



# County of San Diego

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November 21, 2019

## **CEQA Initial Study - Environmental Checklist Form (Based on the State CEQA Guidelines, Appendix G)**

1. Title; Project Number(s); Environmental Log Number:

Monserate Winery; PDS2018-MUP-74-165W1; PDS2017-LDGRMJ-30122;  
PDS2018-ER-18-02-003

2. Lead agency name and address:  
County of San Diego, Planning & Development Services  
5510 Overland Avenue, Suite 110  
San Diego, CA 92123-1239

3. a. Contact: Sean Oberbauer, Project Manager  
b. Phone number: (858) 495-5747  
c. E-mail: sean.oberbauer@sdcounty.ca.gov.

4. Project location:

2757 Gird Road, Fallbrook Community Planning Area, Unincorporated San Diego  
County, California (APNs: 124-182-01-00, 02; 124-330-04, 14, 15, 20; 107-420-14, 16,  
17, 51).

Thomas Guide Coordinates: Page 1028, Grid D/7

5. Project Applicant name and address:

Gird Valley, Inc.  
1492 Rainbow Valley Boulevard  
Fallbrook, CA 92028

6. General Plan  
Community Plan: Fallbrook  
Land Use Designation: Open Space Recreation (OS-R)/  
Semi-Rural Residential (SR-2)  
Density: N/A  
Floor Area Ratio (FAR) N/A

7. Zoning  
Use Regulation: Limited Agriculture (A70)  
Minimum Lot Size: 2 Acres/1 Acre  
Special Area Regulation: C (Northernmost portion of property)

8. Description of project:

The project is a Major Use Permit (MUP) Modification to authorize a winery/passive open space with an event venue, spa facilities, and restaurant on a 116-acre site. The proposed MUP Modification will cover approximately 24 acres of the 116-acre property. The remainder of the property outside of the Major Use Permit boundary would be placed within a dedicated biological open space (3.6 acres) and future agricultural open space easement to prohibit future development. The project also consists of an as-built grading permit for the planting of existing vineyards consisting of 2,490 cubic yards of cut and fill outside of the Major Use Permit boundary. Additionally, new vineyards will be planted to the north of the existing project entrance on Gird Road. The proposed structures for the winery would total 56,040 square feet and would include a main tasting room and restaurant, as well as three event/venue areas with supporting facilities, and administrative space.

The main facility (17,644 square feet) would include a large tasting room and several outdoor patios for use in serving wine tasting guests and members and to support accessory events held at the property. This building would also contain a restaurant for public dining. A commercial catering kitchen, staff lounge, meat curing room, and dish washing room are proposed in support of the wine tasting activities and restaurant. Several offices, restrooms, janitor storage, and storage areas would also be accommodated within this structure.

Venue 1 (22,673 square feet) would be located to the southwest of the tasting room/restaurant building and would consist of the indoor production area (approximately 3,600 square feet) with wine making facilities, bottle storage room, barrel room, crushing rooms, and a covered outdoor patio for ingress/egress and initial processing activities, as well as several offices, a break room, laboratory, storage areas, and a restroom. Separate bridal/groom suites (approximately 3,200 square feet), each with lockers, restrooms, grooming areas, and patios for the bride and groom and their guests are also proposed. A central courtyard would separate the bridal/groom suites from the wine making facilities. A pavilion is also proposed adjacent to the courtyard for hosting of weddings or other events. Several additional offices, including two sales offices, and a lobby/reception area would also be accommodated within this structure.

Venue 2 (7,349 square feet) would be located to the west of the onsite drainage, west of the main facilities, and would consist of a sprinklered barn (3,400 square feet) for holding events. Separate bride and groom suites, each with a changing/grooming area, lockers, restrooms, janitor storage, and a patio are proposed for this venue. A separate building is proposed west of the main venue that would offer restrooms, storage and other

supporting uses. The existing bridge to Venue 2 would be replaced with a new span bridge.

Venue 3 (8,374 square feet) would be located to the northwest of the tasting room building and would include bride/groom suites similar to those proposed for Venue 2. A central courtyard would separate the bride/groom facilities would serve to host scheduled events. A second building would adjoin the bride/groom suites to the south, along with men's and women's restrooms for the hosting of events.

As an interim replacement to the solid structures proposed for Venue 3, an event tent or modular structure approved by the Fire Protection District with the same or similar square footage could be installed for event use. The occupants would use the same parking and access proposed for Venue 3, and bathroom facilities would be provided by portable toilets.

The architectural style would reflect an old-world style with buildings constructed of stucco, tile roofing, and wooden and tile accents. All structures would be of muted, earth-tone colors to reflect the natural setting and to blend in visually with the surrounding rural character.

The project site is subject to the Semi-Rural General Plan Regional Category, Open Space Recreation Land Use Designation and Limited Agricultural Use (A70) Zoning Regulations. The site is developed with an existing golf course and restaurant; the restaurant use would be retained. Imported water from the Rainbow Municipal Water District (Rainbow MWD) would be provided for the winery buildings and supporting facilities while groundwater would be used for irrigation of the vineyards and ornamental landscaping. Rainbow MWD would also provide sewer service to the site. Earthwork will consist of cut and fill of 50,000 cubic yards of material.

A portion of the 116-acre property (APN# 124-182-01-00 and 124-182-02-00) that is located to the east of Gird Road (previously a portion of the former golf course that operated on the subject site) have been planted as a vineyard since 2017. This area is not part of the current Major Use Permit modification authorizing the winery and event center and is being removed from the previous golf course Major Use Permit authority to be under the authority of an as-built grading permit consisting of 2,490 cubic yards of cut and fill.

### Operations

Hours of operations for the entire project would be 10:00 a.m. to 10:00 p.m. (12 hours a day) every day of the year (with the exception of select holidays). More specifically, the tasting room/restaurant would operate 10:00 a.m. to 6:00 p.m. and the venues would operate from 12:00 p.m. to 10:00 p.m. All events (indoor and outdoor) will be held within the hours of operation stated above.

Limited background music would be played during normal business hours in the tasting room and on the immediately adjacent outdoor patio. All venue sites would have fully-

contained indoor music systems to avoid any potential noise effects on adjoining properties.

It is anticipated that wine production will commence in 2020 following construction of the proposed improvements. Additional vineyards will be planted near the venues. The winery would be capable of producing an estimated 10,000 cases of wine annually in its initial stages, with production ultimately expanding to a maximum of 25,000 cases of wine annually over time. Initial production at the winery would be significantly below the 120,000-gallon production limit, as regulated and allowed by County Ordinance.

Winery production activities would largely occur during the months of August, September, and October. During these months, the winery would generally operate from morning to later evening to accommodate fruit as it is ready to be used in production. Wine production would generally occur within the interior of the winery building, with occasional crushing and processing occurring outside under the covered patio. Any wastewater produced in the building would be captured and treated in accordance with applicable County of San Diego Department of Environmental Health (DEH) requirements. In addition, an evaporation pond plan (or other DEH-approved system) for treatment of wastewater generated by winery production activities is proposed. After processing of the fruit, the grape pomace would be composted onsite.

The proposed use of the site as a winery would reduce water demands for irrigation, as well as the use of chemicals (e.g., fertilizers, pesticides, etc.) as compared to the former golf course use. A drip irrigation system has been installed on the property. All water used in maintaining the vineyard and onsite landscaping would be water from the existing onsite groundwater wells. The well water used to support the proposed vineyard operations would total less than the historical onsite well water use for the operation of the former golf course. Water for the restaurant, winery, and venues would be provided via public water service from the Rainbow Municipal Water District (RMWD).

#### Events and Weddings

It is anticipated that the site would host weddings and/or events on average three times a week, for a total of up to 170 events per year per venue. Any event would accommodate a maximum of 250 guests. Most events would be held on Friday, Saturday, or Sunday and would be scheduled to occur when the tasting room is closed so that overlap in the arrival or departure of guests and parking with other general visitors of the winery does not occur.

Outdoor sound for weddings would be limited to light ceremony music and wedding officiants. Any wedding ceremony or event where music is not played may be held in the proposed adjacent open field (to be located west of the tasting room) or at the vineyard. Events with amplified music would be held in the barrel room and/or barns. Accessory events would otherwise be held in the tasting room or on the outdoor covered patio. Pursuant to the San Diego County Noise Ordinance, all events would be conditioned to meet the 45 dB interior noise level after 10:00 p.m.

#### Access/Circulation/Parking

Permanent access to the site would be provided from the existing main access point along Gird Road. The main public access to the site would be provided at the existing driveway that formerly provided access to the golf course clubhouse. Adequate sight distance is available as certified by MBI (April 2019). A second access driveway (existing) would be located to the north of the main access drive. This driveway is intended to provide access for emergency vehicles (e.g., fire protection, etc.) and would be gated with a Knox Box entry system. A third access point (existing) would be located to the south of the main access drive. This driveway is also intended to provide access for emergency vehicles and would be gated with a Knox Box entry system.

Interior access to all venues and the main winery structure and parking areas would be all-weather surface material (e.g., asphalt, Granite-Crete, decomposed granite, Class II Base, gravel, or permeable pavers) to the satisfaction of the North County Fire Protection District and the County of San Diego. Emergency access routes will have a minimum carrying capacity of 75,000 pounds. The non-fire routes and parking spaces would be constructed of a pervious paving material. A series of internal pathways would be used by the winery staff to transport goods and materials to the various venues and for maintenance-related activities. Additionally, these paths would be used by guests to walk from the parking areas and tasting room/restaurant facilities to the event venues.

Onsite parking would generally be provided by a series of pervious parking lots which would be located adjacent to the north/northwest of the tasting room/restaurant building along Gird Road. Public parking would not be provided directly adjacent to the individual venues. A small area surfaced with decomposed granite would be provided adjacent to the event venues to accommodate service vehicles, emergency vehicles, and for the loading/unloading of supplies and event-related items. The Project would comply with the American Disability Act (ADA) requirements and would provide ADA parking adjacent to the tasting room entrance. A total of 342 standard parking spaces and 8 concrete paved ADA accessible spaces for a total of 350 parking spaces would be provided.

#### Grading

Portions of the Major Use Permit development area would require grading and/or would be cleared and grubbed to allow for the proposed improvements. The Major Use Permit would require an estimated 50,000 cubic yards (cy) of balanced cut and fill. The as-built grading permit for existing vineyards would require approximately 2,490 cubic yards of cut and fill.

