) between 2,500 square feet and 5,000 square feet of impervious surface. Projects shall implement one or more of the following site design measures to reduce project site runoff:

- (a) Stream Setbacks and Buffers - a vegetated area including trees, shrubs, and herbaceous vegetation, that exists or is established to protect a stream system, lake reservoir, or coastal estuarine area;
- (b) Soil Quality Improvement and Maintenance - improvement and maintenance soil through soil amendments and creation of microbial community;
- (c) Tree Planting and Preservation - planting and preservation of healthy, established trees that include both evergreens and deciduous, as applicable;
- (d) Rooftop and Impervious Area Disconnection - rerouting of rooftop drainage pipes to drain rainwater to rain barrels, cisterns, or permeable areas instead of the storm sewer;
- (e) Porous Pavement - pavement that allows runoff to pass through it, thereby reducing the runoff from a site and surrounding areas and filtering pollutants;
- (f) Green Roofs - a vegetative layer grown on a roof (rooftop garden);
- (g) Vegetated Swales - a vegetated, open-channel management practice designed specifically to treat and attenuate storm water runoff;
- (h) Rain Barrels and Cisterns - system that collects and stores storm water runoff from a roof or other impervious surface.

Any project that creates and/or replaces 5,000 square feet or more of impervious surface is considered a "Regulated Project" and is subject to additional storm water controls, identified as source control measures and low impact development (LID) standards. These storm water quality regulations, as well as Placer County's Stormwater Quality Ordinance (Article 8.28) would ensure that any by-right winery/farm brewery development would not result in degradation of surface water quality during operations, nor contribute runoff water which would include substantial additional sources of polluted water. In addition, the site design measures and source control measures (for Regulated Projects) provide means of infiltration such that substantial increase in runoff volumes would not occur.

The proposed project would also provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries subject to the proposed Zoning Text Amendment. However, any future increase in events would not result in degradation of water quality or increase in the rate and amount of runoff. This is considered a **less-than-significant** impact. No mitigation measures are required.

Discussion Item IX-8, 9, 10:

The proposed Zoning Text Amendment would allow existing facilities that are the subject of this Initial Study to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. Such events would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map, nor place within a 100-year flood hazard area improvements which would impede or redirect flood flows.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County would be subject to County and other agencies' floodplain regulations, permit and approvals, including Placer County's Flood Damage Prevention Ordinance.

The proposed project would also provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries subject to the proposed Zoning Text Amendment. However, any future increase in events would not result in flood-related impacts. This is considered a **less-than-significant** impact. No mitigation measures are required.

X. LAND USE & PLANNING – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Physically divide an established community? (PLN)			X	
2. Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect? (EHS, ESD, PLN)	X			
3. Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects? (PLN)	X			
4. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)	X			
5. Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)? (PLN)	X			
6. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (PLN)			X	
7. Result in a substantial alteration of the present or planned land use of an area? (PLN)	X			
8. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)			X	

Discussion Item X-1, 6:

The proposed Zoning Text Amendment would allow existing facilities that are the subject of this Initial Study to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. Such events would not physically divide an established community.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County would not be expected to physically divide an established community because of their relative remote location and small quantity.

The proposed project would also provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries subject to the proposed Zoning Text Amendment. However, any future increase in events would not divide established communities. This is considered a **less-than-significant** impact. No mitigation measures are required.

Discussion Item X-2:

The proposed Zoning Text Amendment involves amendments to the Placer County Code, as described in the project description section of this checklist, and Attachment A hereto. The EIR will include a detailed analysis of the consistency of these proposed amendments with other Placer County policies, plans, and regulations adopted for the purpose of avoiding or mitigating environmental impacts. This is considered a **potentially significant** impact.

Further analysis of these impacts will be discussed in the Land Use chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

Discussion Item X-3:

The draft Placer County Conservation Plan (PCCP) was released in 2011, which proposes a streamlined strategy and permitting process for a range of covered activities in western Placer County for the next 50 years. The First Agency Review Draft PCCP establishes a conservation reserve area to protect and conserve special-status species and natural communities. The area covers approximately 212,000 acres, including important biological communities in western Placer County. The PCCP would function as both a Habitat Conservation Plan (HCP) under the FESA, and a Natural Community Conservation Plan (NCCP) under the California Natural Community Conservation Planning Act. The PCCP would be focused on a landscape-level, which would allow the creation of contiguous blocks of preserved habitat. Landscape-level planning would also help to avoid piece-meal, project-level mitigation, which can result in isolated habitat areas and disrupted broad-scale ecological processes. Conservation efforts within the PCCP would be focused both on special-status species, and on habitat types, allowing for direct impacts to special-status species as well as habitat loss associated with development. Although the PCCP will be focused on protecting habitats and individual species, the PCCP is not anticipated to cover special-status plant species.

While the PCCP is not yet adopted, it is nearing completion. The EIR for the proposed Zoning Text Amendment will include additional evaluation of this draft HCP/NCCP. This is considered a **potentially significant** impact.

