



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
Initial Study – Environmental Checklist

PLN-2039
04/2019

Project Title & No.

Stoller/Paris Valley Road Winery Conditional Use Permit DRC2020-00051/ ED21-171

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Holly Phipps	Signature	11/1/21
Prepared by (Print)		Date
Cheryl Ku	Steve McMasters, Principal Environmental Specialist	11/2/21
Reviewed by (Print)	Signature	Date

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Project Environmental Analysis

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

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

A. Project

DESCRIPTION: A request by **Craig Stoller (Paris Valley Road Winery)** for a Conditional Use Permit (DRC2020-00051) to allow the phased expansion and update to an existing 102,000-square-foot winery facility and visitor serving uses to include:

- A 2,447-square-foot restaurant (limited food facility) that includes the remodel of the existing 905-square-foot-kitchen, conversion of a 542-square-foot-tasting room to indoor seating, and new 1,000-square-foot outdoor seating area;
- Construction of a new 8,500-square-foot, two-story, eight-unit Bed & Breakfast and a 924-square-foot-pool;
- Construction of a new 7,300-square-foot winery building;
- Construction of a new 26,000-square-foot winery building;
- New covered outdoor work areas for wine production activities;
- Construction of a new 6,000-square-foot, two story office building;
- Interior remodel of the existing buildings to support existing and proposed uses; and
- Site improvements including grading and new landscaping to accommodate the reconfiguration of the existing visitor access locations and parking areas
- The project also includes a request to host up to 40-winery special events annually with a maximum of 300 guests. The applicant requests to participate in wine industry events as allowed by the Land Use Ordinance.

The applicant is requesting a modification to Section 22.30.570.E standard that limits a restaurant to 800 square feet to allow a 2,447-square-foot restaurant, a modification to Section 22.30.570.D standard to allow the restaurant to operate beyond the tasting room hours, to 9 p.m., 7 days per week, and a modification to Section 22.30.070.D.2.h.(3) to allow second tasting room for the distillery operation. Section 22.30.020.D allows a standard to be modified through a Conditional Use Permit if it can be proven to be unnecessary and the project meets all other development standards. The project will result in approximately 4.5 acres of

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site disturbance on a 59-acre parcel, including 14,605 cubic yards of cut and 7,000 cubic yards of fill. The proposed project is within the Agriculture land use category, located at 5625 Highway 46 East, adjacent to the City Paso Robles. The project site is in the El Pomar-Estrella Sub Area of the North County planning Area.

Expanded Project Description:

A Phased Conditional Use Permit to update, convert and expand existing and ancillary uses to an established winery with tasting room (previous entitlements include: D840305:1/D960193D). Including remodel, conversion, modification of existing use areas and the addition of new structures and uses. The project will be phased as follows:

Phase 1

Use of the existing 905-square-foot kitchen, 542-square-foot area for indoor seating and 1,000-square-foot outdoor seating for Limited Food Serving Facility (restaurant) within the existing Hospitality building (Bldg. 1). Convert a 5,200-square-foot area of the second floor of the winery (Bldg. 2) from offices to a 2,100-square-foot member's lounge with 710 square feet of multi-purpose areas, 240 square feet of restrooms, a 250-square-foot office and 320 square feet of storage. In addition, an existing 6,900-square-foot courtyard to the south of the new members lounge will be re-developed with new landscaping and flatwork.

Phase 2

Convert a 1,200-square-foot area of the second floor of the winery (Bldg. 2) from offices to 380 square feet for new restrooms and 635 square feet of pool support & circulation areas. A 7,060-square-foot members and B&B guest only outdoor lounge area with cabanas, cabins and swimming pool with spa. In addition, landscaping, pedestrian access and a new dedicated parking lot will be added.

Phase 3

Construction of a new 8,500-square-foot, two-story, eight-unit Bed & Breakfast (Bldg. 3) including an innkeeper suite, commercial kitchen, dining, living, lounge and a 695-square-foot entry courtyard. Extension of the accessible path of travel to Winery (Bldg. 2). New access loop and dedicated parking lot off existing interior circulation roads. Removal of 0.35 acres (15,000 square feet) of vineyard to be relocated onsite.

Phase 4

Construction of a new 6,000-square-foot, two story executive office building (Bldg. 4) adjacent to the winery (Bldg. 2). Areas include open and individual offices, conference room, entry/lobby, breakroom and restrooms. The executive office building utilizes existing access and parking lot to the north of the proposed building.

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Phase 5

Construction of a 2,500-square-foot cover over an existing work area off the southeast corner of the winery (Bldg. 2) and a new 26,000-square-foot barrel storage building (Bldg. 5).

Phase 6

Construction of a new 7,300-square-foot production building (Bldg. 6), including a 410-square-foot second tasting room for distilled spirit tasting. The production building includes barrel storage, wine case good storage, production, tank room and offices for the wine and spirit production. Extension off the existing access road into a new access loop, loading dock and dedicated parking lot. Removal of 1.15 acres (50,000 square feet) of vineyard to be relocated onsite.

Summary			
	Existing	Proposed	Full Build Out
Visitor Serving Uses	13,401 SF	38,512 SF	50,466 SF
Ag Uses	123,200 SF	45,390 SF	156,890 SF
Total	136,601 SF	83,902 SF	207,326 SF

Special Events and Industry-Wide / Marketing Events:

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

In addition, the project includes a special events program to allow up to 40 events a year with a maximum of 300 attendees (including non-profits). The number of persons per event is proposed as follows:

- 10 events per year at 100 persons per event
- 10 events per year at 150 persons per event
- 10 events per year at 200 persons per event
- 10 events per year at 300 persons per event

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ASSESSOR PARCEL NUMBER(S): 015-311-018 and 015-311-022 (Project site includes both parcels)

Latitude: 35° 39' 29.7956" N **Longitude:** 120°35' 46.5632" W **SUPERVISORIAL DISTRICT #** 1

B. Existing Setting

Plan Area: North County **Sub:** El Pomar **Comm:** N/A

Land Use Category: Agriculture

Combining Designation: Airport Review Area

Parcel Size: 59.37 acres

Topography: Gently to moderately sloping

Vegetation: +/- 36 acres of vineyards, ornamental trees, and scattered oak trees

Existing Uses:

Surrounding Land Use Categories and Uses:

North: Agriculture; ; HWY 46, Ag uses, Single family residence(s)

East: Agriculture; ; AG uses,

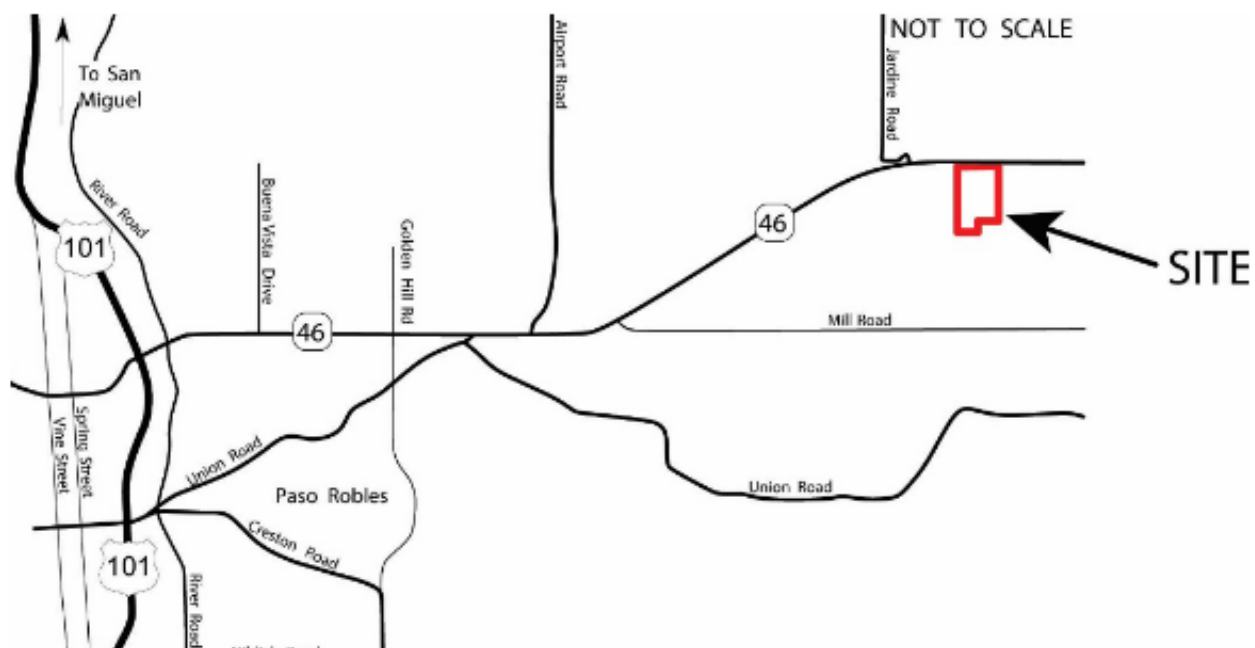
South: Agriculture; ; Ag uses

West: Agriculture; ; Ag uses (vineyards)