#### Phasing

Construction of the proposed facilities would last approximately 12 months. Timing and phasing of the structures will be determined by the applicant and is market driven. It is anticipated that all grading, utilities, parking, access, landscaping, and BMP's associated with each building will be installed concurrently.

The Project would be constructed in two grading phases. Phase I will consist of the site work for the winery/restaurant, Venue 1 and 2, decorative ponds, project access, and 330

parking spaces. Phase II site work would consist of Venue 3, decorative ponds, access drive, and 20 parking spaces. Modular buildings may be utilized in the interim for event venues and wine tasting upon approval of a building permit and by the fire protection district.

#### Public Services

The project site would be served by the RMWD for water and sewer. The RMWD currently serves the site. Goundwater would be used for irrigation of the winery and landscaping.

Fire protection would be provided by the North County Fire Protection District (NCFPD). The NCFPD has granted a waiver to allow the reduction in the width of the fuel modification zone from 100 feet to 75 feet for Venues 2 and 3 upon review of a Fire Protection Plan.

#### Tower Height Exception

A 40-foot 9-inch high tower is proposed as part of the winery/restaurant building. The main building has a height of 31 feet. The tower has been designed and located in the central portion of the winery/restaurant building. The tower is an architectural feature and has no floor area or occupiable space. The tower is a typical design feature found in similar rustic Italian architecture. The tower serves no purpose except to provide architectural relief of the structure. The site is zoned with a maximum height of 35 feet. Pursuant to §4620(g) of the Zoning Ordinance, an exemption to the height limit may be granted through the Major Use Permit process.

9. Surrounding land uses and setting (Briefly describe the project's surroundings):

The project site formerly supported the 18-hole Fallbrook Country Club and Golf Course. The golf course was originally constructed in the 1960s under Major Use Permit, P61-098 and was subsequently modified to allow expansion of the golf course under Major Use Permit, P72-567. The subject property is currently governed by the most recent Major Use Permit, P74-165, that was approved on January 24, 1975. All greens and fairways, along with supporting buildings, have been removed (or demolished). As such, all of the vegetation onsite is highly disturbed Bermuda grass. A large surface parking lot is located just west of Gird Road in the central portion of the property (in support of former onsite operations).

A large drainage that flows north to south traverses the majority of the project site. The entire length of the drainage was disturbed in 1979. Nearly half the drainage length has been concrete lined and channelized with the remainder improved with riprap. A number of existing paved pathways (former golf cart paths) are present onsite. Several existing drainage crossings also occur where these paths traverse the drainage. The drainage contains floodplain and floodway lines.

Onsite topography ranges from approximately 307 feet above mean sea level (amsl) in the southwestern portion of the site to approximately 413 feet amsl in the north. The project site is relatively flat and slopes gently from northwest to southeast. Steep slopes

are present onsite, primarily in the northern portion of the property; however, steep slopes are also scattered within the southern portion of the site. The proposed Project would not encroach into steep slopes.

Lands surrounding the project site include residential, agricultural (fallow and active), and open space (recreational) uses. Single-family residential uses are located to the north, east and southeast of the property. Higher density residential neighborhoods are present to the south and southeast, with densities increasing to the northwest, closer to the community of Fallbrook. The West Fallbrook Conservancy is located west of the project site.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

<b>Permit Type/Action</b>	<b>Agency</b>
Landscape Plans	County of San Diego
Major Use Permit Modification	County of San Diego
Grading Permit Grading Permit Plan Change	County of San Diego
Improvement Plans	County of San Diego
401 Permit - Water Quality Certification	Regional Water Quality Control Board (RWQCB)
404 Permit – Dredge and Fill	US Army Corps of Engineers (ACOE)
1603 – Streambed Alteration Agreement	CA Department of Fish and Wildlife (CDFW)
National Pollutant Discharge Elimination System (NPDES) Permit	RWQCB
General Industrial Storm water Permit	RWQCB
General Construction Storm water Permit	RWQCB
Waste Discharge Requirements Permit	RWQCB
Water District Approval	Rainbow Municipal Water District
Sewer District Approval	Rainbow Municipal Water District
Fire District Approval	North County Fire Protection District

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1? If so, has consultation begun?

YES

NO

Note: Conducting consultation early in the CEQA process allows tribal governments, public lead agencies, and project proponents to discuss the level of environmental review,

identify and address potential adverse impacts to tribal cultural resources, and to reduce the potential for delay and conflict in the environmental review process (see Public Resources Code §21083.3.2). Information is also available from the Native American Heritage Commission's Sacred Lands File per Public Resources Code §5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code §21082.3(e) contains provisions specific to confidentiality.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The environmental factors checked below would be potentially affected by this project and involve at least one impact that is a "Potentially Significant Impact" or a "Less Than Significant With Mitigation Incorporated," as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources    | <input type="checkbox"/> Energy Use                         |
| <input type="checkbox"/> Geology & Soils                 | <input type="checkbox"/> Greenhouse Gas Emissions         | <input type="checkbox"/> Hazards & Haz. Materials           |
| <input type="checkbox"/> Hydrology & Water Quality       | <input type="checkbox"/> Land Use & Planning              | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                           | <input type="checkbox"/> Population & Housing             | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                      | <input type="checkbox"/> Transportation                   | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities & Service Systems     | <input type="checkbox"/> Wildfire                         | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION:** (To be completed by the Lead Agency)



On the basis of this initial evaluation:

- On the basis of this Initial Study, Planning & Development Services finds that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- On the basis of this Initial Study, Planning & Development Services finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- On the basis of this Initial Study, Planning & Development Services finds that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

_____ Signature	_____ Date
Sean Oberbauer _____ Printed Name	Land Use/Environmental Planner _____ Title

## INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole 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.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, Less Than Significant With Mitigation Incorporated, or less than significant. “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.
4. “Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. 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. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) 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, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are “Less Than Significant With Mitigation Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance

**I. AESTHETICS** -- Would the project:

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

A vista is a view from a particular location or composite views along a roadway or trail. Scenic vistas often refer to views of natural lands, but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. What is scenic to one person may not be scenic to another, so the assessment of what constitutes a scenic vista must consider the perceptions of a variety of viewer groups.

The items that can be seen within a vista are visual resources. Adverse impacts to individual visual resources or the addition of structures or developed areas may or may not adversely affect the vista. Determining the level of impact to a scenic vista requires analyzing the changes to the vista as a whole and also to individual visual resources.

**Less Than Significant Impact:**

Based on a site visit completed by County staff on March 28, 2019, the proposed project is located near or within the viewshed of a scenic vista as the project is located directly adjacent to Gird Road, a scenic highway identified in the County of San Diego General Plan. The viewshed and visible components of the landscape within that viewshed, including the underlying landform and overlaying land cover, establish the visual environment for the scenic vista along the scenic highway. The proposed architectural style would reflect an old-world style with buildings constructed of stucco, tile roofing, and wooden and tile accents. All structures would be of muted, earth-tone colors to reflect the natural setting and to blend in visually with the surrounding rural character. The project has been designed to be in harmony with the visual landscape as well as the adjacent rolling hills located directly west of the project site. Therefore, the proposed project will not have a substantial adverse effect on a scenic vista.

The project will not result in cumulative impacts on a scenic vista because the proposed project viewshed and past, present and future projects within that viewshed were evaluated to determine their cumulative effects. Refer to XXI. Mandatory Findings of Significance for a comprehensive list of the projects considered. Those projects listed in Section XXI are located within the scenic vista's viewshed and will not contribute to a cumulative impact because the subject project consists of constructing vineyards and winery on a previously disturbed golf course and will locate physical buildings near locations of previously existing structures of the golf course. The project also proposes landscaping and vineyards that will assist in screening the winery main facility and venue buildings from public views. Therefore, the project will not result in adverse project or cumulative impacts on a scenic vista.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

State scenic highways refer to those highways that are officially designated by the California Department of Transportation (Caltrans) as scenic ([Caltrans - California Scenic Highway Program](#)). Generally, the area defined within a State scenic highway is the land adjacent to and visible from the vehicular right-of-way. The dimension of a scenic highway is usually identified using a motorist's line of vision, but a reasonable boundary is selected when the view extends to the distant horizon. The scenic highway corridor extends to the visual limits of the landscape abutting the scenic highway.

**No Impact**

Based on a site visit completed by County Staff on March 28, 2019, the proposed project is not located near or visible within the composite viewshed of a State scenic highway and will not damage or remove visual resources within a State scenic highway. The project site is the development of a winery and event venue. Therefore, the proposed project will not have any substantial adverse effect on a scenic resource within a State scenic highway.

The project will not result in cumulative impacts to scenic resources within a state scenic highway because the proposed project viewshed and past, present and future projects within that viewshed were evaluated to determine their cumulative effects. Refer to XVIII. Mandatory Findings of Significance for a comprehensive list of the projects considered. Those projects listed in Section XVII are located within the scenic vista's viewshed and will not contribute to a cumulative impact because neither the project nor the cumulative projects would damage scenic resources within a State scenic highway. Therefore, the project will not result in any adverse project or cumulative level effect on a scenic resource within a State scenic highway.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

Visual character is the objective composition of the visible landscape within a viewshed. Visual character is based on the organization of the pattern elements line, form, color, and texture.

Visual character is commonly discussed in terms of dominance, scale, diversity and continuity. Visual quality is the viewer's perception of the visual environment and varies based on exposure, sensitivity and expectation of the viewers.

**Less Than Significant Impact**

The existing visual character and quality of the project site and surrounding area can be characterized as semi-rural and rural residential, agriculture (active and fallow), and recreational open space (former Fallbrook Golf Course).

The proposed project is the development of a winery and event venue within the former Fallbrook Golf Course. The project is compatible with the existing environment's visual character and quality for the following reasons: (1) new structures would meet Zoning Ordinance requirements and would have a total of approximately five percent lot coverage (56,040 square feet over 24 acres), (2) the height of new structures would be less than that allowed by the Zoning Ordinance (35 feet) except for one tower element that would be approximately 40 feet, (3) the proposed architectural style would reflect an old-world style with buildings constructed of stucco, tile roofing, and wooden and tile accents; all structures would be of muted, earth-toned colors to reflect and blend with the natural setting, and (4) the proposed vineyards would complement the surrounding agricultural uses.