Further analysis of this impact will be discussed in the Biological Resources chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

Discussion Item X-4, 5, 7:

The existing wineries and farm brewery that are being evaluated in this Initial Study are located on agricultural lands within western Placer County. The proposed Zoning Text Amendment would not lead to the direct physical alteration of the existing wineries and farm brewery, such that any on-site important farmland could be converted. Rather, the Zoning Text Amendment would allow the existing facilities to hold an unlimited number of Agricultural Promotional Events, and for the two existing facilities on parcels greater than 20 acres, an additional six Special Events per year. Such by-right allowances would not directly result in the conversion of important farmland. However, the potential exists for increased operations to result in indirect effects to important farmland, such as disturbance of farmland for overflow parking purposes. In addition, the increased operations at the existing facilities could create compatibility conflicts with adjacent, agriculturally-zoned properties.

In addition, future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County could result in the conversion of important farmland and/or forest lands, depending upon the sites' current conditions, which will be evaluated further in the EIR. This is considered a **potentially significant** impact.

Further analysis of these impacts will be discussed in the Agricultural Resources chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

Discussion Item X-8:

The proposed Zoning Text Amendment would not result in changes to the current, adopted Winery Ordinance that would cause economic or social changes that would result in significant adverse physical changes to the environment, such as urban decay or deterioration. The purpose of this Zoning Text Amendment is to preserve and protect farmland while also supporting tenants of agri-tourism, which is broadly defined as any agriculturally-based activity that offers visitors an opportunity to experience a farm or ranch. Generally, the text amendment is intended to balance the needs of various stakeholder groups and support the core principle that the primary use of the property is for the growing and processing of grapes or hops. This is considered a **less-than-significant** impact. No mitigation measures are required.

XI. MINERAL RESOURCES – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. The loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (PLN)			X	
2. 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? (PLN)			X	

Discussion Item XI-1, 2:

The proposed Zoning Text Amendment would allow existing facilities that are the subject of this Initial Study to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. Such events would not result in the loss of availability of a known mineral resource.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County would not be expected to result in the loss of availability of a known mineral resource given the limited development potential and general lack of known mineral resource sites in the subject area.

The proposed project would also provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries subject to the proposed Zoning Text Amendment. However, any future increase in events would not affect availability of known mineral resource sites. This is considered a **less-than-significant** impact. No mitigation measures are required.

XII. NOISE – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies? (PLN)	X			
2. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)	X			
3. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)	X			
4. 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 expose people residing or working in the project area to excessive noise levels? (PLN)			X	
5. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (PLN)			X	

Discussion Item XII-1, 2, 3:

The proposed Zoning Text Amendment would allow existing facilities to host an unlimited number of Agricultural Promotional Events at the existing facilities that are the subject of this Initial Study. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. This increased activity would result in additional vehicle traffic, and in turn, an increase in traffic noise on surrounding roadways. In addition, while the types of events that would be allowable are similar to the types of events allowable under the currently adopted Winery Ordinance, the EIR will evaluate whether the types of stationary noise sources could change or increase as a result of the proposed Zoning Text Amendment.

As discussed throughout this Initial Study, the Zoning Text Amendment would not be expected to directly induce the development of additional wineries/farm breweries, with the possible exception of winery/farm brewery development on a few RES-zoned properties, the proposed project would provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries. In addition, for new facilities on parcels greater than 20 acres, the proposed project would allow six more Special Events per year. As a result, the proposed Zoning Text Amendment could indirectly induce increased noise levels associated with future facilities subject to the Ordinance. The potential increased noise levels could result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. With respect to the potential by-right development of wineries or farm breweries on the limited number of RES-zoned properties in western Placer County, this potential development could result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. This is a **potentially significant** impact.

Further analysis of these impacts will be discussed in the Noise chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

Discussion Item XII-4, 5

Two public airports are located within western Placer County, where the existing wineries and farm brewery are located – Auburn Municipal Airport and Lincoln Regional Airport. Based upon a review of the Land Use Compatibility Plans for the airports, the influence areas for these two airports do not currently overlap within any existing facilities. Therefore, the increased operations (e.g., Agricultural Promotional Events) associated with the proposed Zoning Text Amendment would not expose people working in the project area to excessive noise levels.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County could result in facilities being developed within airport influence areas; however, this would not be expected to result in compatibility conflicts. For example, according to the Lincoln Regional Airport Compatibility Plan, agriculture, including vineyards, is conditionally compatible in all airport overlay zones, with the limited condition being that vineyards should avoid new features that attract birds.⁴ Per the Land Use Compatibility Plan, vineyards are not noise-sensitive land uses. The LUP defines noise-sensitive land uses as follows:⁵

- 2.1.24. *Noise-Sensitive Land Uses:* Land uses for which the associated primary activities, whether indoor or outdoor, are susceptible to disruption by loud noise events. The most common types of noise sensitive land uses include, but are not limited to: residential, hospitals, nursing facilities, intermediate care facilities, educational facilities, libraries, museums, places of worship, child-care facilities, and certain types of passive recreational parks and open space.