C. Environmental Analysis

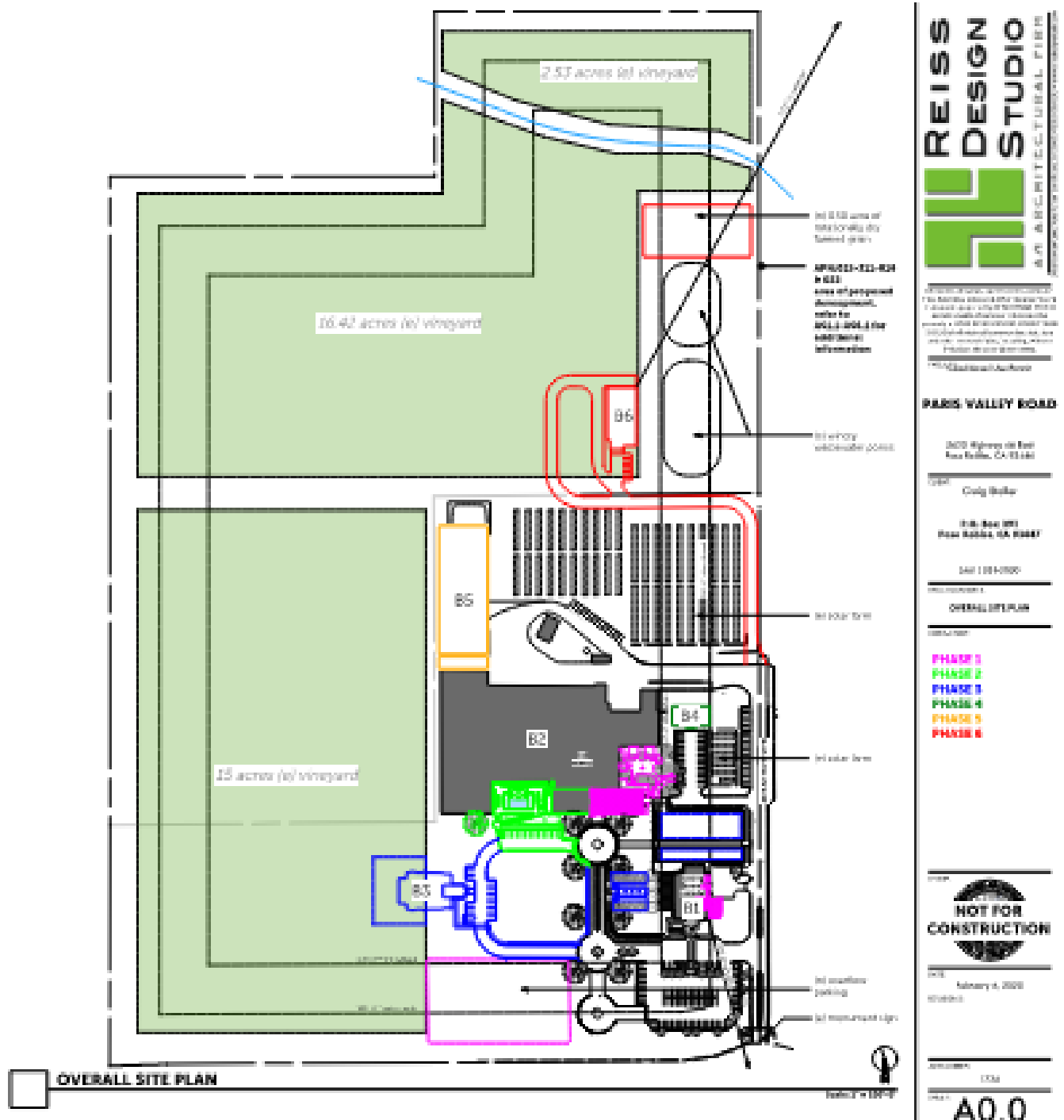
The Initial Study Checklist provides detailed information about the environmental impacts of the proposed project and mitigation measures to lessen the impacts.

Figure 1: Vicinity Map



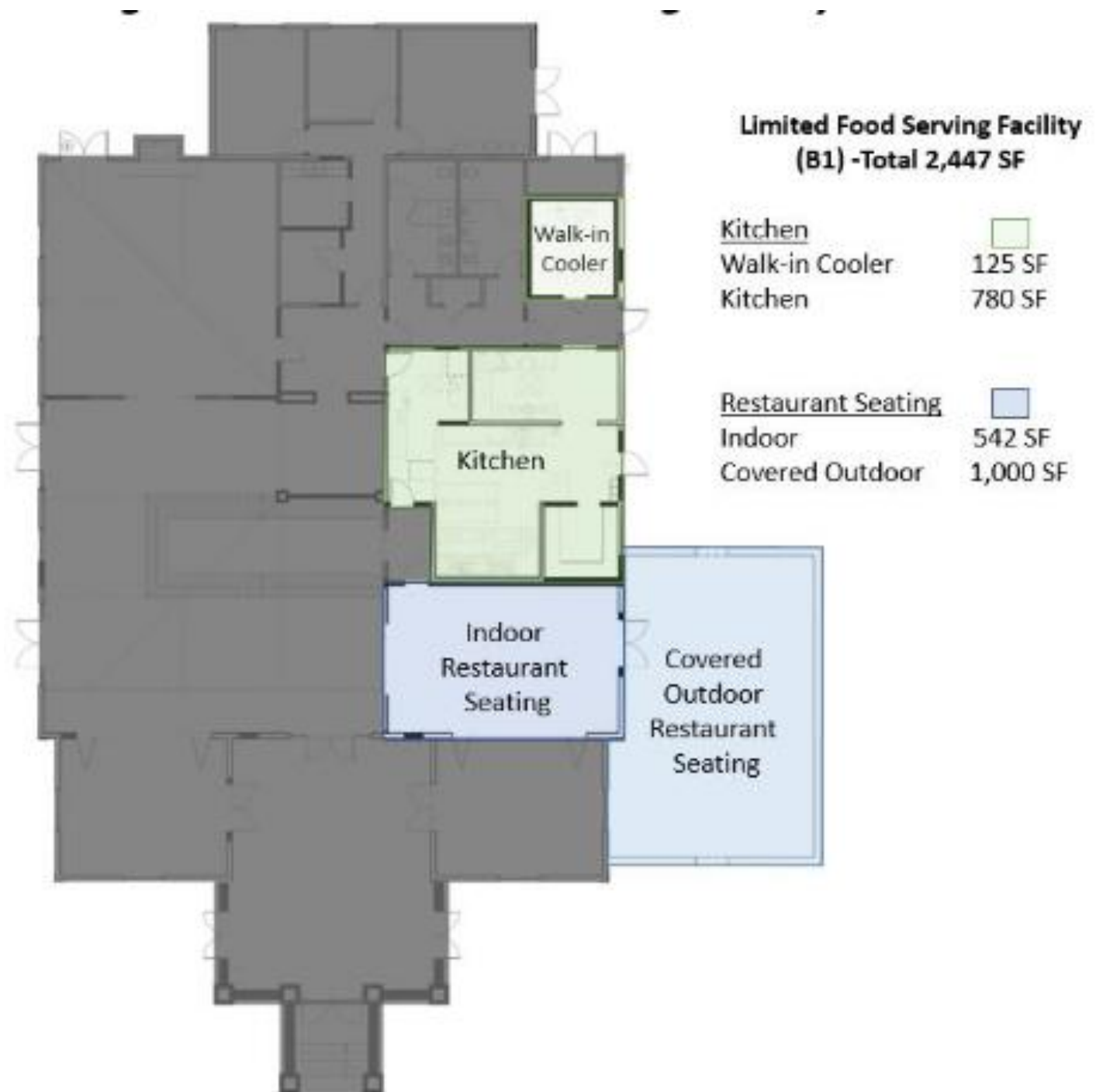
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Figure 2: Overall Site Plan



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Figure 3: Limited Food Serving Facility (Restaurant)



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Figure 4: Portion of Winery Building Proposed Floor Plan and Summary