The project will not result in cumulative impacts on visual character or quality because the entire existing viewshed and a list of past, present and future projects within that viewshed were evaluated. Refer to XXI. Mandatory Findings of Significance for a comprehensive list of the projects considered. Those projects listed in Section XXI are located within the viewshed surrounding the project and will not contribute to a cumulative impact. The subject project consists of constructing vineyards and winery on a previously disturbed golf course and will locate physical buildings near locations of previously existing structures of the golf course. The project also proposes landscaping and vineyards that will assist in screening the winery main facility and venue buildings from public views. Therefore, the project will not result in any adverse project or cumulative level effect on visual character or quality on-site or in the surrounding area.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The proposed project will use outdoor lighting and is located within Zone B as identified by the San Diego County Light Pollution Code. However, it will not adversely affect nighttime views or astronomical observations, because the project will conform to the Light Pollution Code (Section 51.201-51.209), including the Zone B lamp type and shielding requirements per fixture and hours of operation limitations for outdoor lighting and searchlights.

The project will not contribute to significant cumulative impacts on day or nighttime views because the project will conform to the Light Pollution Code. The Code was developed by the San Diego County Planning & Development Services and Department of Public Works in cooperation with lighting engineers, astronomers, land use planners from San Diego Gas and Electric, Palomar and Mount Laguna observatories, and local community planning and sponsor groups to effectively address and minimize the impact of new sources light pollution on nighttime views. The standards in the Code are the result of this collaborative effort and establish an acceptable level for new lighting. Compliance with the Code is required prior to issuance of any building permit for any project. Mandatory compliance for all new building permits ensures that this project in combination with all past, present and future projects will not contribute to a cumulatively considerable impact. Therefore, compliance with the Code ensures that the project will not create a significant new source of substantial light or glare, which would adversely affect daytime or nighttime views in the area, on a project or cumulative level.

**II. AGRICULTURE AND FORESTRY RESOURCES** -- Would the project:

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

The project site does not contain any agricultural resources, lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, no agricultural resources including Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance will be converted to a non-agricultural use.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The project site is zoned Limited Agriculture (A-70), which is considered to be an agricultural zone. The proposed project will not result in a conflict in zoning for agricultural use, because a

winery and event venue is a permitted use in Limited Agriculture (A-70) zones and will not create a conflict with existing zoning for agricultural use. Additionally, the project site's land is not under a Williamson Act Contract. Therefore, there will be no conflict with existing zoning for agricultural use, or a Williamson Act contract.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

The project site including offsite improvements do not contain forest lands or timberland. The County of San Diego does not have any existing Timberland Production Zones. In addition, the project is consistent with existing zoning and a rezone of the property is not proposed. Therefore, project implementation would not conflict with existing zoning for, or cause rezoning of, forest land, timberland or timberland production zones.

d) Result in the loss of forest land, conversion of forest land to non-forest use, or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

The project site including any offsite improvements do not contain any forest lands as defined in Public Resources Code section 12220(g), therefore project implementation would not result in the loss or conversion of forest land to a non-forest use. In addition, the project is not located in the vicinity of offsite forest resources.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The project site and/or surrounding area within a radius of 3 miles has agricultural uses. As a result, the proposed project was reviewed by the staff agricultural specialist and was determined not to have significant adverse impacts related to the conversion of Prime Farmland, Unique Farmland, Farmland of Statewide or Local Importance or active agricultural operations to a non-agricultural use for the following reasons:

- Surrounding active agricultural operations consist of avocado and/or citrus orchards which commonly operate among residential uses and create minimal land use conflicts. The replacement of the Fallbrook Golf Course with a winery and event venue would not introduce a change in the existing environment that could affect land uses.
- Active agricultural operations are separated from the proposed land uses on the project site by 0.2 miles and by undeveloped lands and residential uses.
- Active agricultural operations in the surrounding area are already interspersed with single-family residential uses and the proposed use would not significantly change the existing land uses in the area, resulting in a change that could convert agricultural operations to a non-agricultural use.

Therefore, no potentially significant project or cumulative level conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance to a non-agricultural use will occur as a result of this project.

**III. AIR QUALITY** -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The project proposes development that was anticipated in SANDAG growth projections used in development of the RAQS and SIP. Operation of the project will result in emissions of ozone precursors that were considered as a part of the RAQS based on growth projections. As such, the proposed project is not expected to conflict with either the RAQS or the SIP. In addition, the



operational emissions from the project are below the screening levels, and subsequently will not violate ambient air quality standards.

b) 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?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

San Diego County is presently in non-attainment for the 1-hour concentrations under the California Ambient Air Quality Standard (CAAQS) for Ozone (O<sub>3</sub>). San Diego County is also presently in non-attainment for the annual geometric mean and for the 24-hour concentrations of Particulate Matter less than or equal to 10 microns (PM<sub>10</sub>) under the CAAQS. O<sub>3</sub> is formed when volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>) react in the presence of sunlight. VOC sources include any source that burns fuels (e.g., gasoline, natural gas, wood, oil); solvents; petroleum processing and storage; and pesticides. Sources of PM<sub>10</sub> in both urban and rural areas include: motor vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands.

**Less Than Significant Impact**

The project proposes a winery and event center. However, grading operations associated with the construction of the project would be subject to County of San Diego Grading Ordinance, which requires the implementation of dust control measures. Based on an Air Quality analysis prepared by Ldn Consulting, Inc dated November 2019, emissions from the construction phase would be minimal, temporary and localized, resulting in pollutant emissions below the screening-level criteria established by the LUEG guidelines for determining significance. In addition, the vehicle trips generated from the project will result in 1,237 Average Daily Trips (ADTs) on weekends.

The estimated daily pollutant generation can be calculated utilizing the product of the average daily miles traveled and the expected emissions inventory calculated by air quality modeling software. The daily pollutants calculated for summer and winter are shown in the air quality assessment. The SDAPCD significance criteria for operations is also provided. Whenever calculated emissions are less than requisite screening thresholds, a less than significant impact would be expected. The project's daily pollutant generation is well below the SDAPCD operational air quality significance thresholds. Therefore, operational air quality impacts associated with the cumulatively considerable net increase of any criteria pollutant would be less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

Air quality regulators typically define sensitive receptors as schools (Preschool-12<sup>th</sup> Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The County of San Diego also considers residences as sensitive receptors since they house children and the elderly.

**Less than Significant Impact**

Based a site visit conducted by staff on March 28, 2019, sensitive receptors such as schools and day care centers as point sources of toxic emissions have not been identified within a quarter-mile (the radius determined by the SCAQMD in which the dilution of pollutants is typically significant) of the proposed project. All sensitive receptors are residences located along Gird Road. All construction associated with the project will occur on the main facility and winery site located west of Gird Road. Based on an Air Quality analysis prepared by Ldn Consulting, Inc dated November 2019, it was found that construction impacts through the utilization of Tier 4 equipment with Diesel Particulate Filters (DPF) would reduce all potential construction related impacts to below levels of significance. Furthermore, no point-source emissions of air pollutants (other than vehicle emissions) are associated with the project that would not be regulated by the Department of Environmental Health for landscape maintenance and potential pesticide use. As such, the project will not expose sensitive populations to excessive levels of air pollutants.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact**

Potential onsite odor generators would include short term construction odors from activities such as paving and possibly painting. Odors created during short term construction activities would most likely be from placing asphalt which has a slight odor from the bitumen and solvents used within hot asphalt. Since odors generated during construction are short-term, they would not be considered a significant impact. Long term impacts could be possible from wine production which includes waste material consisting of mostly grape skins. The grape skins will be composted and placed into soils for fertilizer. Additionally, there is a wastewater pond which would have up to 32,000 Gallons of water each year from winemaking. The pond would use

aerobic breakdown processes which would reduce any potential significant odor impacts and has been approved by the Regional Water Quality Control Board.

**IV. BIOLOGICAL RESOURCES** -- Would the project:

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

- |  |   |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact                                | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                    |

Discussion/Explanation:

**Less than Significant with Mitigation Incorporated:**

Based on an analysis of the County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species, site photos, and a Biological Resources Letter Report dated August 15<sup>th</sup>, 2019 prepared by REC Consultants, it has been determined that the site, and surrounding area, supports native vegetation, including coast live oak woodland, Diegan coastal sage scrub, disturbed wetland, fresh water, freshwater marsh, southern coast live oak riparian forest, and southern riparian woodland. The project will result in impacts to 0.09 acre of coast live oak woodland. All other native vegetation onsite will be avoided by project design. Mitigation for the project consists of the dedication of onsite biological open space easement which would preserve habitat with a high habitat value for sensitive species. Therefore, the impact is less than significant with the incorporation of mitigation.

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

- |  |   |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact                                | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                    |

Discussion/Explanation:

**Less Than Significant Impact with Mitigation Incorporated:**

Based on the Biological Resources Letter Report dated August 15<sup>th</sup>, 2019 and prepared by REC Consultants, it has been determined that the proposed project site contains coast live oak woodland, Diegan coastal sage scrub, disturbed wetland, fresh water, freshwater marsh, southern coast live oak riparian forest, and southern riparian woodland. However, the areas proposed for development will completely avoid direct impacts to any portion of the riparian habitat onsite. Also, the development of structures are setback 50 feet to protect the riparian habitat from potential indirect impacts, including noise, light, human encroachment and invasive

species. Mitigation measures have been incorporated regarding the coast live oak woodland as described in part (a). In order to avoid impacts during bridge replacement and installation, avoidance measures, including limiting bridge work hours and noise attenuation, will be implemented. Therefore, project impacts to any riparian habitat or sensitive natural community identified in the County of San Diego Multiple Species Conservation Program, County of San Diego Resource Protection Ordinance, Natural Community Conservation Plan, Fish and Wildlife Code, Endangered Species Act, Clean Water Act, or any other local or regional plans, policies or regulations, are considered less than significant with the incorporation of mitigation.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:**

Based on the Biological Resources Letter Report dated August 15<sup>th</sup>, 2019 and prepared by REC Consultants, it has been determined that wetlands, defined by Section 404 of the Clean Water Act that include disturbed wetland, southern coast live oak riparian forest and southern riparian woodland habitats are on the project site. However, the project will not impact through, discharging into, directly removing, filling, or hydrologically interrupting, any federally protected wetlands supported on the project site. The project proposes complete avoidance. Also, all structures are setback 50 feet to protect the wetland habitat from potential indirect impacts. The replacement and installation of a new bridge will avoid impacts to the existing riparian trees, scrubs, and wetland vegetation, and avoid impacts to the channel bed, banks, and drainage. Therefore, no significant impacts will occur to wetlands or waters of the U.S. as defined by Section 404 of the Clean Water Act and under the jurisdiction of the Army Corps of Engineers.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact:**

Based on an analysis of the County's Geographic Information System (GIS) records, the County's Comprehensive Matrix of Sensitive Species, site photos, a Biological Resources Letter Report dated August 15<sup>th</sup>, 2019 prepared by REC Consultants, it has been determined that the site has

limited biological value and impedance of the movement of any native resident or migratory fish or wildlife species, the use of an established native resident or migratory wildlife corridors, and the use of native wildlife nursery sites would not be expected as a result of the proposed project. The drainage that runs north to south through the site is the most likely area to serve as a wildlife corridor and the only impact will be improvement of an existing bridge. The site contains disturbed conditions and proximity to development make the site a poor candidate for a wildlife nursery site. Therefore, the project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

e) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                    |

Discussion/Explanation:

**Less Than Significant Impact:**

Refer to the attached Ordinance Compliance Checklist dated November 21, 2019 for further information on consistency with any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan, including, Habitat Management Plans (HMP), Special Area Management Plans (SAMP), or any other local policies or ordinances that protect biological resources including the Multiple Species Conservation Program (MSCP), Biological Mitigation Ordinance, Resource Protection Ordinance (RPO), Habitat Loss Permit (HLP).