Based upon the above factors, the proposed Zoning Text Amendment would have a **less-than-significant** impact with respect to exposing people residing or working in the project area to excessive noise levels. No mitigation measures are required.

⁴ Placer County Airport Land Use Commission. *Placer County Airport Land Use Compatibility Plan*. Adopted February 26, 2014, p. 6-5.

⁵ *Placer County Airport Land Use Compatibility Plan*, p. 2-3.

XIII. PALEONTOLOGICAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (PLN)	X			

Discussion Item XIII-1:

The existing wineries and farm brewery that are being evaluated in this Initial Study are located on agricultural lands within western Placer County. The proposed Zoning Text Amendment would not lead to the physical alteration of the existing wineries and farm brewery, such that any on-site paleontological resources could be disturbed. Rather, the Zoning Text Amendment would allow the existing facilities to hold an unlimited number of Agricultural Promotional Events, and for the two facilities on parcels greater than 20 acres, an additional six Special Events per year. Such by-right allowances would not directly result in the disturbance of paleontological resources.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County could result in the subsurface disturbance of paleontological resources, depending upon the sites' substrata, which will be evaluated further in the EIR. This is considered a **potentially significant** impact.

Further analysis of these impacts will be discussed in the Cultural Resources chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

XIV. POPULATION & HOUSING – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (i.e. by proposing new homes and businesses) or indirectly (i.e. through extension of roads or other infrastructure)? (PLN)			X	
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (PLN)			X	

Discussion Item XIV-1, 2:

The proposed Zoning Text Amendment would allow existing facilities that are the subject of this Initial Study to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. Such events would not induce substantial population growth in an area, either directly or indirectly.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County could lead to temporary increases in population associated with Agricultural Promotional Events and Special Events; however, these visitors would not lead to a permanent increase in population, and would not be considered substantial. Similarly, the limited potential of by-right development of wineries and farm breweries on RES-zoned properties in western Placer County would not lead to the displacement of substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere, given the relatively remote and rural nature of the RES-zoned parcels.

The proposed project would also provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries subject to the proposed Zoning Text Amendment. However, any future increase in events would not lead to substantial population growth in an area, nor the

displacement of substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. This is considered a ***less-than-significant*** impact. No mitigation measures are required.

XV. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or 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?

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Fire protection? (ESD, PLN)			X	
2. Sheriff protection? (ESD, PLN)			X	
3. Schools? (ESD, PLN)			X	
4. Maintenance of public facilities, including roads? (ESD, PLN)			X	
5. Other governmental services? (ESD, PLN)			X	

Discussion Item XV-1:

Multiple agencies provide fire service within unincorporated Placer County. For western Placer County, where existing winery and farm brewery facilities are located, a total of nine special districts provide fire service, as well as CAL FIRE through contract with the Placer County Fire Department (PCF). The respective service areas for these providers are shown in Figure 2. As illustrated in Figure 2 and Figure 3, the majority of western Placer County, including the area where the existing facilities are located, is provided fire protection services by CAL FIRE via contract with PCF.