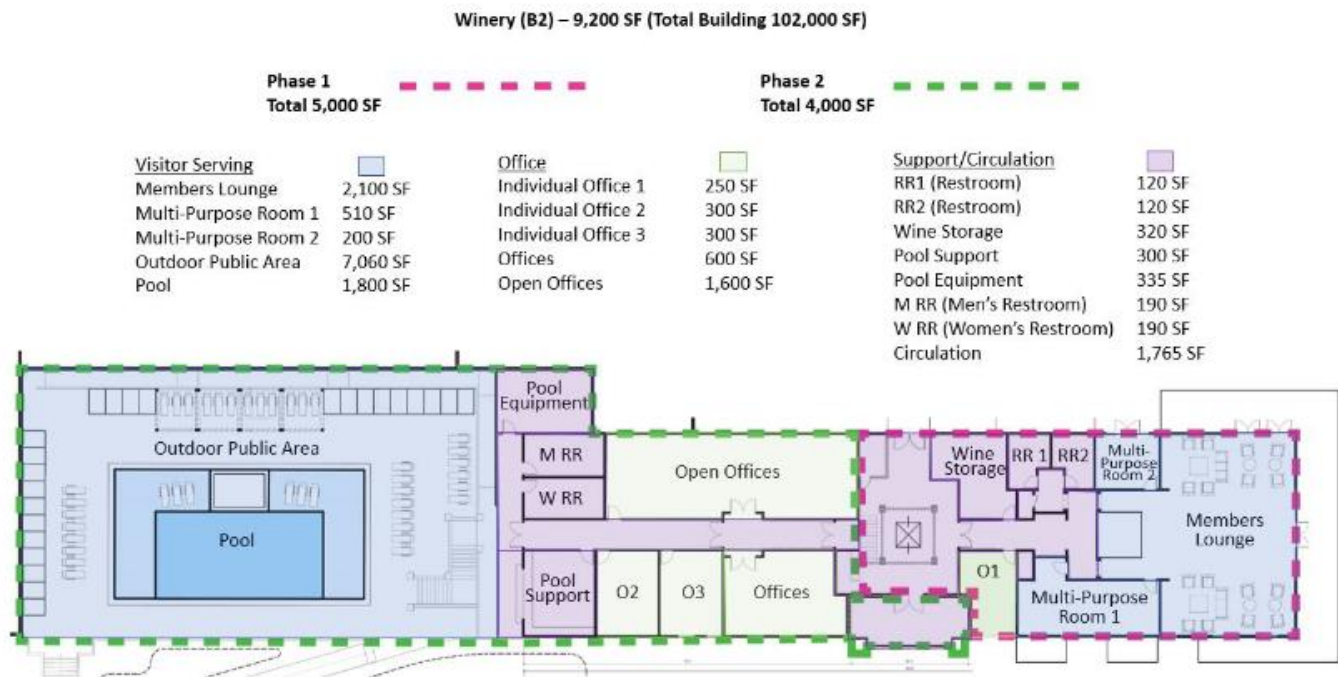
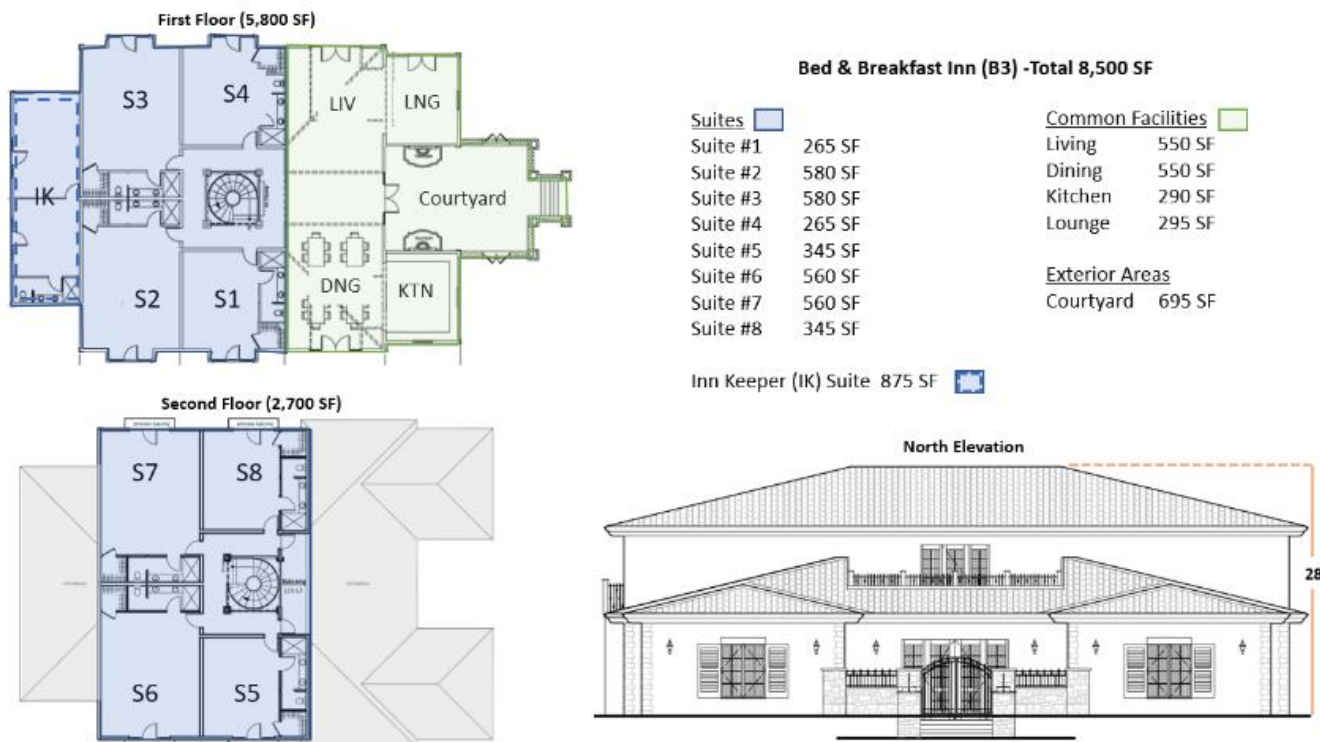


Figure 5: B&B Inn Floor Plan, Elevation & Summary



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Figure 5: B&B Inn Floor Plan, Elevation & Summary

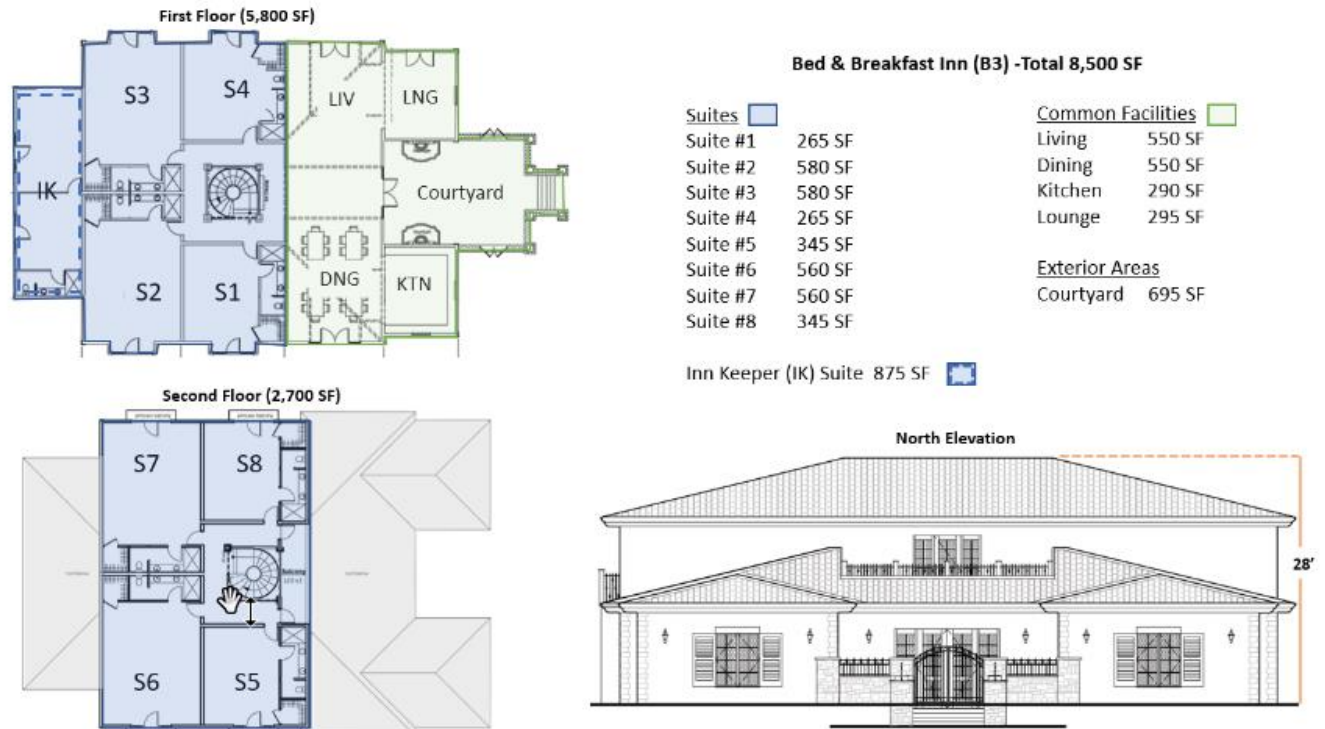
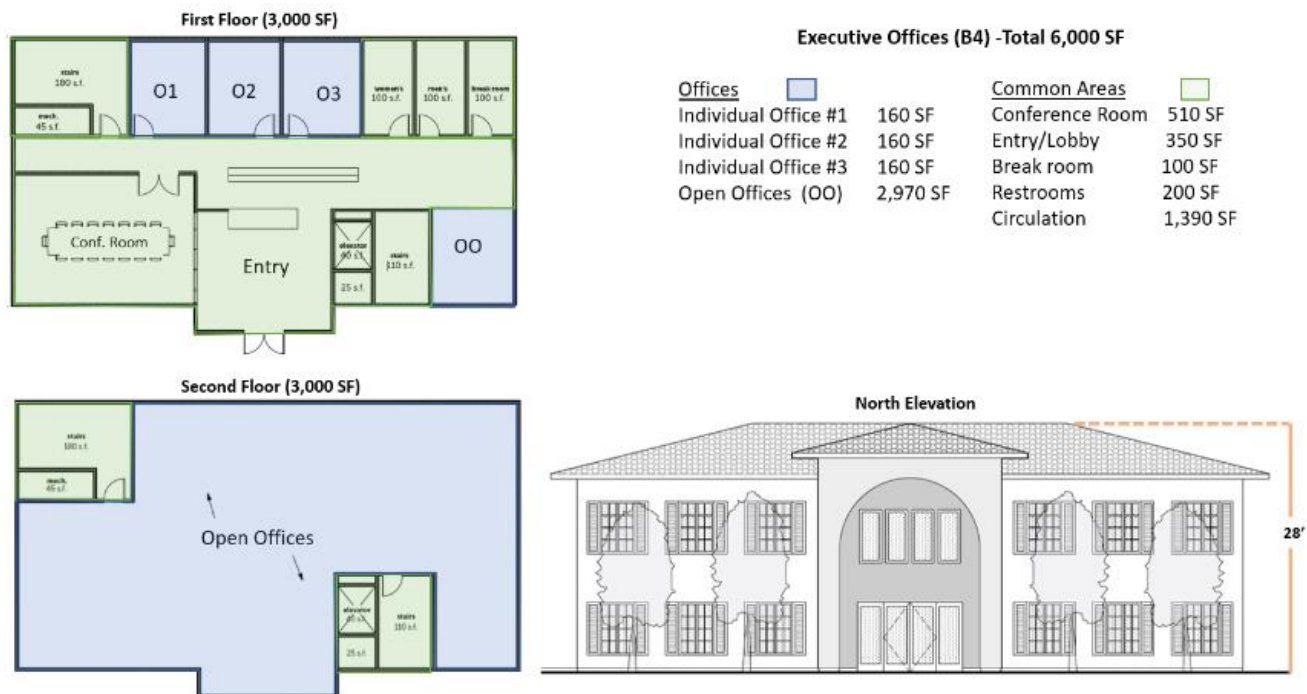