**V. CULTURAL RESOURCES** -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

Based on an analysis of records and a survey of the property by a County of San Diego approved archaeologist, Micah Hale, it has been determined that there are no impacts to historical resources because they do not occur within the project site. The results of the survey are provided in the cultural resources report titled, *Negative Cultural Resources Survey Report for*

*the Monserate Winery Project, San Diego County, California (PDS2018-MUP-74-165W1) (April 2019).*

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

- |  |   |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact                                | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                    |

Discussion/Explanation:

**Less than Significant With Mitigation Incorporated**

Based on an analysis of records and a survey of the property by a County of San Diego approved archaeologist, Micah Hale, it has been determined that the project site does not contain any archaeological resources. The results of the survey are provided in the cultural resources report titled, *Negative Cultural Resources Survey Report for the Monserate Winery Project, San Diego County, California (PDS2018-MUP-74-165W1) (April 2019).*

Due to the cultural sensitivity of the area and at the request for archaeological monitoring during AB-52 consultation, the project will be conditioned with an Archaeological Monitoring Program for any earth disturbing work into native soils. The Archaeological Monitoring Program will include the following:

- Pre-Construction
  - Pre-construction meeting to be attended by the Project Archaeologist and Luiseno Native American monitor to explain the monitoring requirements.
- Construction
  - Monitoring. Both the Project Archaeologist and Luiseno Native American monitor are to be onsite during earth disturbing activities into native soils. The frequency and location of monitoring of native soils will be determined by the Project Archaeologist in consultation with the Luiseno Native American monitor.
  - If cultural resources are identified:
    - Both the Project Archaeologist and Luiseno Native American monitor have the authority to divert or temporarily halt ground disturbance operations in the area of the discovery.
    - The Project Archaeologist shall contact the County Archaeologist.
    - The Project Archaeologist in consultation with the County Archaeologist and Luiseno Native American shall determine the significance of discovered resources.
    - Construction activities will be allowed to resume after the County Archaeologist has concurred with the significance evaluation.
    - Isolates and non-significant deposits shall be minimally documented in the field. Should the isolates and non-significant deposits not be collected by the Project

- Archaeologist, the Luiseno Native American monitor may collect the cultural material for transfer to a Tribal curation facility or repatriation program.
- If cultural resources are determined to be significant, a Research Design and Data Recovery Program shall be prepared by the Project Archaeologist in consultation with the Luiseno Native American monitor and approved by the County Archaeologist. The program shall include reasonable efforts to preserve (avoid) unique cultural resources of Sacred Sites; the capping of identified Sacred Sites or unique cultural resources and placement of development over the cap if avoidance is infeasible; and data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).
- Human Remains.
    - The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
    - Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Luiseno Native American monitor.
    - If the remains are determined to be of Native American origin, the Most Likely Descendant (MLD), as identified by the Native American Heritage Commission (NAHC), shall be contacted by the Property Owner or their representative in order to determine proper treatment and disposition of the remains.
    - The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
    - Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
  - Rough Grading
    - Upon completion of Rough Grading, a monitoring report shall be prepared identifying whether resources were encountered. A copy of the monitoring report shall be provided to the Rincon Band of Luiseno Indians and any culturally-affiliated tribe who requests a copy.
  - Final Grading
    - A final report shall be prepared substantiating that earth-disturbing activities are completed and whether cultural resources were encountered. A copy of the final report shall be submitted to the South Coastal Information Center, the Rincon Band of Luiseno Indians, and any culturally-affiliated tribe who requests a copy.
  - Cultural Material Conveyance.
    - The final report shall include evidence that all prehistoric materials have been curated at a San Diego curation facility or Tribal curation facility that meets federal standards per 36 CFR Part 79, or alternatively have been repatriated to a culturally affiliated tribe.

- The final report shall include evidence that all historic materials have been curated at a San Diego curation facility that meets federal standards per 36 CFR Part 79.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

Based on an analysis of records and a survey of the property by a County of San Diego approved archaeologist, Micah Hale, it has been determined that the project will not disturb any human remains because the project site does not include a formal cemetery or any archaeological resources that might contain interred human remains. The results of the survey are provided in the cultural resources report titled, *Negative Cultural Resources Survey Report for the Monserate Winery Project, San Diego County, California (PDS2018-MUP-74-165W1)* (April 2019).

**VI. ENERGY USE** -- Would the project:

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

**Less than Significant Impact**

The Project would result in the use of electricity, natural gas, petroleum, and other consumption of energy resources during both the construction and operation phases of the project; however, the consumption is not expected to be wasteful, inefficient, or unnecessary for the following reasons.

During construction, Tier IV certified construction equipment would be utilized during all phases of construction. Tier IV diesel engine standards are the strictest EPA emissions requirement for off-highway diesel engines. This requirement regulates the amount of particulate matter (PM), or black soot, and nitrogen oxides (NOx) that can be emitted from an off-highway diesel engine. Tier IV equipment also runs more efficiently and thus uses less energy resources.

Additionally, the proposed project is consistent with the County's Climate Action Plan (CAP) and General Plan through the implementation of the measures identified in the County's CAP Checklist. These measures consist of various energy efficiency and design features, parking requirements, and landscaping standards. Additional measures such as efficient water usage, efficient outdoor lighting, carpooling, and composting, will be employed by the project. Therefore,



the construction and operation of the winery is not expected to result in the wasteful or inefficient use of energy.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less than Significant with Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

**Less than Significant Impact**

Many of the regulations regarding energy efficiency are focused on increasing the energy efficiency of buildings and renewable energy generation, as well as reducing water consumption and VMT. As stated in response VI. (a), the proposed project proposes employing the use of various energy efficient and savings features such as composting grape pomace for fertilizer and utilizing a drip irrigation system for landscaping. Additionally, the proposed project will utilize less water than the former use of the site as the Fallbrook Golf Course. The proposed project would be consistent with several energy reduction policies of the County General Plan, including COS-14.3. Additionally, the proposed project would be consistent with sustainable development through compliance with the 2019 Building Energy Efficiency Standards at the time of project construction. Therefore, the proposed project would implement energy reduction design features and comply with the most recent energy building standards consistent with applicable plans and policies. Therefore, impacts would be less than significant.

**VII. GEOLOGY AND SOILS** -- Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

The project is not located in a fault rupture hazard zone identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 1997, Fault-Rupture Hazards Zones in California, or located within any other area with substantial evidence of a known fault. Therefore, there will be no impact from the exposure of people or structures to adverse effects from a known fault-rupture hazard zone as a result of this project.

ii. Strong seismic ground shaking?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

To ensure the structural integrity of all buildings and structures, the project must conform to the Seismic Requirements as outlined within the California Building Code. The County Code requires a soils compaction report with proposed foundation recommendations to be approved before the issuance of a building permit. Therefore, compliance with the California Building Code and the County Code ensures the project will not result in a potentially significant impact from the exposure of people or structures to potential adverse effects from strong seismic ground shaking.

iii. Seismic-related ground failure, including liquefaction?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The project site is not within a "Potential Liquefaction Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. This indicates that the liquefaction potential at the site is low. In addition, the site is not underlain by poor artificial fill or located within a floodplain. Therefore, there will be a less than significant impact from the exposure of people or structures to adverse effects from a known area susceptible to ground failure, including liquefaction. In addition, since liquefaction potential at the site is low, earthquake-induced lateral spreading is not considered to be a seismic hazard at the site and impacts would be less than significant.

iv. Landslides?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The project site is not within a “Landslide Susceptibility Area” as identified in the County Guidelines for Determining Significance for Geologic Hazards. Landslide Susceptibility Areas were developed based on landslide risk profiles included in the *Multi-Jurisdictional Hazard Mitigation Plan, San Diego, CA* (URS, 2004). Landslide risk areas from this plan were based on data including steep slopes (greater than 25%); soil series data (SANDAG based on USGS 1970s series); soil-slip susceptibility from USGS; and Landslide Hazard Zone Maps (limited to western portion of the County) developed by the California Department of Conservation, Division of Mines and Geology (DMG). Also included within Landslide Susceptibility Areas are gabbroic soils on slopes steeper than 15% in grade because these soils are slide prone. Since the project is not located within an identified Landslide Susceptibility Area and the geologic environment has a low probability to become unstable, the project would have a less than significant impact from the exposure of people or structures to potential adverse effects from landslides.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

According to the Soil Survey of San Diego County, the soils on-site are identified as Visalia sandy loam – two to five percent slopes (VaB) and Ramona sandy loam, nine to fifteen percent slopes that has a soil erodibility rating of “slight” and “severe” as indicated by the Soil Survey for the San Diego Area, prepared by the US Department of Agriculture, Soil Conservation and Forest Service dated December 1973. The project will not result in substantial soil erosion or the loss of topsoil for the following reasons:

- The project will not result in unprotected erodible soils; will not alter existing drainage patterns; is not located in a floodplain, wetland, or significant drainage feature; and will not develop steep slopes.
- The project has prepared a Priority Development Project (PDP) Storm Water Quality Management Plan dated August 7, 2019, prepared by Jay Sullivan, RCE. The plan includes Best Management Practices to ensure sediment does not erode from the project site.
- The project involves grading. However, the project is required to comply with the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 (DRAINAGE - EROSION PREVENTION) and 87.417 (PLANTING). Compliance with these regulations minimizes the potential for water and wind erosion.

Due to these factors, it has been found that the project will not result in substantial soil erosion or the loss of topsoil on a project level.