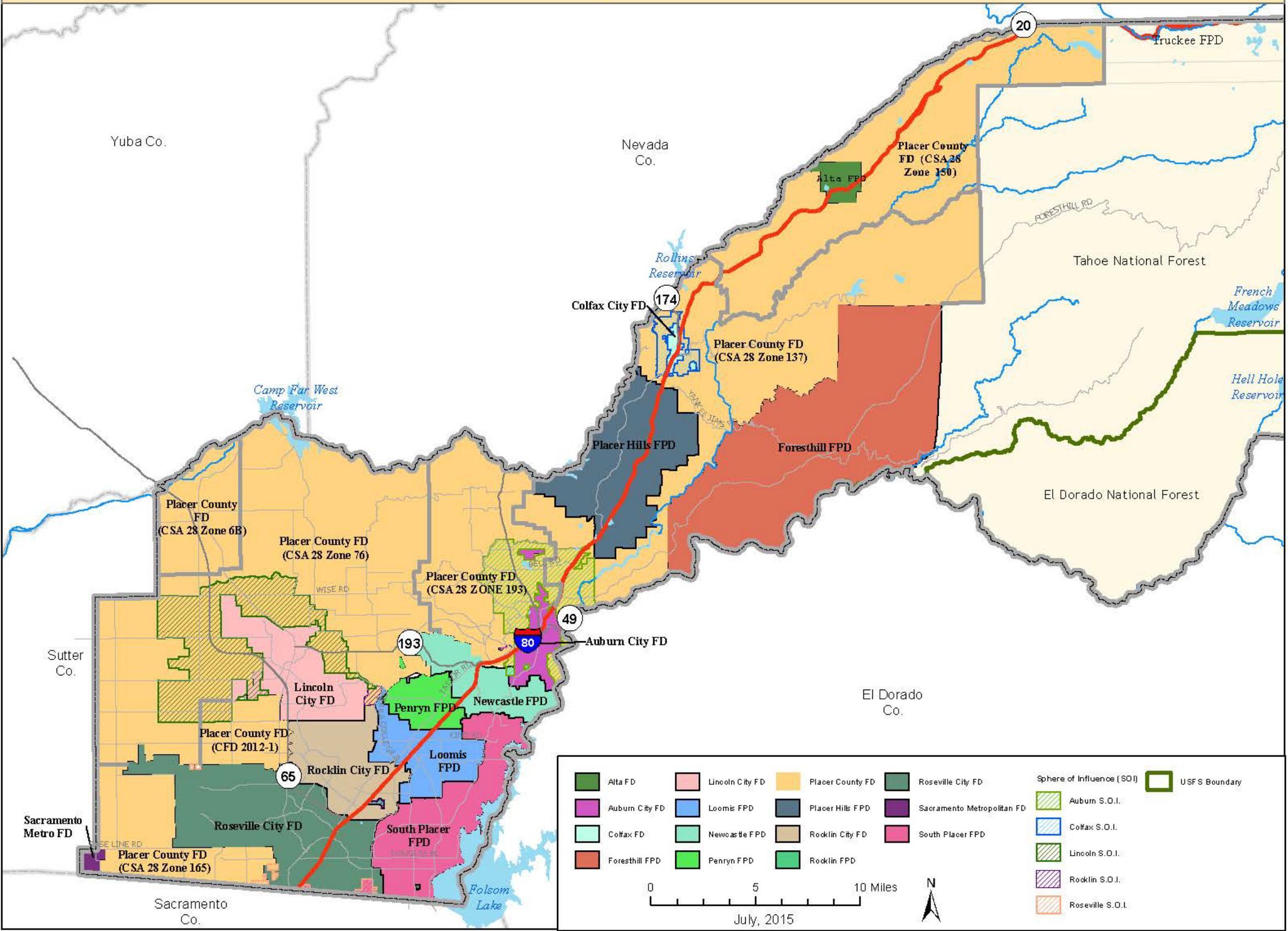
PCF is a department of the County of Placer overseen by the County Office of Emergency Services. In addition, PCF personnel comprise the members of the Central Division of the County's Interagency Hazardous Materials Response Team (Hazmat team), which responds with other fire entities, law enforcement, and the Environmental Health Division of the Placer County Department of Health and Human Services countywide.

The territory served by PCF is consistent with the boundaries of County Service Area (CSA) 28, which is used as a means to fund the services offered by the Department. CSA 28 is broken down into ten zones based on the territories previously served by independent fire districts that have dissolved at some point in the past with services transferred to the County or areas originally served by the County, seven of which are active with revenues and budgets, consisting of Dry Creek (Zone 165), Dutch Flat (Zone 150), Sheridan (Zone 6B), Western Placer (Zone 76), Bickford Ranch (Zone 189), Auburn vicinity (Zone 193) and Sunset Industrial Area (Zone 97). The other three zones of benefit (Serene Lakes (Zone 16), Summit Area (Zone 143), Bowman and Colfax vicinity (Zone 137)) are inactive with no dedicated revenue sources or adopted budgets.

PCF is a signatory of the Western Placer County Cooperative Fire Services Response Agreement along with the 12 other fire protection agencies in western Placer County. According to the agreement, the agencies provide automatic aid to each other and make use of the closest resource dispatching fire, rescue, and medical emergency response without regard to jurisdiction or statutory responsibility.