Figure 6: Executive Offices Floor Plan, Elevation and Summary



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Figure 7: Barrel Chai Floor Plan, Elevation and Summary

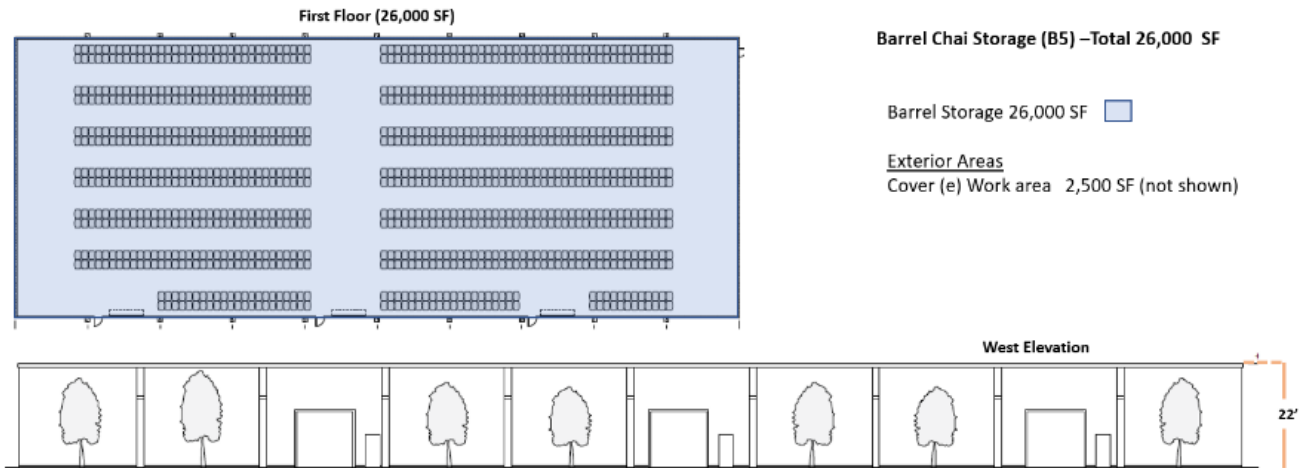
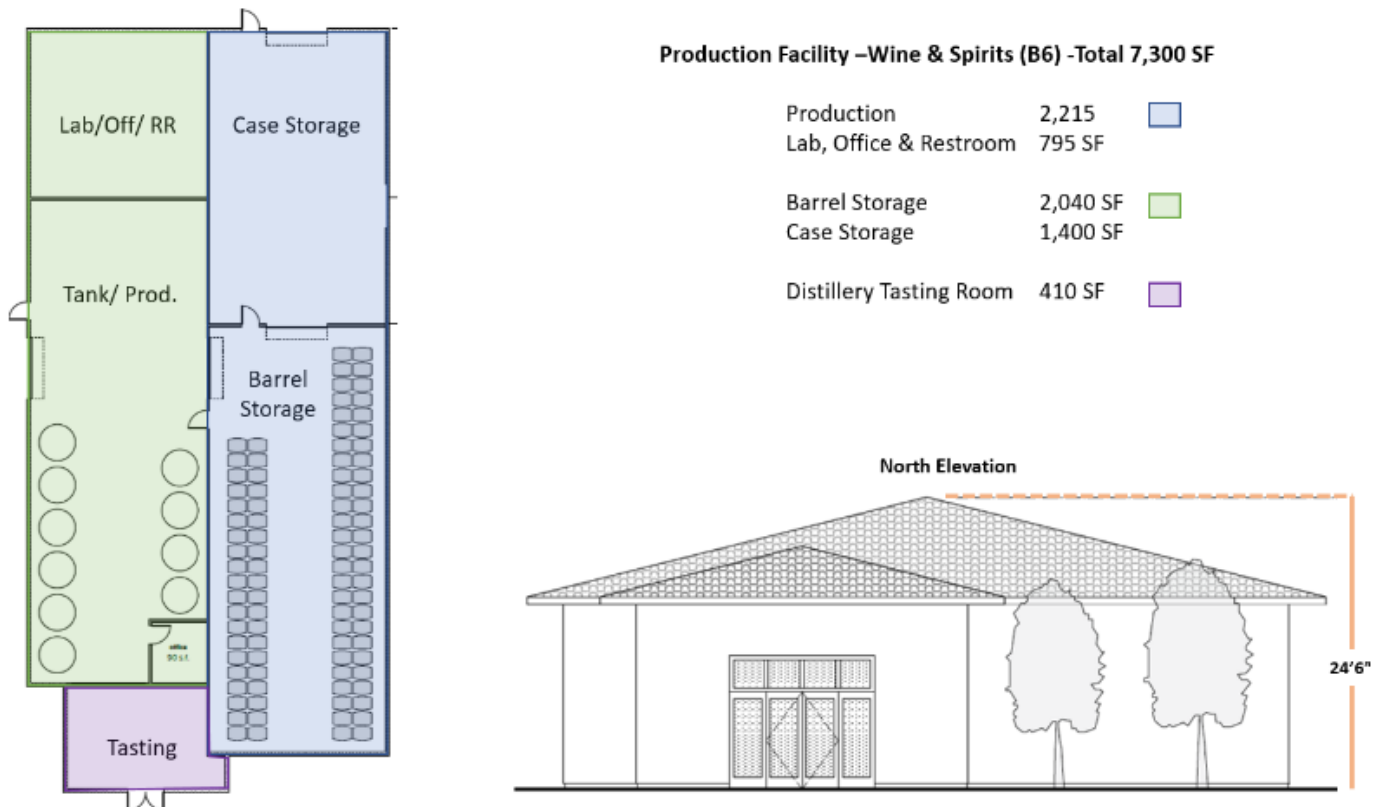


Figure 8: Production Building Floor Plan, Elevation and Summary



Initial Study – Environmental Checklist

I. AESTHETICS

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

Setting

The project site is within the Agriculture land use category located beside HWY 46 East, adjacent to the City of Paso Robles. Highway 46 East is not a State-designated Scenic Highway. The visual qualities of HWY 46 in the vicinity of the project site are representative of the rural, agricultural character of the area in which agricultural support structures and large wineries are common features of the landscape. The project is not under a Williamson Act Contract.

On May 1984, the County of San Luis Obispo authorized a Conditional Use Permit (D840305:1) that allowed the construction of a 74,000-square-foot (SF) winery (Arciero Winery) with a 6,000 SF visitor's center/tasting room building (hospitality building) and related site improvements. In 1997, Arciero amended their Conditional Use Permit (D960143P) and was authorized to construct a 28,000 SF barrel storage room and six outdoor wine fermentation tanks to the existing winery. All buildings and uses approved under these permits have been constructed and in operation for over 20 years.

Interior and exterior renovations have been approved by the County through ministerial approvals (Substantial Conformance). These include improvements to the hospitality building, exterior modifications to the main winery building, site layout, ADA accessibility and landscaping improvements. Building permits have been issued and much of the work is underway. A 2018 Substantial Conformance authorized new exterior paint, repairs to retaining walls and landscaping beside this building.

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The proposed pool and lounge area will be placed into the existing building and more landscaping planted to provide partial screening from HWY 46.

The proposed B&B Inn (Bldg. 3) will be a single structure located in the northern half of the parcel, mid-way between the winery and HWY 46, sitting 100 feet from the existing winery and 452 feet east of the existing hospitality building. The B&B will be visible from HWY 46, however it is not located in a prominent location or on a hillside, therefore it will not silhouette as it sits at a lower elevation of the site. The B&B is residential in nature and is consistent with the character of the onsite architecture.

The B&B Inn will utilize the existing primary access from HWY 46 with connection by means of a new interior access road loop which circulates around the existing leach fields.

The project includes a two-story, 6,000 SF executive office building (Bldg. 4) to support the onsite winery operation. The proposed office building will be located on the western half of the property, 100 feet away from the west property line and 27 feet away from the western exterior wall of the winery building. The site is with proximity of the existing winery and hospitality buildings and is located within the existing development envelope, north of the existing large solar farm and directly south of the existing parking area.

This office building will not be visible from HWY 46, because it is set further back on the property, approximately 700 feet from the road and sits behind the existing hospitality building. Landscape trees along the building's frontage will help to reduce potential impacts. The style of the office matches that of the existing and proposed new buildings.

The project includes the construction of a 26,000 SF barrel chai building (Bldg. 5) for wine barrel storage and a 2,500 SF cover of an existing outdoor work area (Bldg. 2) behind the existing winery. This building will not be visible from HWY 46 because it will be located on the back half of the property midway between the east and west property lines and behind the existing winery building.