In addition, the project will not contribute to a cumulatively considerable impact because all the of past, present and future projects included on the list of projects that involve grading or land

disturbance are required to follow the requirements of the San Diego County Code of Regulations, Title 8, Zoning and Land Use Regulations, Division 7, Sections 87.414 (DRAINAGE - EROSION PREVENTION) and 87.417 (PLANTING); Order 2001-01 (NPDES No. CAS 0108758), adopted by the San Diego Region RWQCB on February 21, 2001; County Watershed Protection, Storm Water Management, and Discharge Control Ordinance (WPO) (Ord. No. 9424); and County Storm water Standards Manual adopted on February 20, 2002, and amended January 10, 2003 (Ordinance No. 9426). Refer to XVIII. Mandatory Findings of Significance for a comprehensive list of the projects considered.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The proposed project involves 50,000 cubic yards of grading that would result in the creation of areas of cut and areas underlain by fill. The as-built grading associated with the project consists of approximately 2,490 cubic yards of cut and fill. In order to assure that any proposed buildings (including those proposed on the project site) are adequately supported (whether on native soils, cut or fill), a Soils Engineering Report is required as part of the Building Permit process. This Report would evaluate the strength of underlying soils and make recommendations on the design of building foundation systems. The Soils Engineering Report must demonstrate that a proposed building meets the structural stability standards required by the California Building Code. The report must be approved by the County prior to the issuance of a Building Permit. With this standard requirement, impacts would be less than significant. For further information regarding landslides, liquefaction, and lateral spreading, refer to VI Geology and Soils, Question a., iii-iv listed above.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact:** The project does not contain expansive soils as defined by Table 18-1-B of the Uniform Building Code (1994). The soils on-site are Valley sandy loam – two to five percent slopes (VaB) and Ramona sandy loam - nine to fifteen percent slopes. These soils have a shrink-swell behavior of low and represent no substantial risks to life or property.

Therefore, the project will not create a substantial risk to life or property. This was confirmed by staff review of the Soil Survey for the San Diego Area, prepared by the US Department of Agriculture, Soil Conservation and Forest Service dated December 1973.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

The project is for a winery and event venue and does not propose the use of alternative wastewater disposal systems or septic tanks.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

San Diego County has a variety of geologic environments and geologic processes which generally occur in other parts of the state, country, and the world. However, some features stand out as being unique in one way or another within the boundaries of the County.

**No Impact**

A review of the County’s Paleontological Resources Maps indicates that the project is located entirely on plutonic igneous rock and has no potential for producing fossil remains. In addition, the project site does not contain any unique geologic features that have been listed in the County’s Guidelines for Determining Significance for Unique Geology Resources nor does the site support any known geologic characteristics that have the potential to support unique geologic features.

**VIII. GREENHOUSE GAS EMISSIONS – Would the project**

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

A Greenhouse Gas (GHG) Analysis was completed by Loudon & Associates (November 2019) in order to quantify GHG emissions from the Project and was prepared according to guidelines established within the California Global Warming Solutions Act of 2006 – Assembly Bill 32 (AB32), Senate Bill 97 (SB97), and CEQA.

The County's Climate Action Plan (CAP) is a long-term plan that identifies strategies and measures to meet the County's targets to reduce GHG emissions by 2020 and 2030, consistent with the State's legislative GHG reduction targets, and demonstrates progress towards the State's 2050 GHG reduction goal (County of San Diego, 2017). At the time of preparation, the County's CAP represents the currently adopted and applicable plan for CEQA purposes. Though not required to show consistency with the CAP, further analysis was provided within this report to demonstrate the Project's emissions compared to what would be generated by the maximum buildout of the site assumed under the General Plan.

If a project is consistent with the projections in the CAP, its associated growth in terms of GHG emissions was accounted for in the CAP's projections and would not increase emissions beyond what is anticipated in the CAP or inhibit the County from reaching its reduction targets. If a land use and/or zoning designation amendment results in a more GHG-intensive project, the project is required to demonstrate consistency with applicable CAP measures and offset the increase in emissions.

Although the CAP and its EIR remain applicable while the County appeals the trial court's decision, the CEQA analysis prepared for the proposed Project did not rely on the CAP to streamline the Project's environmental analysis under CEQA Guidelines Section 15183.5. Rather, the proposed Project's significance determination used the criteria contained in CEQA Guidelines Appendix G, (informed by CEQA Guidelines Section 15064.4) and mitigation strategies (informed by CEQA Guidelines Section 15126.4(c)) that are independent of the CAP. As such, in the event that the CAP does not withstand judicial scrutiny, a project would be required to use a project-specific threshold and analysis for determining whether the Project's GHG emissions would significantly impact the environment.

During construction of the Project, it's expected that approximately 466.21 Metric Tons (MT) of CO<sub>2</sub>e will be generated. Given this, the Project would generate 15.54 MT CO<sub>2</sub>e per year over the amortized 30-year life of the Project. The proposed Project will emit GHGs directly through operations and indirectly from offsite sources such as water conveyance and utilities. The proposed Project would generate approximately 1,244.66 MT of CO<sub>2</sub>e each year in 2020 and includes emissions from construction as well as design features to include high efficiency lighting. Also, the Project action would require the removal of an existing golf course and restaurant use. Removal of the existing use would remove 1,998.06 MT CO<sub>2</sub>e. Based upon this, the Project action would remove 753.40 MT CO<sub>2</sub>e ( $- 1,998.06 + 1,244.66 = -753.40$ ) from the existing environment or County of San Diego GHG inventories.

Since the Project generates fewer emissions than an allowed General Plan use for the site, the Project's GHG emissions are assumed to have been anticipated by the Climate Action Plan (CAP) and would therefore result in a less than significant cumulatively considerable increase in GHG emissions. Furthermore, since the project generates fewer emissions than the previous operations for the site, the project's GHG emissions are assumed to have been anticipated by the CAP and would therefore result in a less than significant cumulatively considerable increase in GHG emissions under the CAP.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

Please see the response to VII(a) above. As explained in the CAP, the Checklist is the mechanism that is used to demonstrate consistency with the CAP. If a project does not comply with required actions in the Checklist, it would be determined to be inconsistent with the CAP. Also, per the County's CAP all projects are required to complete a CAP checklist. It should be noted that regardless of the status of legal proceedings associated with the CAP, the Project has completed the CAP Consistency Review Checklist which is provided as Attachment A to this analysis. If a project is consistent with the projections in the CAP, its associated growth in terms of GHG emissions was accounted for in the CAP's projections and would not increase emissions beyond what is anticipated in the CAP or inhibit the County from reaching its reduction targets. If a project is consistent with the projections in the CAP, its GHG emissions would not conflict with an applicable plan adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, the Project would comply with Appendix G of the CEQA Guidelines and would result in a less than significant impact.

**IX. HAZARDS AND HAZARDOUS MATERIALS** -- Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**Less Than Significant Impact**

The project proposes a winery and event center with vineyards which involves the routine use pesticides and maintenance of landscaping. The Department of Environmental Health regulates the use of materials for landscape maintenance and had previously monitored landscape maintenance of the Fallbrook Golf Course. The project will not result in a significant hazard to the public or environment because all storage, handling, transport, emission and disposal of hazardous substances will be in full compliance with local, State, and Federal regulations. California Government Code § 65850.2 requires that no final certificate of occupancy or its substantial equivalent be issued unless there is verification that the owner or authorized agent has met, or is meeting, the applicable requirements of the Health and Safety Code, Division 20, Chapter 6.95, Article 2, Section 25500-25520.

The San Diego County Department of Environmental Health Hazardous Materials Division (DEH HMD) is the Certified Unified Program Agency (CUPA) for San Diego County responsible for enforcing Chapter 6.95 of the Health and Safety Code. As the CUPA, the DEH HMD is required to regulate hazardous materials business plans and chemical inventory, hazardous waste and tiered permitting, underground storage tanks, and risk management plans. The Hazardous Materials Business Plan is required to contain basic information on the location, type, quantity and health risks of hazardous materials stored, used, or disposed of onsite. The plan also contains an emergency response plan which describes the procedures for mitigating a hazardous release, procedures and equipment for minimizing the potential damage of a hazardous materials release, and provisions for immediate notification of the HMD, the Office of Emergency Services, and other emergency response personnel such as the local Fire Agency having jurisdiction. Implementation of the emergency response plan facilitates rapid response in the event of an accidental spill or release, thereby reducing potential adverse impacts. Furthermore, the DEH HMD is required to conduct ongoing routine inspections to ensure compliance with existing laws and regulations; to identify safety hazards that could cause or contribute to an accidental spill or release; and to suggest preventative measures to minimize the risk of a spill or release of hazardous substances.

Therefore, due to the strict requirements that regulate hazardous substances outlined above and the fact that the initial planning, ongoing monitoring, and inspections will occur in compliance with local, State, and Federal regulation; the project will not result in any potentially significant impacts related to the routine transport, use, and disposal of hazardous substances or related to the accidental explosion or release of hazardous substances.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:



**No Impact**

The project is not located within one-quarter mile of an existing or proposed school. Therefore, the project will not have any effect on an existing or proposed school.

- c) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact**

Based on a site visit and regulatory database search, the project site has been subject to potential contaminants of concern in 1992 as case ID: T060730078 on the State Water Resources Control Board GeoTracker. The case has since been closed. The project site has also been historically used as the Fallbrook Golf Course with regular maintenance of landscaping under review and permits from the Department of Environmental Health. The proposed project will include vineyards and landscaping on the majority of the project site that was previously used as the landscaped golf course. Additionally, the project does not propose structures for human occupancy or significant linear excavation within 1,000 feet of an open, abandoned, or closed landfill, is not located on or within 250 feet of the boundary of a parcel identified as containing burn ash (from the historic burning of trash), is not on or within 1,000 feet of a Formerly Used Defense Site (FUDS), does not contain a leaking Underground Storage Tank, and is not located on a site with the potential for contamination from historic uses such as intensive agriculture, industrial uses, a gas station or vehicle repair shop. Therefore, the project would not create a significant hazard to the public or environment.