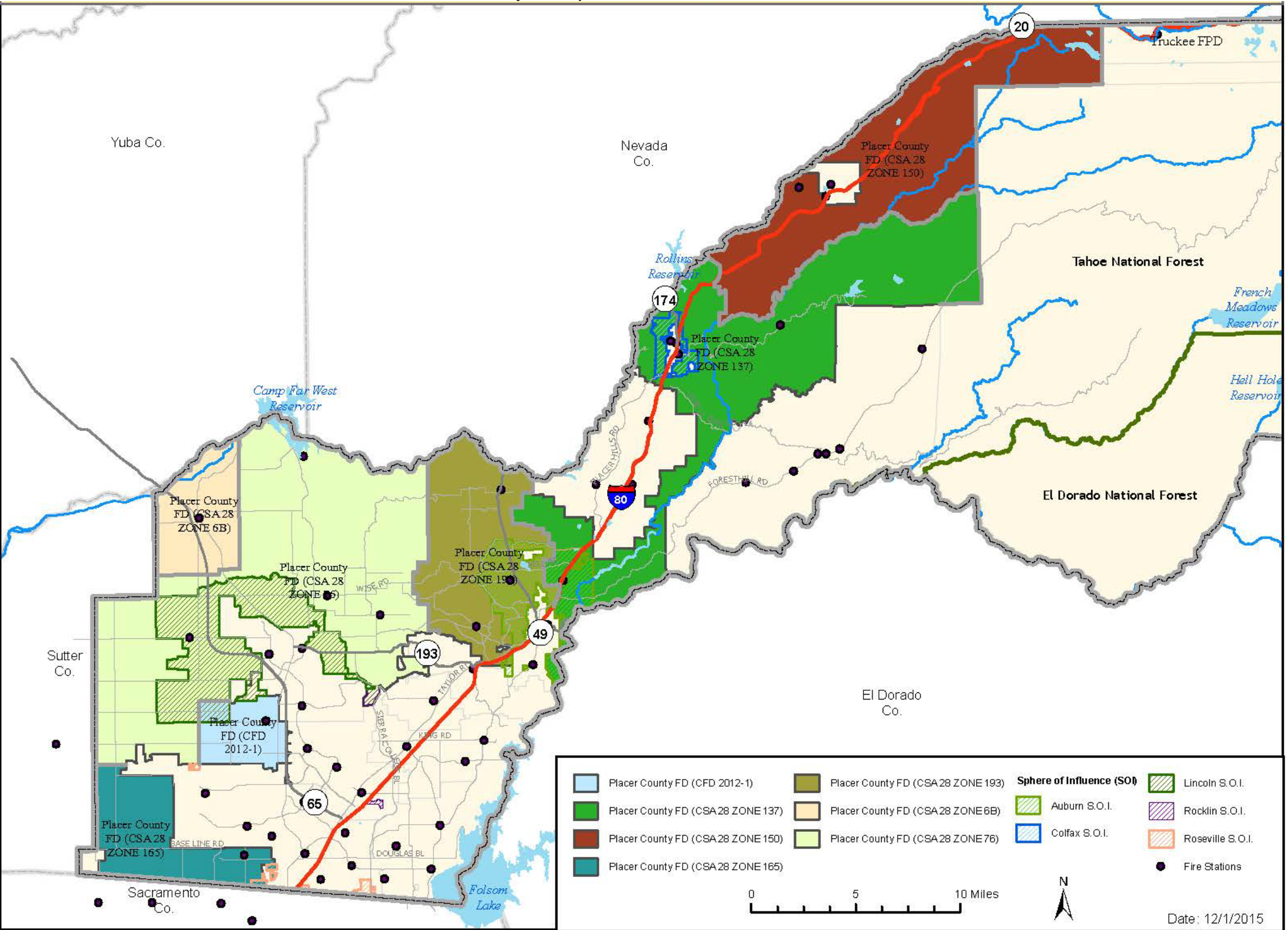
Among the services provided by PCF include structural and wildland fire protection, as well as emergency medical services and hazardous materials emergency response. PCF has a total of 14 fire stations throughout western Placer County (see Figure 3), 69 full-time personnel, and 101 volunteers.

Figure 2
Western Placer County Fire Service Providers



Source: Municipal Service Review for Fire and Emergency Services West Placer County Area. May 25, 2017.

Figure 3
Placer County Fire Department Service Area and Fire Stations



Source: Municipal Service Review for Fire and Emergency Services West Placer County Area. May 25, 2017.

The proposed Zoning Text Amendment would allow existing facilities that are the subject of this Initial Study to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. Such events would not be expected to result in an increase in the demand for fire protection services, with the possible exception of additional emergency medical response calls for health related incidents. However, the question, per Appendix G, is whether the demand is sufficient to require physical improvements to existing fire stations, or the construction of new stations, to meet service demands. Such physical improvements would not be required to accommodate increased emergency medical-related calls.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County would have the potential to increase the demand for fire protection services. PCF would be expected to be the primary service provider for any new facilities on RES-zoned properties in western Placer County. The incremental level of demand would not be expected to result in the need for new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives. PCF has reported that its fire stations are not in need of infrastructure with the exception of Station 70 in Lincoln, which is in need of another apparatus bay.⁶ Vehicle needs and a schedule to address those needs are outlined in the Vehicle Replacement Plan. In addition, any structures would be built in compliance with State and local codes, which include provisions for fire protection.

The proposed project would also provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries subject to the proposed Zoning Text Amendment. However, any future increase in events would not result in increased demand on fire service providers that would result in the need to construction new facilities, or alter existing facilities. This is considered a **less-than-significant** impact. No mitigation measures are required.

Discussion Item XV-2:

Law enforcement services in unincorporated areas of western Placer County are provided by the Placer County Sheriff's Office. The proposed Zoning Text Amendment would allow existing facilities that are the subject of this Initial Study to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. Incremental increases in activity associated with wine and beer consumption and events within western Placer County has the potential to increase demand for police services. These could include responses to noise complaints, driving while under the influence, public intoxication, etc. Increased visitation and events associated with existing facilities could incrementally increase demand for law enforcement officers. However, the question, per Appendix G, is whether the demand is sufficient to require physical improvements to existing police stations, or the construction of new stations, to meet service demands. Such physical improvements would not be required to accommodate increased law enforcement-related calls.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County would have the potential to increase the demand for law enforcement services. The incremental level of demand would not be expected to result in the need for new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives.

The proposed project would also provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries subject to the proposed Zoning Text Amendment. However, any future increase in events would not result in increased demand on the Sheriff's Office that would result in the need to construction new facilities, or alter existing facilities. This is considered a **less-than-significant** impact. No mitigation measures are required.