The proposed 7,300 SF production building (Bldg. 6- Winery and Distillery) for barrel storage, case good storage, production, tank room, and offices will be used for both wine and distilled spirit production. Also included is a 410 SF second tasting for distilled spirits.

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

Discussion

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

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

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The project is not located within an identified scenic vista, visually sensitive area, or scenic corridor. The project would be seen from public viewpoints, Highway 46, but would not introduce a use that is visually incompatible with a scenic vista of the surrounding landscape, therefore no impact would occur.

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

California's Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. There are several officially designated state scenic highways and several eligible state scenic highways within the county. State Route 1 is an Officially Designated State Scenic Highway and All-American Road from the City of San Luis Obispo to the northern San Luis Obispo County boundary. A portion of Nacimiento Lake Drive is an Officially Designated County Scenic Highway. Portions of Highway 101, Highway 46, Highway 41, Highway 166, and Highway 33 are also classified as Eligible State Scenic Highways – Not Officially Designated.

The project site is not located along nor is visible from a designated state scenic highway or eligible state scenic highway. The project will result in the new construction of the proposed Bed and Breakfast Inn, Executive Office Building, Barrel Chai Building, and a Production Building.

Portions of the B&B Inn will be visible from East Highway 46, however it is not located in a prominent location or on a hillside therefore it will not silhouette as it sits at a lower elevation of the site. The B&B is residential in nature and consistent with the onsite architecture.

The proposed executive office building will be located on the western half of the property, 100 feet away from the west property line and 27 feet away from the western exterior wall of the winery building. This site is within proximity of both the existing winery and hospitality buildings and is located within the existing development envelope. The executive office building will be set back approximately 700 feet from Highway 46 and will sit behind the existing hospitality building.

The barrel chai is proposed to be located in the middle of the property, directly behind and connected to the existing winery building by way of the covered outdoor work area. The barrel chai will not be visible from East Highway 46 since it is located on the back half of the property approximately midway between the east and west property lines, and behind the existing winery building. Like the winery building, the barrel chai is located behind a slight hill, which further prevents visibility from the road. Landscaping composed of trees lines the western side of the building. The barrel chai will mirror the architecture of the existing winery building.

The proposed production building (Building 6) with distillery tasting room will be located on the back half of the property, south of the existing solar farms and east of the existing winery wastewater ponds. The new production building will not be visible from Highway 46. The building is situated towards the back of the property, located behind all other buildings on the property and will be bordered by vineyards to the east as well as vineyards on the neighboring property to the west.

Additional landscaping and relocation of vineyards will provide increased screening of the existing and proposed buildings. In addition, all lighting will be downcast and shielded from public view.

Thus, the project would not result in substantial damage to scenic resources within a state scenic highway, and there would be no impact.

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

The project would not introduce a use that is visually incompatible with the character of the surrounding rural residential landscape. The existing winery facility and hospitality building are situated off Highway 46 East and are currently partially visible as seen from public view. The majority of the proposed development, including the proposed executive office building, production building and barrel chai are located behind existing development and therefore are not expected to be noticeable from Highway 46 with the exception of the proposed bed and breakfast building which will be visible from Highway 46. Additional landscaping and relocation of vineyards will provide increased screening of existing and proposed buildings.

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

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

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

Conclusion

The project would be consistent with existing policies and standards in the County LUO and COSE related to the protection of scenic resources. No significant impacts to visual resources would occur and no mitigation measures beyond ordinance requirements are necessary.

Mitigation

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

Sources

See Exhibit A.

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II. AGRICULTURE AND FORESTRY RESOURCES

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

Setting

The project site is within the Agriculture land use category and is occupied by row crops (grapes), and by an existing winery. Neighboring agricultural properties support wine grape vineyards. The project parcels are not in a Williamson Act contract.

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In 1984, the County approved Conditional Use Permit D840305:1 that allowed the construction of a 74,000 SF winery with a 6,000 SF hospitality/tasting room building. In 2007, Arciero winery was authorized to revise development plan (D840305:1) to add a 28,000 square foot barrel storage room and six additional outdoor wine fermentation tanks to the existing winery. All buildings and uses approved under the original use permits have been constructed and in operation for over 20 years. The winery facility has continuously operated as a winery, including wine production, a tasting room, large and small events, food sales, and self-guided winery tours.

The proposed barrel storage, additional production building, outdoor work areas, and offices are intended to support the agricultural processing activities that are currently operating on the property, at full build-out, the approximate size of the production winery/distillery will be 156,050 square feet.

The County of San Luis Obispo supports a unique, diverse, and valuable agricultural industry that can be attributed to its Mediterranean climate, fertile soils, and sufficient water supply. Wine grapes are regularly the top agricultural crop in the county. Top value agricultural products in the county also include fruit and nuts, vegetables, field crops, nursery products, and animals. The County of San Luis Obispo Agriculture Element includes policies, goals, objectives, and other requirements that apply to lands designated in the Agriculture land use category. In addition to the Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county. The most recent annual crop report can be found here:

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

The wine production and tasting room facility was reviewed relative to the Agriculture Element policies to ensure the visitor serving uses are secondary and incidental to the agricultural processing, and that impacts to agricultural resources are minimized. The Agriculture Department reviewed the project on June 24, 2020 (Lynda L. Auchinachie) and concluded that the project (Phase 4-6) appears to be consistent with policies and designed to minimize impacts to on and off-site agricultural resources.

The Agriculture Department has concerns with project components Phase 1- restaurant, Phase 2 swimming pool and spa, and Phase 3 – bed and breakfast. The Agriculture Department concerns are related to policy consistency regarding Phase 1 restaurant, Phase 2 swimming pool, lounge and spa facility, and Phase 3 bed and breakfast. However, no impacts were identified. Their concerns are as follows:

- Does the requested combination of a restaurant, Bed and Breakfast inn, and swimming pool, lounge, and spa facility meet the intent of secondary and incidental visitor serving uses within an agricultural area?
- Should these nonagricultural uses be allowed in an area of severe decline? How are these project components consistent with AGP11- Agricultural Water Supplies that aims to protect production agriculture from competing uses?

The project includes a request for a limited food serving facility (restaurant) that will utilize an existing 905-square-foot commercial kitchen and convert 542 square feet of flex space to indoor seating. In addition, the existing picnic seating will be relocated to allow a new 1,000 square foot covered outdoor seating patio west of the building.

The proposed limited food serving facility in total will utilize 2,447 square feet of existing use areas. The proposed limited food serving facility shall be located within the same structure as the existing hospitality

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building and will be incidental to the primary use on site which is the approximate 102,000 square foot production winery.

The proposed distillery use is considered an agricultural processing use, similar to that of the winery, that uses a by-product of the wine making process. The 'wine material' is derived from material being processed in the winery that undergoes primary fermentation and is then distilled. The distilling process includes bottling and for some spirits aging.

A modification to the floor area limitation is allowed through approval of a Conditional Use Permit. Section 22.30.020.D contains a provision that allows a standard to be waived or modified through a Conditional Use Permit if it can be proven to be unnecessary or ineffective and the project meets all other development standards contained in the Land Use Ordinance.

The project proposes to offset all new water use through removal of an existing lawn and reservoir and a new stormwater recovery system, resulting in a new water credit of 7.3 acre-feet per year. (See section IX, hydrology and water quality.)

The modification is justified because the use will occur within the existing tasting room use areas that are currently used for the winery's food and wine pairing program as well as existing exterior use areas for containment of this use to a contiguous area.

The Planning Department after review considers the proposed visitor serving uses (tasting rooms, limited food serving facility, special events, the Bed & Breakfast with a members only pool) incidental and secondary to the primary agricultural use of the site, the winery and vineyards. The County considers the proposed project to be in conformity with Agriculture Policy 6 because the primary use on site remains the agricultural processing of wine

Summary			
	Existing	Proposed	Full Build Out
Visitor Serving Uses	13,401 SF	38,512 SF	50,466 SF
Ag Uses	123,200 SF	45,390 SF	156,890 SF
Total	136,601 SF	83,902 SF	207,326 SF

The location of the proposed uses is compatible with the existing agricultural uses because they are located within the existing development envelope, compose less than 6 percent of the winery production facility as stated in the Referral Response from the Agriculture Department. Therefore, the proposed visitor uses are considered incidental to the winery production facility. This winery and the existing winery wastewater facility is capable of producing up to 325,000 cases annually.

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

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

- Ayar and Diablo (9 - 15 % slope)
- Sesame sandy loam (9 - 30 % slope)

Soils:

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Ayar and Diablo. This moderately sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class III when irrigated. Not prime soils.

Diablo. This moderately sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class III when irrigated. Not prime soils.

Sesame sandy loam (9 - 30 % slope). This moderately sloping, coarse loamy soil is considered not well drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class IV without irrigation and Class IV when irrigated. Not prime soils.

According to Public Resources Code Section 12220(g), forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any forest land or timberland.

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

The project site includes two parcels (015-311-018 and 015-311-022) both of which are not within a Williamson Act contract. Projects located within a Williamson Act contract project must be consistent with the terms of that contract. Such contracts limit the use of the property to agricultural uses. Williamson Act and Laird Bill. AB 1492 added Section 51250 to the Government Code, the intent of which is to limit construction of structures on contracted lands to uses that are directly related to the agricultural use of the land. A use is considered incidental when it is required for or is part of the agricultural use and is valued in line with the expected return of the agriculture on the parcel. AB1492 allows the State Department of Conservation to issue fines and penalties for breaches of contract (e.g., excessive construction of structures or facilities not specific to the agricultural use of the land). Section 51250(b) defines a material breach on land subject to a Williamson Act contract as a commercial, industrial or residential building(s) exceeding 2,500 square feet that is not permissible under the Williamson Act or contract, local uniform rules or ordinances. According to the Agriculture Department, the State considers wineries and associated tasting rooms to be consistent with AB 1492.