- d) 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?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact**

The Northernmost portion of the project site is located within Airport Influence Area 2 of the Fallbrook Community Airport Community Plan. A portion of the area will be put into open space and will remain vacant or Coast Live Oak Woodland habitat and will not expose people to noise generated by an airport. The area will not be

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

The following sections summarize the project's consistency with applicable emergency response plans or emergency evacuation plans.

i. OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

**Less Than Significant Impact**

The Operational Area Emergency Plan is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives and actions for each jurisdiction in the County of San Diego, including all cities and the County unincorporated areas. The project will not interfere with this plan because it will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

ii. SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY RESPONSE PLAN

**No Impact**

The San Diego County Nuclear Power Station Emergency Response Plan will not be interfered with by the project due to the location of the project, plant and the specific requirements of the plan. The emergency plan for the San Onofre Nuclear Generating Station includes an emergency planning zone within a 10-mile radius. All land area within 10 miles of the plant is not within the jurisdiction of the unincorporated County and as such a project in the unincorporated area is not expected to interfere with any response or evacuation.

iii. OIL SPILL CONTINGENCY ELEMENT

**No Impact**

The Oil Spill Contingency Element will not be interfered with because the project is not located along the coastal zone or coastline.

iv. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN

**No Impact**

The Emergency Water Contingencies Annex and Energy Shortage Response Plan will not be interfered with because the project does not propose altering major water or energy supply infrastructure, such as the California Aqueduct.

v. DAM EVACUATION PLAN

**Less Than Significant Impact**

The Dam Evacuation Plan for Red Mountain Reservoir will not be interfered with because even though the project is located within a dam inundation zone, the project is not a unique institution that would be difficult to safely evaluate in the event of a dam failure. Unique institutions, as defined by the Office of Emergency Services, include hospitals, schools, skilled nursing facilities, retirement homes, mental health care facilities, care facilities for patients with disabilities, adult and childcare facilities, jails/detention facilities, stadiums, arenas, amphitheaters, or a similar use. Since the project does not propose a unique institution in a dam inundation zone, the project would not impair implementation of or physically interfere with the implementation of an emergency response plan.

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

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

**Less Than Significant Impact**

The proposed project is adjacent to wildlands that have the potential to support wildland fires. However, the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires because the project will comply with the regulations relating to emergency access, water supply, and defensible space specified in the Consolidated Fire Code for the 16 Fire Protection Districts in San Diego County. A Fire Protection plan dated June of 2018 by Santa Margarita Consulting evaluated the fire behavior in the area and discussed the previous use of the site as the Fallbrook Golf Course with maintained landscaping. The Fire Protection Plan concluded that the maintained golf course proved to be a fire break for the Rice Fire which burned in 2007. For the current project, the Fire Protection Plan requires removal of

dead vegetation and maintenance of landscaping of the vineyards to reduce fire risk and installation of fuels. The North County Fire Protection District has also approved the Fire Protection Plan on July 17, 2019. Therefore, based on the review of the project by County staff, through compliance with the Consolidated Fire Code and through compliance with the Fire Protection Plan and North County Fire Protection District's conditions, the project is not anticipated to expose people or structures to a significant risk of loss, injury or death involving hazardous wildland fires. Moreover, the project will not contribute to a cumulatively considerable impact, because all past, present and future projects in the surrounding area are required to comply with the Consolidated Fire Code.

g) Propose a use, or place residents adjacent to an existing or reasonably foreseeable use that would substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies, which are capable of transmitting significant public health diseases or nuisances?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The project involves or supports new and existing decorative ponds that allow water to stand for a period of 72 hours (3 days) or more. A Notice of Intent was provided to the Regional Water Quality Control Board which included an operational plan for implement best management practices for solid wastes, storm water, and waste discharges. All wastewater generated will be stored in an aerated and maintained pond. The project has been conditioned to maintain all decorative ponds and obtain approval from the Department of Environmental Health for the maintenance of ponds that are consistent with the determination by the Regional Water Quality Control Board's determination dated July 15, 2019. Therefore, the project will not substantially increase current or future resident's exposure to vectors, including mosquitoes, rats or flies or create a cumulatively considerable impact because all uses on-site or in the surrounding area will be addressed through the maintenance of the decorative ponds upon approval of wastewater discharge by the Regional Water Quality Control Board and Vector Maintenance approved by the Department of Environmental Health.

**X. HYDROLOGY AND WATER QUALITY** -- Would the project:

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The project proposes a winery which requires a wastewater discharge permit from the Regional Water Quality Control Board. A Notice of Intent was provided to the Regional Water Quality Control Board which included an operational plan to implement best management practices for solid wastes, storm water, and waste discharges. All wastewater generated will be stored in an aerated and maintained pond. The project has been conditioned to maintain all decorative ponds and obtain approval from the Department of Environmental Health for the maintenance of ponds that are consistent with the determination by the Regional Water Quality Control Board's determination dated July 15, 2019.

Finally, the project's conformance to the waste discharge requirements listed above ensures the project will not create cumulatively considerable water quality impacts related to waste discharge because, through the permit, the project will conform to Countywide watershed standards in the derived from State regulation to address human health and water quality concerns. Therefore, the project will not contribute to a cumulatively considerable impact to water quality from waste discharges.

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

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

**Less than Significant Impact**

The project will obtain its water supply from the Rainbow Municipal Water District that obtains water from surface reservoirs or other imported water source. All water used in maintaining the vineyard and onsite landscaping would be water from the existing onsite groundwater wells. The well water used to support the proposed vineyard operations would total less than the historical onsite well water use for the operation of the former golf course. Water for the restaurant, winery, and venues would be provided via public water service from the Rainbow Municipal Water District (RMWD). Therefore, no impact to groundwater resources is anticipated.

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

i. Result in substantial erosion or siltation on- or off-site?

- Potentially Significant Impact
- Less than Significant Impact

- Less Than Significant With Mitigation Incorporated
- No Impact

Discussion/Explanation:

**Less Than Significant Impact**

The project proposes a winery and event center with additional vineyards. A Storm water Management Plan (SWQMP) dated August 2019 and prepared by Michael Baker International SWQMP has been prepared in accordance with the County of San Diego BMP Design Manual (2019) and SDRWQCB Order No. R9-2013-0001 Municipal Separate Storm Sewer System (MS4) permit (2013), as adopted by the RWQCB on May 8, 2013. The SWQMP specifies and describes the implementation process of all BMPs that will address equipment operation and materials management, prevent the erosion process from occurring, and prevent sedimentation in any onsite and downstream drainage swales. The Department of Public Works will ensure that the Plan is implemented as proposed. Due to these factors, it has been found that the project will not result in significantly increased erosion or sedimentation potential and will not alter any drainage patterns of the site or area on- or off-site. In addition, because erosion and sedimentation will be controlled within the boundaries of the project, the project will not contribute to a cumulatively considerable impact. For further information on soil erosion refer to Geology and Soils, Question b.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

- Potentially Significant Impact
- Less than Significant Impact
- Less Than Significant With Mitigation Incorporated
- No Impact

Discussion/Explanation:

**Less Than Significant Impact**

The Drainage Study prepared by Michael Baker International dated August 2019 in accordance with the County of San Diego Hydrology Manual (2003) and Hydraulic Design Manual (2014), determined that the proposed project would not alter the existing drainage pattern in a manner which would result in flooding on- or off-site. The project contains the installation of BMPs such as a bioretention basin located near the central portion of the project. Additionally, a Floodplain Analysis (dated January 2019) prepared by Jay Sullivan of Michael Baker International was reviewed and demonstrates that the proposed project will not adversely impact the 100-year flood plain across the site and all buildings will be located outside of the floodway and floodplain fringe area. The conclusion of both studies found that the project will not result increase the rate of the amount of surface runoff in a manner which would result in flooding on- or off-site. Moreover, the project will not contribute to a cumulatively considerable alteration or a drainage pattern or increase in the rate or amount of runoff, because the project will substantially increase water surface elevation or runoff exiting the site, as detailed above.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The project proposes potential sources of polluted runoff and wastewater. The project proposes the installation of a bioretention basin near the central portion of the project site adjacent to main facility and parking lot. Additionally, a Notice of Intent was provided to the Regional Water Quality Control Board which included and operational plan for implement best management practices for solid wastes, storm water, and waste discharges. All wastewater generated will be stored in an aerated and maintained pond. The project has been conditioned to maintain all decorative ponds and obtain approval from the Department of Environmental Health for the maintenance of ponds that are consistent with the determination by the Regional Water Quality Control Board's determination dated July 15, 2019. Please refer to X Hydrology and Water Quality Questions a, b, c, for further information.

iv. Impede or redirect flood flows?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant**

The project site contains drainage swales, which are identified as being 100-year flood hazard areas. However, the project is not proposing to place structures, access roads or other improvements which will impede or redirect flood flows in these areas. Additionally, a floodplain analysis dated January 2019 prepared by Michael Baker International demonstrates that the project will not adversely impact the 100-year floodplain on the project site and will not result in the flooding of off-site features.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

i. FLOOD HAZARD

Discussion/Explanation:

**Less than Significant Impact**

A County mapped 100-year floodway and floodplain runs through the center of the project site. A Floodplain Analysis (dated January 2019) prepared by Jay Sullivan of Michael Baker International was reviewed and demonstrates that the proposed project will not adversely impact the 100-year flood plain across the site and all buildings will be located outside of the floodway and floodplain fringe area.

ii. TSUNAMI

**No Impact**

The project site is located more than a mile from the coast; therefore, in the event of a tsunami, would not be inundated.

iii. SEICHE

**No Impact**

The project site is not located along the shoreline of a lake or reservoir; therefore, could not be inundated by a seiche.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**No Impact**

As described in response a above, the project would implement a combination of site design, source control and structural BMPs to prevent potential pollutants from entering storm water runoff. In addition, the proposed BMPs are consistent with regional surface water, storm water and groundwater planning and permitting process that has been established to improve the overall water quality in County watersheds. Moreover, the project will obtain its water supply from the Rainbow Municipal Water District that obtains water from surface reservoirs or other imported water source and would therefore not impact a sustainable groundwater management plan. The project proposes the use of groundwater for maintenance of the vineyards and landscaping. Irrigation calculations for water uses prepared by Brent Harvey Consulting demonstrate that the project will result in the use of less water than the previously existing golf



course. As a result, the project would not contribute to a cumulatively considerable impact to obstruction to implementation of a water quality control plan or sustainable groundwater management plan.

**XI. LAND USE AND PLANNING** -- Would the project:

a) Physically divide an established community?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

The project does not propose the introduction of new infrastructure such major roadways or water supply systems, or utilities to the area. Therefore, the proposed project will not significantly disrupt or divide the established community.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The Project site is a winery and event facility within the Fallbrook Community Plan Area of the County of San Diego General Plan. The proposed project is subject to the General Plan Semi-Rural Regional Category and the Open Space-Recreation (OS-R) and Semi-Rural (SR-2) Land Use Designations. The project is also subject to the policies of the Fallbrook Community Plan. The property is zoned Limited Agriculture (A-70) which permits winery and event venues with a Major Use Permit pursuant to the Zoning Ordinance Section 2705.