Discussion Item XV-3, 4, 5:

The proposed Zoning Text Amendment would result in the ability for existing facilities that are the subject of this Initial Study, as well as future facilities subject to the Amendment, to host an unlimited number of Agricultural Promotional Events. In addition, for new facilities on parcels greater than 20 acres, the proposed project would allow six more Special Events per year. Such events would not have the potential to increase demand on schools,

⁶ Placer County Local Agency Formation Commission. *Municipal Service Review for Fire and Emergency Services West Placer County Area*. May 25, 2017, p. 521.

parks, or other governmental facilities to the extent that additional facilities would be required, the construction of which could cause physical environmental impacts. Similarly, potential by-right construction of a limited number of new facilities on RES-zoned properties in western Placer County would not create new demand on schools, parks, or other governmental facilities, which would require the construction of new facilities. This is considered a ***less-than-significant*** impact. No mitigation measures are required.

XVI. RECREATION – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. 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? (PLN)			X	
2. 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? (PLN)			X	

Discussion Item XVI-1, 2:

The proposed Zoning Text Amendment would result in the ability for existing facilities that are the subject of this Initial Study, as well as future facilities subject to the Amendment, to host an unlimited number of Agricultural Promotional Events. In addition, for new facilities on parcels greater than 20 acres, the proposed project would allow six more Special Events per year. Such events would not have the potential to increase demand on recreational facilities to the extent that additional facilities would be required, the construction of which could cause physical environmental impacts. Similarly, potential by-right construction of a limited number of new facilities on RES-zoned properties in western Placer County would not create new demand on recreational facilities, which would require the construction of new facilities. This is considered a ***less-than-significant*** impact. No mitigation measures are required.

XVII. TRANSPORTATION & TRAFFIC – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. An increase in traffic which may be substantial in relation to the existing and/or planned future year traffic load and capacity of the roadway system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (ESD)	X			
2. Exceeding, either individually or cumulatively, a level of service standard established by the County General Plan and/or Community Plan for roads affected by project traffic? (ESD)	X			
3. Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (ESD)	X			
4. Inadequate emergency access or access to nearby uses? (ESD)	X			
5. Insufficient parking capacity on-site or off-site? (ESD, PLN)	X			
6. Hazards or barriers for pedestrians or bicyclists? (ESD)	X			

7. Conflicts with adopted policies, plans, or programs supporting alternative transportation (i.e. bus turnouts, bicycle lanes, bicycle racks, public transit, pedestrian facilities, etc.) or otherwise decrease the performance or safety of such facilities? (ESD)	X			
8. Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (PLN)			X	

Discussion Item XVII-1, 2, 3, 4, 5, 6, 7:

The proposed Zoning Text Amendment would allow existing facilities to host an unlimited number of Agricultural Promotional Events at the existing facilities that are the subject of this Initial Study. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. This increased activity would result in additional vehicle traffic that could be substantial in relation to the existing and/or planned future year traffic load and capacity of the roadway system.

Similarly, while the Zoning Text Amendment would not be expected to directly induce the development of additional wineries/farm breweries, with the possible exception of winery/farm brewery development on a few RES-zoned properties, the proposed project would provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries. In addition, for new facilities on parcels greater than 20 acres, the proposed project would allow six more Special Events per year. As a result, the proposed Zoning Text Amendment could indirectly induce vehicle trips associated with future facilities subject to the Ordinance. The potential increased vehicle trips could adversely affect roadway capacities and result in incompatibilities with rural farm equipment traffic. This is a **potentially significant** impact.

Further analysis of these impacts will be discussed in the Transportation and Circulation chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

Discussion Item XVII-8:

Two public airports are located within western Placer County, where the existing wineries and farm brewery are located – Auburn Municipal Airport and Lincoln Regional Airport. Based upon a review of the Land Use Compatibility Plans for the airports, the influence areas for these two airports do not currently overlap within any existing facilities. Therefore, the increased operations (e.g., Agricultural Promotional Events) associated with the proposed Zoning Text Amendment would not change air traffic patterns.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County could result in facilities being developed within airport influence areas; however, this would not be expected to result in a change in air traffic patterns or substantial safety risks. For example, according to the Lincoln Regional Airport Compatibility Plan, agriculture, including vineyards, is conditionally compatible in all airport overlay zones, with the limited condition being that vineyards should avoid new features that attract birds. This is considered a **less-than-significant** impact. No mitigation measures are required.

XVIII. TRIBAL CULTURAL RESOURCES – 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:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. 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	X			
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant	X			

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.				
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Discussion Item XVIII-1, 2:

The existing wineries and farm brewery that are being evaluated in this Initial Study are located on agricultural lands within western Placer County. The proposed Zoning Text Amendment would not lead to the physical alteration of the existing wineries and farm brewery, such that any on-site tribal cultural resources could be disturbed. Rather, the Zoning Text Amendment would allow the existing facilities to hold an unlimited number of Agricultural Promotional Events, and for the two existing facilities on parcels greater than 20 acres, an additional six Special Events per year. Such by-right allowances would not directly result in the disturbance of tribal cultural resources.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County could result in the subsurface disturbance of tribal cultural resources. This is considered a **potentially significant** impact. It should also be noted that, pursuant to AB 52/Public Resources Code Section 21080.3.1, Placer County has notified tribes of this proposed project, the geographic area of which is traditionally and culturally affiliated with the tribes.