Discussion

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

The proposed project site does not contain Farmland of Statewide Importance. Therefore, impacts would be less than significant.

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

The project site is not under a Williamson Act contract. The proposed winery facility and visitor uses is not in conflict with the Agricultural land use zoning, therefore no impacts would occur.

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

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

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

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

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

The project would be compatible with existing agricultural operations, would not adversely affect existing proximate agricultural uses, agricultural support services, or agricultural infrastructure or resources. Approximately +/-1.5 acres of vineyard is proposed for removal but will be relocated within the development and be used as a demonstration vineyard showcasing clonal vines the Stoller Family's extensive history. The proposed project would not result in the indirect conversion of existing farm or forestland to another use. Therefore, no impacts would occur.

Conclusion

The proposed project was reviewed relative to Agriculture Element policies to ensure the visitor serving uses are secondary and incidental to the agricultural processing and that impacts to agricultural resources are minimized. The proposed project is consistent with policies and designed to minimize impacts to on and off-site agricultural resources.

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

Mitigation

None necessary.

Sources

See Exhibit A.

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III. AIR QUALITY

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

Setting

The project site is located in the South Central Coast Air Basin (SCCAB) under the jurisdiction of the San Luis Obispo County Air Pollution Control District (SLOAPCD). The SLOAPCD has developed and updated a CEQA Air Quality Handbook (2012) and clarification memorandum (2017) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by SLOAPCD).

San Luis Obispo County Clean Air Plan

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

The project will result in approximately 4.5 acres of site disturbance on a 59-acre parcel, including 14,605 cubic yards of cut and 7,000 cubic yards of fill. This would result in the creation of construction dust, as well as short- and long-term vehicle emissions. According to the United States Department of Agriculture's Wind Erodibility Index, the wind erodibility of the soils which would be disturbed by the proposed project is "moderately low".

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SLOAPCD Thresholds

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

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

The project will result in approximately 4.5 acres of site disturbance on a 59-acre parcel, including 14,605 cubic yards of cut and 7,000 cubic yards of fill.

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

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

The project would be within 680 feet of sensitive receptors (a residence) that might result in nuisance complaints and will be subject to limited dust and/or emission control measures during construction. The project close proximity to any serpentine rock outcrops and/or soil formations which may have the potential to contain naturally occurring asbestos.

Discussion

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

As proposed, the project will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project will result in less than 10 lbs/day of pollutants, which is below thresholds warranting any mitigation. Additionally, the project is consistent with the general level of development anticipated and projected in the Clean Air Plan and would therefore not conflict with, or obstruct the implementation of the applicable air quality plan. Impacts to the County's air quality plan are considered *less than significant*.

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

The County is within the South-Central Coast Air Basin, which is currently considered by the state as being in “non-attainment” (exceeding acceptable thresholds) for particulate matter (PM₁₀, or fugitive dust). Dust, or particulate matter less than ten microns in diameter (PM₁₀), that becomes airborne and finds its way into the lower atmosphere, can act as a catalyst in a chemical transformation to harmful ozone.

The proposed project would result in the creation of dust through construction activities; however, activity would be short term and would not result in a cumulatively considerable net increase in PM₁₀. Additionally, the project is small in scale and nature and is not expected to result in any other activities which may otherwise result in a cumulatively considerable net increase in PM₁₀.

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

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

The nearest offsite residence is located approximately 680 feet to the north. Residences may be occupied by sensitive receptors who could be exposed to diesel particulates and fugitive dust from construction activities. As described above in response to (b), the project would not generate significant construction-related or operational emissions and would, therefore, not expose sensitive receptors to substantial pollutant concentrations.

Operational emissions would not substantially increase and implementation of standard LUO standards for dust control and compliance with existing regulations that prohibit excessive idling by diesel vehicles would reduce potential construction related emissions. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be *less than significant*.

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

Construction could generate odors from heavy diesel machinery, equipment, and/or materials. The generation of odors during the construction period would be temporary, would be consistent with odors commonly associated with construction, and would dissipate within a short distance from the active work area.

In winemaking, wash and wastewater contain large amounts of organic matter. High organic loading results in high Biochemical Oxygen Demand (BOD) levels, and over time, the lack of oxygen allows anaerobic bacteria to proliferate (turn septic) and cause odor problems.

Under Broken Earth’s operation the winery facility averaged 200,000 cases/year. Since the winery was purchased in 2017, Paris Valley Road (PVR) has been averaging 60,000 cases (last year average was 54,764 cases).

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The existing operation discharges to a lined pond only with no discharge from the pond. PVR currently has a no discharge enrollment with RWQCB.

As production increases, the applicant will obtain coverage under the Winery General Order. Since the pond system has the peak capacity for 30,000 gal/day from a 325,000 cases/year production, which is consistent with the pond size. At 60,000 cases (current average production), peak day flows would be expected to be in the range of 7,000 to 10,000 gal/day. Projected numbers as of now are expected to be what the pond can handle which is 325,000 cases. Therefore, adequate capacity exists. Any future expansion to the existing winery wastewater system that would increase the capacity of the wastewater pond would be reviewed at that time.

Odors generated by the project are not expected to adversely impact surrounding properties because:

- The project will be subject to State regulations governing the land application of winery wastewater prescribed by Order No. R3-2008-0018 of the Regional Water Quality Control Board, Central Coast Region. These regulations are aimed at protecting water quality; however, they also set forth design guidelines for waste discharge requirements to address odors associated with land disposal. Where raw winery wastewater is discharged to land, the design guidelines recommend that the organic loading rate should not exceed a 30-day average of 100 pounds of Biochemical Oxygen Demand per acre per day.
- The Winery is currently enrolled in the Regional Water Quality Control Board (RWQCB) Winery Waste Discharge Program. The process wastewater system will not be required to be modified.
- The domestic wastewater system will be required to be reviewed during the building permit process to determine it is sized appropriately to accommodate the additional buildings. Therefore, potential odor-related impacts would be *less than significant*.

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan and thresholds for construction-related and operational emissions. The project would not result in cumulatively considerable emissions of any criteria pollutant for which the County is in non-attainment or result in other emissions adversely affecting a substantial number of people. Therefore, the project would not result in significant adverse impacts related to Air Quality.

Mitigation

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

Sources

See Exhibit A.

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IV. BIOLOGICAL RESOURCES

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

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Setting

Federal and State Endangered Species Acts

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

Migratory Bird Treaty Act

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

Conservation and Open Space Element

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

Oak Woodland Ordinance

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

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Setting

The project site is occupied by row crops (grapes) and 74,000-square-foot winery with a 6,000-square-foot tasting room (hospitality building), picnic area, large lawn and ornamental landscaping, 36-acres of vineyards, driveways, parking lots, solar panel farm, and wastewater treatment pond. Primary access is and will continue to utilize the existing access on Highway 46 while new secondary access will utilize an existing ag road and approach on Highway 46 approximately 1,725 feet west of the existing approach. A 48,900 square foot overflow parking area under ten percent and free of combustible material is dedicated for the special events is located onsite along the northern edge of the parcel in a previously disturbed relatively level area. The overflow parking area connects to interior circulation roads leading to primary access and secondary (emergency) access. Numerous ADA accessible parking locations exist onsite where various events are located.

The California Natural Diversity Database (CNDDDB) search for the property identified special status plants and animal species to have the potential to occur within 5-miles of the subject property. Example of these include the western spadefoot, Vernal pool fairy shrimp, San Joaquin kit fox, and shining navarretia. Habitat for Western spadefoot are usually found in grasslands, chaparral, scrub, and oak woodlands. Western spadefoots prefer treeless habitats and area where pools of water form.

A 5-mile CNDDDB search did not identify any burrowing owls or American badgers. American badger is a non-migratory species that occurs throughout most of California. It occurs in open and arid habitats including grasslands, meadows, savannahs, open- canopy desert scrub, and open chaparral. Burrowing Owls live in open treeless area with low sparse vegetation.

The project will result in new construction of the proposed Bed and Breakfast Inn, Executive Office Building, Barrel Chai Building and Production Building. Proposed development and associated site disturbance will be located within the existing development envelope and within pre-disturbed area. Additionally, the proposed development is greater than 300-feet from a mapped blueline stream located on the southern property line, therefore, no impacts are anticipated. There was no indication of habitat suitable for supporting shining navarretia, Vernal pool fairy shrimp, burrowing owls or American badgers.

A botanical report was not prepared for this project because the areas proposed for disturbance are previously and continuously disturbed by existing vineyard operations and, after review of existing information along with a field visit of the site, no botanical vegetations were observed in the areas of proposed development to warrant a botanical assessment.

Discussion

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

Vernal pool fairy shrimp were identified 1.5 miles to the west in two temporary pools surrounded by grass. Western spadefoot was located just south of Estrella Road, 0.8 miles east of the junction of Tower Road and Jardine Road, 6.5 miles northeast of Paso Robles. The proposed project and associated site disturbance are located within the existing envelope of development and within pre-disturbed area.

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Located south of the solar panel farm is a wastewater treatment pond. The project is not expected to have a substantial adverse effect on these identified species due to previous and continuous use of the land for the winery facility and vineyard operations.