The Project does not conflict with any adopted land use plan, policy or regulation. It complies with the RPO and CEQA. Furthermore, it is consistent with the County of San Diego Guidelines for Significance.

**XII. MINERAL RESOURCES** -- Would the project:

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The project site has been classified by the California Department of Conservation – Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1997) as an area of “Potential Mineral Resource Significance” (MRZ-3).

However, the project site is surrounded by developed land uses including residential, agricultural, open space, and undeveloped lands which are incompatible to future extraction of mineral resources on the project site. A future mining operation at the project site would likely create a significant impact to neighboring properties for issues such as noise, air quality, traffic, and possibly other impacts. Therefore, implementation of the project will not result in the loss of availability of a known mineral resource that would be of value since the mineral resource has already been lost due to incompatible land uses.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

The project site is not located in an area that has MRZ-2 designated lands or is located within 1,300 feet of such lands. Therefore, the proposed project would not result in the loss of availability of locally important mineral resource(s).

Therefore, no potentially significant loss of availability of a known mineral resource of locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan or other land use plan will occur as a result of this project.

**XIII. NOISE** -- Would the project result in:

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

### **Less Than Significant Impact**

The project is a winery and event center with primary noise sources consisting of amplified music within event venues. Based on a Noise Analysis prepared by Ldn Consulting Inc., and dated March 25, 2019, the project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, County of San Diego Noise Ordinance, and other applicable standards for the following reasons:

#### **General Plan – Noise Element**

The County of San Diego General Plan, Noise Element, Tables N-1 and N-2 addresses noise sensitive areas and requires an acoustical study to be prepared for any use that may expose noise sensitive area to noise in excess of a Community Noise Equivalent Level (CNEL) of 60 decibels (dBA). Moreover, if the project is excess of 60 dBA CNEL or 65 dBA CNEL, modifications must be made to the project to reduce noise levels. Noise sensitive areas include residences, hospitals, schools, libraries or similar facilities as mentioned within Tables N-1 and N-2. Based on a Noise Analysis prepared by Ldn Consulting, Inc. dated March 25, 2019, the project implementation will not expose existing or planned noise sensitive areas to road, airport, heliport, railroad, industrial or other noise in excess of the 60 dBA CNEL or 65 dBA CNEL. Therefore, the project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, Noise Element.

#### **Noise Ordinance – Section 36.404**

Based on a Noise Analysis prepared by Ldn Consulting, Inc. and dated March 25, 2019, non-transportation noise generated by the project is not expected to exceed the standards of the County of San Diego Noise Ordinance (Section 36.404) at or beyond the project's property line. The site is zoned A70 that has a one-hour average sound limit of 45 dBA at nighttime and 50 dBA during the day. The adjacent properties are zoned A70 and have one-hour average sound limit of 45 dBA. Amplified music will primarily occur at venues. The noise levels from Venue 1 and 2, when operating concurrently would produce a cumulative noise levels of 50 dBA, which is in compliance with daytime noise limits as specified in the Noise Ordinance, Section 36.404.

#### **Noise Ordinance – Section 36.409**

Based on a Noise Analysis prepared by Ldn Consulting, Inc. and dated March 25, 2019 the project will not generate construction noise that may exceed the standards of the County of San Diego Noise Ordinance (Section 36.409). Construction operations will occur only during permitted hours of operation pursuant to Section 36.409. Also, it is not anticipated that the project will operate construction equipment in excess of an average sound level of 75dB between the hours of 7 AM and 7 PM.

Finally, the project's conformance to the County of San Diego General Plan and County of San Diego Noise Ordinance (Section 36-404 and 36.410) ensures the project will not create cumulatively considerable noise impacts, because the project will not exceed the local noise standards for noise sensitive areas; and the project will not exceed the applicable noise level limits at the property line or construction noise limits, derived from State regulation to address human health and quality of life concerns. Therefore, the project will not contribute to a cumulatively considerable exposure of persons or generation of noise levels in excess of

standards established in the local general plan, noise ordinance, and applicable standards of other agencies.

b) Generation of excessive groundborne vibration or groundborne noise levels?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

The project does not propose any of the following land uses that can be impacted by groundborne vibration or groundborne noise levels.

1. Buildings where low ambient vibration is essential for interior operation, including research and manufacturing facilities with special vibration constraints.
2. Residences and buildings where people normally sleep including hotels, hospitals, residences and where low ambient vibration is preferred.
3. Civic and institutional land uses including schools, churches, libraries, other institutions, and quiet office where low ambient vibration is preferred.
4. Concert halls for symphonies or other special use facilities where low ambient vibration is preferred.

Also, the project does not propose any major, new or expanded infrastructure such as mass transit, highways or major roadways or intensive extractive industry that could generate excessive groundborne vibration or groundborne noise levels on-site or in the surrounding area.

Therefore, the project will not expose persons to or generate excessive groundborne vibration or groundborne noise on a project or cumulative level.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less than Significant Impact**

The proposed project is not located within a two-mile vicinity of a private airstrip; therefore, the project will not expose people residing or working in the project area to excessive airport-related noise levels. The Northernmost portion of the project site is located within Airport Influence Area 2 of the Fallbrook Community Airport Community Plan. A portion of the area will be put into open

space and will remain vacant or Coast Live Oak Woodland habitat and will not expose people to noise generated by an airport.

**XIV. POPULATION AND HOUSING** -- Would the project:

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

The proposed project will not induce substantial population growth in an area because the project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth in an area including, but limited to the following: new or extended infrastructure or public facilities; new commercial or industrial facilities; large-scale residential development; accelerated conversion of homes to commercial or multi-family use; or regulatory changes including General Plan amendments, specific plan amendments, zone reclassifications, sewer or water annexations; or LAFCO annexation actions.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

The proposed project will not displace any existing housing since the site is currently used for commercial uses.

**XV. PUBLIC SERVICES**

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

- i. Fire protection?
- ii. Police protection?
- iii. Schools?

- iv. Parks?
- v. Other public facilities?

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

Based on the service availability forms received for the project, the proposed project will not result in the need for significantly altered services or facilities. Service availability forms have been provided which indicate existing services are available to the project from the following agencies/districts: North County Fire Protection District, Rainbow Municipal Water District. The project does not involve the construction of new or physically altered governmental facilities including but not limited to fire protection facilities, sheriff facilities, schools, or parks in order to maintain acceptable service ratios, response times or other performance service ratios or objectives for any public services. Therefore, the project will not have an adverse physical effect on the environment because the project does not require new or significantly altered services or facilities to be constructed.

**XVI. RECREATION**

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

The project does not propose any residential use, included but not limited to a residential subdivision, mobilehome park, or construction for a single-family residence that may increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

**No Impact**

The project does not include recreational facilities or require the construction or expansion of recreational facilities. As such, there would not be an adverse physical effect on the environment.

**XVII. TRANSPORTATION**-- Would the project:

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation

The County of San Diego Guidelines for Determining Significance for Transportation (Guidelines) establish measures of effectiveness for the performance of the circulation system. These Guidelines incorporate standards from the County of San Diego Public Road Standards and Mobility Element, the County of San Diego Transportation Impact Fee Program and the Congestion Management Program.

**Less Than Significant Impact**

Based on a Focused Traffic Impact Study prepared by Dawn Wilson of Michael Baker International dated April 2019, the proposed project generates 1,237 ADT and 232 PM peak hour trips during typical weekend operations. These trips will be distributed on Mobility Element roadways in the County some of which currently or are projected to operate at inadequate levels of service. However, the results of the Existing conditions analysis of the study show that all study roadway segments currently operate at an acceptable level of service (LOS B or better) on a daily and peak hour basis. Additionally, the County of San Diego has developed an overall programmatic solution that addresses existing and projected future road deficiencies in the unincorporated portion of San Diego County. The TIF program creates a mechanism to proportionally fund improvements to roadways necessary to mitigate potential cumulative impacts caused by traffic from future development. These new projects were based on SANDAG regional growth and land use forecasts, the SANDAG Regional Transportation Model was utilized to analyze projected build-out (year 2030) development conditions on the existing Mobility Element roadway network throughout the unincorporated area of the County. Based on the results of the traffic modeling, funding necessary to construct transportation facilities that will mitigate cumulative impacts from new development was identified. Existing roadway deficiencies will be corrected through improvement projects funded by other public funding sources, such as TransNet, gas tax, and grants. Potential cumulative impacts to the region's freeways have been addressed in SANDAG's Regional Transportation Plan (RTP). This plan, which considers freeway buildout over the next 30 years, will use funds from TransNet, State, and Federal funding to improve freeways to projected level of service objectives in the RTP.

These project trips therefore contribute to a potential significant cumulative impact and mitigation is required. The potential growth represented by this project was included in the growth projections upon which the TIF program is based. By ensuring TIF funds are spend for the

specific roadway improvements identified in the TIF Program, the CEQA mitigation requirement is satisfied and the Mitigation Fee nexus is met. Therefore, payment of the TIF, which will be required at issuance of building permits, in combination with other components of the program described above, will mitigate potential cumulative traffic impacts to less than significant.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

Discussion/Explanation:

Section 15064.3 of the CEQA Guidelines details new regulations, effective statewide July 1, 2020 that sets forth specific considerations for evaluating a project's transportation impacts. Generally, vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts. VMT refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided regarding roadway capacity, a project's effect on automobile delay shall not constitute a significant environmental impact.