Further analysis of these impacts will be discussed in the Cultural Resources chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

XIX. UTILITIES & SERVICE SYSTEMS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (ESD)	X			
2. Require or result in the construction of new water or wastewater delivery, collection or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (EHS, ESD)	X			
3. Require or result in the construction of new on-site sewage systems? (EHS)	X			
4. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (ESD)			X	
5. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (EHS)	X			
6. Require sewer service that may not be available by the area's waste water treatment provider? (EHS, ESD)	X			
7. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with all applicable laws? (EHS)	X			

Discussion Item XIX-1, 2, 3, 6:

The California Regional Water Quality Control Board, Central Valley Region, approved Resolution R5-2015-0005, on February 5, 2015, Approving Waiver of Waste Discharge Requirements for Small Food Processors, Wineries and Related Agricultural Processors within the Central Valley Region. Several of the existing facilities in Placer County have received coverage under the Waiver for land application of process wastewater, with specific limits set on the amount of

land application allowed. The unlimited Agricultural Promotional Events allowable under the proposed Zoning Text Amendment, and the additional Special Events that would be allowable for the two existing facilities on parcels greater than 20 acres, would not be anticipated to require production of more wine and beer that could increase process wastewater rates.

However, the specific sewer systems for each existing facility (e.g., septic, public sewer connection) could be impacted by additional activity allowable under the proposed Zoning Text Amendment. The wastewater impacts associated with potential by-right wineries or farm breweries in RES-zoned properties in western Placer County would be considered a **potentially significant** impact.

Further analysis of these impacts will be discussed in the Utilities and Service Systems chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

Discussion Item XIX-4:

The proposed Zoning Text Amendment would allow existing facilities that are the subject of this Initial Study to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. Such events would not be expected to result in the construction of new storm water drainage facilities, which could cause significant environmental effects, for the reasons set forth in Section IX, Hydrology and Water Quality, of this Initial Study. This is considered a **less-than-significant** impact. No mitigation measures are required.

Discussion Item XIX-5:

The proposed Zoning Text Amendment would allow the existing facilities that are the subject of this Initial Study to conduct an unlimited number of Agricultural Promotional Events. Such increased activity would result in additional demand for groundwater resources for those facilities having groundwater wells. Should additional by-right development of wineries or farm breweries occur at RES-zoned properties within western Placer County, they too, could increase the demand on groundwater resources. This would be considered a **potentially significant** impact if the additional demand would result in substantial depletion of groundwater resources.

Further analysis of these impacts will be discussed in the Utilities and Service Systems chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

Discussion Item XIX-7:

The proposed Zoning Text Amendment would allow the existing facilities that are the subject of this Initial Study to conduct an unlimited number of Agricultural Promotional Events. Such increased activity would generate additional solid waste. Should additional by-right development of wineries or farm breweries occur at RES-zoned properties within western Placer County, they too, would generate solid waste during construction and operation. This would be considered a **potentially significant** impact if the receiving landfill does not have sufficient capacity.

Further analysis of these impacts will be discussed in the Utilities and Service Systems chapter of the Winery and Farm Brewery Zoning Text Amendment EIR.

F. MANDATORY FINDINGS OF SIGNIFICANCE:

Environmental Issue	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially impact biological resources, or eliminate important examples of the major periods of California history or prehistory?	X	
2. 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.)	X	

3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	X	
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As discussed throughout this Initial Study, the proposed Zoning Text Amendment would allow existing facilities to host an unlimited number of Agricultural Promotional Events at the existing facilities that are the subject of this Initial Study. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. This increased activity would result in additional vehicle traffic, and in turn, an increase in air quality emissions, which could be considered individually limited but cumulatively considerable. Such increased emissions could also have a substantial adverse health effect on human beings.

Similarly, while the Zoning Text Amendment would not be expected to directly induce the development of additional wineries/farm breweries, with the possible exception of winery/farm brewery development on a few RES-zoned properties, the proposed project would provide greater flexibility with respect to the amount of Agricultural Promotional Events that may occur at future wineries/farm breweries. In addition, for new facilities on parcels greater than 20 acres, the proposed project would allow six more Special Events per year. As a result, the proposed Zoning Text Amendment could indirectly induce air quality emissions associated with future facilities subject to the Ordinance. By-right development on the limited number of RES-zoned properties in western Placer County could result in impacts to biological resources and/or important examples of California's history. These are **potentially significant** impacts that will be addressed in the Winery and Farm Brewery Zoning Text Amendment EIR.