The Western spadefoot toad does prefer areas where pools of water form. Building 6, the production building, will be located by the existing wastewater ponds. To assure avoidance of any potential impacts, a Western spadefoot survey shall be conducted by a County approved biologist with approval from California Department of Fish and Wildlife (CDFW) to relocate these species out of harm's way. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. Therefore, impacts to special status species would be less than significant.

The Natural Diversity Database also identified this area as important habitat for the San Joaquin Kit Fox, a federally listed endangered species and a state listed threatened species. The Preliminary Grading Plan submitted stated a total of 4.5 acres of site disturbance and 1.3 acres of temporary site disturbance.

A Kit Fox Evaluation, which was prepared by SWCA (July 1, 2020) indicated the project will permanently impact 5.18 acres and 1.1 acres of temporary ground disturbance of San Joaquin kit fox habitat. The total compensatory mitigation required for the project is 10.36 acres, based on 2 times 5.18 acres impacted. The evaluation form was reviewed by Craig Bailey of the California Department of Fish and Game in October, 2021. The evaluation, complete with Mr. Bailey's changes, resulted in a score of 66, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1).

This is an estimate and is based on the preliminary site plans. A subsequent and final letter, which may include revised scoring and mitigation requirements, will be issued by CDFW after the CEQA document for the project is finalized. The impacted areas of kit fox habitat are subject to change during the construction permit process when the final site plans are prepared and submitted to the County. A reduction in the impacted acres would not result in additional impacts to kit fox habitat, and any substantial increase to the estimated impacted acres of kit fox habitat could potentially require additional environmental analysis. Changes to the number of impacted acres will require coordination with CDFW.

The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should the project change, the mitigation obligation may also change, and a reevaluation of the mitigation measures would be required.

Mitigation is proposed to ensure impacts would be *less than significant* (BR-1 thru BR-12). These mitigation measures are listed in detail in Exhibit B Mitigation Summary Table.

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

The proposed project is not located in an area identified as a riparian habitat and is not expected to have a substantial adverse effect on any other sensitive natural community. Therefore, impacts would be less than significant.

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

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

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

The project site does not contain habitat features conducive to migratory wildlife species such as riparian corridors, shorelines, or ridgelines. It is not expected that the project would interfere with the movement of resident or migratory fish or wildlife species or wildlife nursery sites, therefore the impacts would be *less than significant*.

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

The project is not proposing the removal of oak trees or construction within 1.5 times the dripline of oak trees. Construction activities will occur within the drip line of 3 ornamental trees that will be preserved. Therefore, the project would have no impacts on local policies or ordinances protecting biological resources.

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

The project is not within or adjacent to a Habitat Conservation Plan area or the Natural Community Conservation Plan.

Conclusion

Upon implementation of mitigation measure BR-1 thru BR-11 to reduce potential impacts to special status wildlife, impacts to biological resources would be less than significant. BR-12 will ensure avoidance and potential future impacts to Western spadefoot will be less than significant. With the implementation of these mitigation measures, impacts to biological resources will be less than significant.

Mitigation

See Exhibit B for mitigation measures BR-1 thru BR-12.

Sources

See Exhibit A.

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V. CULTURAL RESOURCES

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

Setting

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

As defined by CEQA, a historical resource includes:

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

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

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

The project site is approximately 460-feet from a blue line creek. The area proposed for grading and development is not within the 300-foot stream buffer. Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources.

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A Phase I, Archeological Surface Survey was completed on this property by Heritage Discoveries, Inc. (Thor Conway, April 18, 2008). The surface survey produced negative results for the presence of cultural resources. The literature and records research also showed a lack of cultural resources in the vicinity of the study area.

Discussion

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

No resources have been found on site which would be considered a “historical resource” according to § 15064.5.

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

Due to the existing condition of the project site and the scope of the project, it is unlikely that any archaeological resources are present on the project site. In the unlikely event resources are uncovered during grading activities, implementation of LUO Section 22.10.040 (Archaeological Resources) would be required, which states:

In the event archeological resources are unearthed or discovered during any construction activities, the following standards apply:

- A. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- B. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished.

Compliance with the LUO would ensure potential impacts to cultural resources would be reduced to less than significant. LUO Section 22.10.040 standards for archeological resources discovery during construction activities are sufficient to mitigate potential impacts to cultural resources, in the event of a discovery. No significant cultural resource impacts are expected to occur, and no mitigation measures above what are already required by ordinance are necessary. Based on the proposed project location and with implementation of LUO Section 22.10.040, impacts to archaeological resources would be less than significant.

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

The nearest dedicated cemetery is the Paso Robles District Cemetery, located 6 miles to the west. No human remains are known to exist on site, and it is not expected that any should be encountered through ground movement resulting from the proposed project. Based on the low known sensitivity of the project site, and with implementation of LUO Section 22.10.040, impacts to human remains are expected to be less than significant.

Conclusion

County land Use Ordinance Section 22.10.040 includes a provision that construction work cease in the event resources are unearthed with work allowed to continue once the issue is resolved. No significant archaeological or historical resource impacts are expected to occur.

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Mitigation

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

Sources

See Exhibit A.

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VI. ENERGY

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

Setting

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within the County of San Luis Obispo. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources (PG&E 2019).

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

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

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

The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources and decreasing reliance on

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

The project site is within the Renewable Energy Combining Designation area.

Discussion

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

The proposed project would utilize the existing power system supplying the current development. A 35.7 Kw Solar Array (5,000 sq. ft) construction permit was finalized in June 2008. The energy use associated with the project would be within acceptable standards.

Construction of the proposed project is not expected to result in any potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. The project is required to meet the mandatory measures laid out in the 2016 California Green Building Standards Code (CCR Title 24, Parts 6 and 11). Therefore, impacts will be less than significant. Therefore, potential impacts would be less than significant.

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

As proposed, the project does not conflict with any state or local plans for renewable energy or energy efficiency. This includes the County's Renewable Energy Area Combining Designation. Any conflicts encountered from the construction and use of the proposed solar panel array should be addressed through the separate permitting process. Therefore, impacts would be less than significant.

Conclusion

The proposed project is not expected to create any potentially significant environmental impacts in terms of energy resource use and does not conflict with any state or local plan for renewable energy or energy efficiency. Potential impacts related to energy would be less than significant.

Mitigation

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

Sources

See Exhibit A.

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VII. GEOLOGY AND SOILS

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

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

Setting

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

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code.

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

Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from groundshaking during an earthquake. Liquefaction potential increases with earthquake magnitude and groundshaking duration. Low-lying areas adjacent to creeks, rivers, beaches, and estuaries underlain by unconsolidated alluvial soil are most likely to be vulnerable to liquefaction. The CBC requires the assessment of liquefaction in the design of all structures.

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

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unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development.

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

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

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

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

The project site is not within the County's Geologic Study Area. The project site has a low landslide risk and low liquefaction potential. There are no potentially active faults within 7 miles of the project site. The project site is gently sloping to moderately sloping and the soils have moderate shrink-swell characteristics. Additionally, there are no notable geologic features on the project site, including serpentine or ultramafic rock/soils.

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Discussion

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

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

Based on the California Department of Conservation Earthquake Zone Map, the project site is not located within a mapped Alquist-Priolo earthquake hazard zone (CGS 2018). Based on the County Safety Element Fault Hazards Map, the project site is 7 miles from a potentially capable fault. Therefore, the project would not have the potential to result in substantial adverse effects involving rupture of a known earthquake fault and impacts would be less than significant.

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

The project site is 7 miles from a potentially capable fault. The project would be required to comply with the California Building Code (CBC) to ensure the effects of a potential seismic event would be minimized to the greatest extent feasible. Therefore, impacts would be less than significant.

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

According to the County Safety Element, the project site has low liquefaction potential. In addition, the project would be required to comply with CBC seismic requirements to address the site's potential for seismic-related ground failure including liquefaction; therefore, the potential impacts would be less than significant.

(a-iv) *Landslides?*

The project site is gently to moderately sloping. Based on the County Safety Element Landslide Hazards Map the project is located in an area with low to moderate potential for landslide risk. Therefore, the project would not cause adverse effects involving landslides and impacts would be less than significant.

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

The proposed project is expected to disturb a total area of 4.5 acres and does not include substantial vegetation removal. During grading activities there would be a potential for erosion and sedimentation to occur. A sedimentation and erosion control plan are required for all construction and grading projects (LUO Section 22.52.120) to minimize potential impacts related to erosion and sedimentation, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation. Upon implementation of the above control measures, as recommended by the county, impacts related to soil erosion and sedimentation would be reduced to less than significant.

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

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

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

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

The project site is located on soil that have moderate shrink-swell potential. The proposed project would be required to comply with the most recent CBC requirements, which have been developed to property safeguard structures and occupants from land stability hazards, such as expansive soils. Therefore, potential impacts related to expansive soil would be less than significant.

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

Ayar and Diablo. This moderately sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class III when irrigated. Not prime soils.

Diablo. This moderately sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class III when irrigated. Not prime soils.

Sesame sandy loam (9 – 30 % slope). This moderately sloping, coarse loamy soil is considered not well drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class IV without irrigation and Class IV when irrigated. Not prime soils.

No changes to the wine wastewater facility is proposed. The existing operation discharges to a lined pond only with no discharge from the pond. The process wastewater system will not be required to be modified. The wastewater will be treated, and land applied under provisions of the RWQCB winery wastewater waiver.

The domestic wastewater system will be required to be reviewed during the building permit process to determine it is sized appropriately to accommodate the additional buildings. Based on compliance with existing regulations and requirements, potential wastewater impacts would be less than significant, and no mitigation measures are required.