**No Impact**

The County of San Diego has not adopted a threshold for VMT and is not expected to until July 2020, when the provisions of the section apply statewide. As the VMT threshold does not yet apply, no impact would occur. In addition, the primary intention of the VMT threshold is to reduce GHG emissions associated with vehicle trips. As stated previously in Section VIII, the proposed project would reduce GHG emissions due to the change in use from a golf course to a winery and event center. Specifically, annual GHG emissions from mobile sources will reduce from an existing 14,806.07 MTCO<sub>2e</sub> to 1,089.01 MTCO<sub>2e</sub>. Therefore, GHG emissions associated with mobile sources will be reduced.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The proposed project will not significantly alter roadway geometry on Gird Road. A safe and adequate sight distance of 450 feet shall be required at all driveways and intersections to the satisfaction of the Director of the Department of Public Works. A Sight Distance Certification from the main entrance of the project site has been provided by Jay Sullivan of Michael Baker



International certifying 450 feet of unobstructed intersectional sight distance. All road improvements will be constructed according to the County of San Diego Public and Private Road Standards. The proposed project will not place incompatible uses (e.g., farm equipment) on existing roadways. Therefore, the proposed project will not significantly increase hazards due to design features or incompatible uses.

d) Result in inadequate emergency access?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant**

The proposed project will not result in inadequate emergency access. The North County Fire Protection District, which is the Fire Authority Having Jurisdiction, have reviewed the proposed project and associated emergency access roadways and have determined that there is adequate emergency fire access proposed. As a design feature, the project includes three total access points with two gated emergency access routes with override switches. Additionally, driveways and roads used will be required to be improved to County standards. Additionally, a Fire Protection Plan dated June 28, 2018 prepared by Santa Margarita Consulting and approved by the North County Fire Protection District on July 17, 2019 has been prepared for the project.

**XVIII. TRIBAL CULTURAL RESOURCES** -- Would the project:

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

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of Historical Resources as defined in Public Resources Code §5020.1(k), or

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact                     | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact         |

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

- |   |   |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
|---|---|

- Less Than Significant With Mitigation Incorporated       No Impact

Discussion/Explanation:

**No Impact**

Pursuant to AB-52, consultation was initiated with culturally affiliated tribes. No tribal cultural resources were identified during consultation. As such, there are no impacts to tribal cultural resources.

**XIX. UTILITIES AND SERVICE SYSTEMS** -- Would the project:

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

- Potentially Significant Impact       Less than Significant Impact  
 Less Than Significant With Mitigation Incorporated       No Impact

Discussion/Explanation:

**No Impact**

The project does not include new or expanded water or wastewater treatment facilities. In addition, the project does not require the construction or expansion of water or wastewater treatment facilities. Based on the service availability forms received, the project will not require construction of new or expanded water or wastewater treatment facilities. Service availability forms have been provided which indicate adequate water and wastewater treatment facilities are available to the project from the following agencies/districts: Rainbow Municipal Water District. Extensions of utility lines on the project site will be required but not new or expanded water or wastewater treatment facilities. Therefore, the project will not require any construction of new or expanded facilities, which could cause significant environmental effects.

b) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

- Potentially Significant Impact       Less than Significant Impact  
 Less Than Significant With Mitigation Incorporated       No Impact

Discussion/Explanation:

**Less Than Significant Impact**

The project requires water service from the Rainbow Municipal Water District. A Service Availability Letter from the Rainbow Municipal Water District has been provided, indicating adequate water resources and entitlements are available to serve the requested water

resources. The project proposes the use of groundwater for maintenance of the vineyards and landscaping. Irrigation calculations for water uses associated with vineyards and landscaping prepared by Brent Harvey Consulting demonstrate that the project will result in the use of less water than the previously existing golf course. Therefore, the project will have sufficient water supplies available to serve the project.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

The project requires wastewater service from the Rainbow Municipal Water District. A Service Availability Letter from the Rainbow Municipal Water District has been provided, indicating adequate wastewater service capacity is available to serve the requested demand. Therefore, the project will not interfere with any wastewater treatment provider's service capacity.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

Discussion/Explanation:

**Less Than Significant Impact**

Implementation of the project will generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). There are five, permitted active landfills in San Diego County with remaining capacity. Therefore, there is sufficient existing permitted solid waste capacity to accommodate the project's solid waste disposal needs.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
|---|--|

- Less Than Significant With Mitigation Incorporated       No Impact

Discussion/Explanation:

**Less than Significant Impact**

Implementation of the project will generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board (CIWMB) under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). The project will deposit all solid waste at a permitted solid waste facility and therefore, will comply with Federal, State, and local statutes and regulations related to solid waste.

- f) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

- Potentially Significant Impact       Less than Significant Impact  
 Less Than Significant With Mitigation Incorporated       No Impact

Discussion/Explanation:

**Less than Significant Impact**

The project proposes a winery which requires a wastewater discharge permit from the Regional Water Quality Control Board. A Notice of Intent was provided to the Regional Water Quality Control Board which included an operational plan to implement best management practices for solid wastes, storm water, and waste discharges. All wastewater generated will be stored in an aerated and maintained pond. The project has been conditioned to maintain all decorative ponds and obtain approval from the Department of Environmental Health for the maintenance of ponds that are consistent with the determination by the Regional Water Quality Control Board's determination dated July 15, 2019.

- g) 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?

- Potentially Significant Impact       Less than Significant Impact  
 Less Than Significant With Mitigation Incorporated       No Impact

Discussion/Explanation:

**Less Than Significant**

The project involves new and/or expanded storm water drainage facilities. The project requires the installation of maintained bioretention basin as detailed in a Stormwater Quality Management Plan prepared by Michael Baker International dated August 2019. However, as outlined in this Environmental Analysis Form, the new and/or expanded facilities will not result in adverse physical effect on the environment, because all related impacts from the proposed storm water facilities have been mitigated to a level below significance and will be installed on-site.

**XX. WILDFIRE:** --If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

**Less than Significant Impact**

The proposed project is located within a moderate to high fire hazard severity zone. Lands east and southeast of the project site are within the moderate, high and very high fire hazard severity zones. However, the proposed project does not substantially impair any adopted emergency response plan or emergency evacuation plan and would be serviced by the North County Fire Protection District. Pursuant to the fire service availability form submitted for the project, North County Fire Protection District has indicated the project is eligible for service and nearest fire station is located 5.9 miles from the project. Additionally, a Fire Protection Plan dated June 28, 2018 prepared by Santa Margarita Consulting, LLC was approved by the North County Fire Protection District on July 17, 2019. The project contains two emergency access gated entrances to facilitate emergency evacuation as a design feature. Therefore, the proposed project would not 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?

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

**Less than Significant Impact**

As previously discussed, the proposed project is located within a moderate to high fire hazard severity zone. Lands east and southeast of the project site are within the moderate, high and very high fire hazard severity zones. However, the proposed project does not substantially exacerbate wildfire risks due to site specific factors. Pursuant to the fire service availability form submitted for the project, North County Fire Protection District has indicated the project is eligible

for service and nearest fire station is located 5.9 miles from the project. Additionally, a Fire Protection Plan dated June 28, 2018 prepared by Santa Margarita Consulting, LLC was approved by the North County Fire Protection District on July 17, 2019. The project contains two emergency access gated entrances to facilitate emergency evacuation as a design feature. Therefore, the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan. The project will be required to meet applicable fire measures such as fire sprinklers, fire hydrants, fire alarm system, fire apparatus access, access road requirements, emergency access, and fire clearing around all structures.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

**Less than Significant Impact**

As previously discussed, the proposed project is located within a moderate to high fire hazard severity zone. A Fire Protection Plan dated June 28, 2018 prepared by Santa Margarita Consulting, LLC was approved by the North County Fire Protection District on July 17, 2019. The project contains two emergency access gated entrances to facilitate emergency evacuation as a design feature. No installation or maintenance of associated infrastructure, such as roads, fuel breaks, or emergency water sources, power lines or other utilities would be required for the project. As such, impacts would be less than significant.

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

- |   |  |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact                     | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact                               |

**Less than Significant Impact**

The project site contains drainage swales, which are identified as being 100-year flood hazard areas. However, the project is not proposing to place structures, access roads or other improvements which will impede or redirect flood flows in these areas. Additionally, a floodplain analysis dated January 2019 prepared by Michael Baker International demonstrates that the project will not adversely impact the 100-year floodplain on the project site and will not result in the flooding of off-site features.

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE:**

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

plant or animal or eliminate important examples of the major periods of California history or prehistory?

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

Per the instructions for evaluating environmental impacts in this Initial Study, the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in sections IV and V of this form. In addition to project specific impacts, this evaluation considered the projects potential for significant cumulative effects. Resources that have been evaluated as significant would be potentially impacted by the project, particularly biological resources. However, mitigation has been included that clearly reduces these effects to a level below significance. This mitigation includes dedication of onsite biological open space. As a result of this evaluation, there is no substantial evidence that, after mitigation, significant effects associated with this project would result. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

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

- Potentially Significant Impact
- Less than Significant Impact
- Less Than Significant With Mitigation Incorporated
- No Impact

Discussion/Explanation:

The following list of past, present and future projects were considered and evaluated as a part of this Initial Study:

PROJECT NAME	PERMIT/MAP NUMBER
Kempf TPM; ND	PDS1998-3200-20001
Cameron TPM; ND	PDS1999-3200-20443
Aspel TPM; ND	PDS2001-3200-20592
Gray TPM; ND	PDS2002-3200-20473
White; ND	PDS2002-3200-20562
Property Development Engineers; ND	PDS2008-3200-19605
Fallbrook Green; EIR	PDS2009-3100-4511
Hutchinson; NOE	PDS2010-3000-10-005
Fallbrook Golf Club; MND	PDS2010-3100-4356

Fallbrook Golf Club/Los Sicomorros; ND	PDS2011-3100-3540
Stella Graham PRD; ND	PDS2011-3100-4961
Hoover Ranch; ND	PDS2011-3100-5026
Culbertson Winery; ND	PDS2011-3300-81-107

Per the instructions for evaluating environmental impacts in this Initial Study, the potential for adverse cumulative effects were considered in the response to each question in sections I through XX of this form. In addition to project specific impacts, this evaluation considered the projects potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there is no substantial evidence that there are cumulative effects associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

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

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in sections I. Aesthetics, III. Air Quality, VII. Geology and Soils, IX. Hazards and Hazardous Materials, X Hydrology and Water Quality XIII. Noise, XIV. Population and Housing, XVII. Transportation, XX Wildfire. As a result of this evaluation, there is no substantial evidence that there are adverse effects on human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to certain questions in sections I. Aesthetics, III. Air Quality, VI. Geology and Soils, VIII. Hazards and Hazardous Materials, IX Hydrology and Water Quality XII. Noise, XIV. Population and Housing, and XVII. Transportation. As a result of this evaluation, there is no substantial evidence that, after mitigation, there are adverse effects to human beings associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

**XXII. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST**

All references to Federal, State and local regulation are available on the Internet. For Federal regulation refer to <http://www4.law.cornell.edu/uscode/>. For State regulation refer to [www.leginfo.ca.gov](http://www.leginfo.ca.gov). For County regulation refer to [www.amlegal.com](http://www.amlegal.com). All other references are available upon request.

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