G. OTHER RESPONSIBLE AND TRUSTEE AGENCIES whose approval is required:


<input type="checkbox"/> California Department of Fish and Wildlife	<input type="checkbox"/> Local Agency Formation Commission (LAFCO)
<input type="checkbox"/> California Department of Forestry	<input type="checkbox"/> National Marine Fisheries Service
<input type="checkbox"/> California Department of Health Services	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> California Department of Toxic Substances	<input type="checkbox"/> U.S. Army Corp of Engineers
<input type="checkbox"/> California Department of Transportation	<input type="checkbox"/> U.S. Fish and Wildlife Service
<input type="checkbox"/> California Integrated Waste Management Board	<input type="checkbox"/> _____
<input type="checkbox"/> California Regional Water Quality Control Board	<input type="checkbox"/> _____

H. DETERMINATION – The Environmental Review Committee finds that:

<input checked="" type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required (i.e. Project, Program, Subsequent, or Master EIR).
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I. ENVIRONMENTAL REVIEW COMMITTEE (Persons/Departments consulted):

Planning Services Division, Nikki Streegan, Chairperson
Planning Services Division-Air Quality, Angel Green
Engineering and Surveying Division, Rebecca Taber, P.E.
Department of Public Works and Facilities-Transportation, Amber Conboy
DPWF-Environmental Engineering Division, Huey Nham
DPWF-Flood Control and Water Conservation District, Brad Brewer
DPWF-Facility Services-Parks Division, Ted Rel
HHS-Environmental Health Services, Kurtis Zumwalt
Placer County Fire Planning/CDF, Mike DiMaggio/Ryan Woessner

Signature  Date October 17, 2017
Leigh Chavez, Environmental Coordinator

J. SUPPORTING INFORMATION SOURCES: The following public documents were utilized and site-specific studies prepared to evaluate in detail the effects or impacts associated with the project. This information is available for public review, Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, Environmental Coordination Services, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division office, 775 North Lake Blvd., Tahoe City, CA 96145.

County Documents	<input checked="" type="checkbox"/> Air Pollution Control District Rules & Regulations	
	<input checked="" type="checkbox"/> Community Plan	
	<input checked="" type="checkbox"/> Environmental Review Ordinance	
	<input checked="" type="checkbox"/> General Plan	
	<input checked="" type="checkbox"/> Grading Ordinance	
	<input checked="" type="checkbox"/> Land Development Manual	
	<input type="checkbox"/> Land Division Ordinance	
	<input type="checkbox"/> Storm Water Management Manual	
	<input type="checkbox"/> Tree Ordinance	
	<input checked="" type="checkbox"/> Storm Water Quality Ordinance	
Trustee Agency Documents	<input type="checkbox"/> Department of Toxic Substances Control	
	<input type="checkbox"/> _____	
Site-Specific Studies	Planning Services Division	<input type="checkbox"/> Biological Study
		<input type="checkbox"/> Cultural Resources Pedestrian Survey
		<input type="checkbox"/> Cultural Resources Records Search
		<input type="checkbox"/> Lighting & Photometric Plan
		<input type="checkbox"/> Paleontological Survey
		<input type="checkbox"/> Tree Survey & Arborist Report
		<input type="checkbox"/> Visual Impact Analysis
		<input type="checkbox"/> Wetland Delineation
		<input type="checkbox"/> Acoustical Analysis
		<input type="checkbox"/> _____
	Engineering & Surveying Division, Flood Control District	<input type="checkbox"/> Phasing Plan
		<input type="checkbox"/> Preliminary Grading Plan
		<input type="checkbox"/> Preliminary Geotechnical Report
		<input type="checkbox"/> Preliminary Drainage Report
		<input type="checkbox"/> Storm water & Surface Water Quality BMP Plan
		<input type="checkbox"/> Traffic Study
		<input type="checkbox"/> Sewer Pipeline Capacity Analysis
		<input type="checkbox"/> Placer County Commercial/Industrial Waste Survey (where public sewer is available)
		<input type="checkbox"/> Sewer Master Plan
		<input type="checkbox"/> Utility Plan
		<input type="checkbox"/> Tentative Map
	Environmental Health Services	<input type="checkbox"/> Groundwater Contamination Report
		<input type="checkbox"/> Hydro-Geological Study
		<input type="checkbox"/> Phase I Environmental Site Assessment
		<input type="checkbox"/> Soils Screening
		<input type="checkbox"/> Preliminary Endangerment Assessment
		<input type="checkbox"/> _____

	Planning Services Division, Air Quality	<input type="checkbox"/> CALINE4 Carbon Monoxide Analysis
		<input type="checkbox"/> Construction Emission & Dust Control Plan
		<input type="checkbox"/> Geotechnical Report (for naturally occurring asbestos)
		<input type="checkbox"/> Health Risk Assessment
		<input type="checkbox"/> CalEEMod Model Output
		<input type="checkbox"/> _____
	Fire Department	<input type="checkbox"/> Emergency Response and/or Evacuation Plan
		<input type="checkbox"/> Traffic & Circulation Plan
		<input type="checkbox"/> _____