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

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

The project site does not contain any unique rock outcroppings or other unique geologic features. Due to the existing condition of the project site and the scope of the project, it is unlikely that any

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paleontological resources are present on the project site. Therefore, impacts to paleontological resources and unique geologic features would be less than significant.

Conclusion

The proposed project is not expected to indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving any geologic hazards. The project would not result in significant impacts related to geology or soils and no mitigation is necessary. Potential impacts related to geology and soils as it relates to construction and soils engineering would be less than significant.

Mitigation

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

Sources

See Exhibit A.

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GREENHOUSE GAS EMISSIONS

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

Greenhouse gases (GHGs) are any gases that absorb infrared radiation in the atmosphere. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement). CO₂ is the most abundant GHG and is estimated to represent approximately 80–90% of the principal GHGs that are currently affecting the earth's climate. According to the California Air Resources Board (CARB), transportation (vehicle exhaust), electricity generation, and commercial and residential fuel use are primary sources of GHGs in the state.

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

California's GHG reduction goals are summarized by the following legislation and executive orders (EO):

- Reduce GHG emissions to 1990 levels by 2020 (goal established by EO S-3-05 [2005] and codified by AB 32 [2006]);
- Reduce GHG emissions to 40% below 1990 levels by 2030 (required by Senate Bill (SB) 32 [2016]);
- Achieve statewide carbon neutrality goal by 2045 and maintain net negative emissions thereafter (goal established by EO B-55-18 [2018]);
- Reduce GHG emissions to 80% below 1990 levels by 2050 (goal established by EO S-3-05 [2005]).

AB 32 required CARB to develop a Scoping Plan with 5-year updates that describe the approach California will take to achieve these GHG reduction goals. The initial Scoping Plan was first approved by CARB on December 11, 2008 and the first update was approved by CARB on May 22, 2014. This update looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals. The most recent update released by CARB is the 2017 Climate Change Scoping Plan, which was released in November 2017. The 2017 Climate Change Scoping

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Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32. The 2022 Scoping Plan update will chart a path for California to achieve the 2045 carbon neutral goal specified in EO B-55-18.

When assessing the significance of potential impacts for CEQA compliance, an individual project's GHG emissions will generally not result in direct significant impacts because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation. Accordingly, in March 2012, the San Luis Obispo County Air Pollution Control District (SLOAPCD) approved thresholds for GHG impacts which were incorporated into their 2012 CEQA Air Quality Handbook. The Handbook recommended applying a 1,150 metric ton of CO₂ equivalent (MTCO₂e) per year bright-line threshold and an efficiency threshold of 4.9 MTCO₂e /yr per service population for commercial and residential projects and included a list of general land uses and estimated sizes or capacities of uses expected to exceed the bright-line threshold. According to SLOAPCD, these thresholds were based on a 'gap analysis' and were used for CEQA compliance evaluations to demonstrate consistency with the state's GHG emission reduction goals associated with AB 32 and the 2008 Climate Change Scoping Plan which have a target year of 2020. However, in 2015, the California Supreme Court issued an opinion in the case of *Center for Biological Diversity vs California Department of Fish and Wildlife* ("Newhall Ranch") that determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. Since the bright-line and service population GHG thresholds in the Handbook are AB 32 based, and project horizons are now beyond 2020, SLOAPCD no longer recommends the use of these thresholds in CEQA evaluations. Instead, the following threshold options are recommended for consideration by the lead agency:

- Consistency with a Qualified Climate Action Plan: CAPs conforming to CEQA Guidelines § 15183 and 15183.5 would be qualified and eligible for project streamlining under CEQA.

The County of San Luis Obispo Energy Wise Plan (EWP), adopted in 2011, serves as the County's GHG reduction strategy. The GHG-reducing policy provisions contained in the EWP were prepared for the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan, which have a horizon year of 2020. Therefore, the EWP is not considered a qualified GHG reduction strategy for assessing the significance of GHG emissions generated by projects with a horizon year beyond 2020.

- No-net Increase: The 2017 Scoping Plan states that no-net increase in GHG emissions relative to baseline conditions "*is an appropriate overall objective for new development*" consistent with the Court's direction provided by the Newhall Ranch case. Although a desirable goal, the application of this threshold may not be appropriate for a small project where it can be clearly shown that it will not generate significant GHG emissions (i.e., di minimus: too trivial or minor to merit consideration).
- Lead Agency Adopted Defensible GHG CEQA Thresholds: Under this approach, a lead agency may establish SB 32-based local operational thresholds. As discussed above, SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030. According to the *California Greenhouse Gas Emissions for 2000 to 2019, Trends of Emissions and Other Indicators* published by the California Air Resources Board, emissions of GHG statewide in 2019 were 418.2 million MTCO₂e, which was 12.8 million MTCO₂e below the 2020 GHG target of 431 million MTCO₂e established by AB 32. At the local level, an update of the County's EWP prepared in 2016 revealed that overall GHG emissions in San Luis Obispo County decreased by approximately seven percent between 2006 and 2013, or about one-half of the year 2020 target of reducing greenhouse gas emissions by 15% relative to the 2006 baseline¹. Therefore, application of the 1,150 MTCO₂e /yr bright-line and 4.9 MTCO₂e /yr per

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service population thresholds in San Luis Obispo County, together with other local and State-wide efforts to reduce GHG emissions, proved to be an effective approach for achieving the reduction targets set forth by AB 32 for the year 2020. It should be noted that the bright-line and service population thresholds were based on the assumption that a project with the potential to emit less than one of these thresholds would result in impacts that are less than significant and less than cumulatively considerable and would be consistent with state and local GHG reduction goals.

Since SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030, the application of interim SB 32-based working thresholds that are 40 percent below the 1,150 MTCO₂e /yr bright-line threshold ($1,150 \times 0.6 = 690$ MTCO₂e) and 40 percent below the 4.9 MTCO₂e /yr per service population threshold ($4.9 \times 0.6 = 2.94$ MTCO₂e) would be expected to produce comparable GHG reductions “in the spirit of” the targets established by SB 32. Therefore, for the purpose of evaluating the significance of GHG emissions for a project after 2020, emissions estimated to be less than 690 MTCO₂e per year or 2.94 MTCO₂e /yr per service population are considered *de minimus* (too trivial or minor to merit consideration) and will have a less than significant impact that is less than cumulatively considerable and consistent with state and local GHG reduction goals.

Discussion

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

Project construction would use diesel fuel and natural gas for construction vehicles and equipment, as well as worker transportation to the site. Additionally, construction phases of the project would be compliant with applicable local and state regulations regarding diesel idling and other wasteful energy uses while using construction equipment. Therefore, construction phases are not expected to result in the wasteful use of energy or result in the significant emission of GHGs.

Electricity demand for the project would be supplied by PG&E, which is fully compliant with state regulations and in 2020 acquired 35.6% of its electricity from renewable resources, 10.2% from hydroelectric power, and an additional 42.8% from nuclear resources (PG&E 2021). The project would be consistent with all 2019 California Building Code (CBC) Energy Efficiency Standards and the 2019 Green Building Code standards to ensure new development is energy efficient. According to Table 1-1, the operation of wine processing facility with incidental visitor uses is well below the APCD GHG numerical threshold of 1150 CO₂e (MT/year) (SLOCAPCD 2017) and would also be below the interim “bright line” threshold of 690 CO₂e (MT/year).

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

Energy inefficiency contributes to higher GHG emissions and which in turn may conflict with state and local plans for greenhouse gases. As discussed above, the EWP, adopted in 2011, serves as the County’s GHG reduction strategy. The GHG-reducing policy provisions contained in the EWP were prepared for the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan, which have a horizon year of 2020. The policy provisions are divided into community-wide measures and measures aimed at reducing GHG emissions associated with County operations. The GHG reduction measures contained in the EWP are generally programmatic and intended to be implemented at the community level. Measure No. 7 encourages energy efficient new

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development and provides incentives for new development to exceed CALGreen energy efficiency standards. The following is a summary of project consistency with the relevant supporting actions identified in Measure No. 7 for promoting energy efficiency in new development.

Supporting Action	Project Consistency
Require the use of energy-efficient equipment in all new development, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building energy management systems.	The project would be consistent with all 2019 California Building Code (CBC) Energy Efficiency Standards and the 2019 Green Building Code standards to ensure new development is energy efficient.
Encourage new projects to provide ample daylight within the structure through the use of lighting shelves, exterior fins, skylights, atriums, courtyards, or other features to enhance natural light penetration.	The project, including roof design and natural light features, would be consistent with all 2019 California Building Code (CBC) Energy Efficiency Standards and the 2019 Green Building Code standards to ensure new development is energy efficient.
Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index (SRI) of 10 for high-slope roofs and 64 for low-slope roofs (CALGreen 5.1 Planning and Design).	

San Luis Obispo County 2019 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS).

The 2019 RTP, which was adopted by the SLOCOG Board in June 2019, includes the region's Sustainable Communities' Strategy and outlines how the region will meet or exceed its GHG reduction targets by creating more compact, walkable, bike-friendly, transit-oriented communities, preserving important habitat and agricultural areas, and promoting a variety of transportation demand management and system management tools and techniques to maximize the efficiency of the transportation network. The RTP and SCS provide guidance for the development and management of transportation systems county-wide to help achieve, among other objectives, GHG reduction goals. The RTP/SCS recommends strategies for community planning such as encouraging mixed-use, infill development that facilitate the use of modes of travel other than motor vehicles.

The project consists of the expansion of to an existing winery facility with visitor uses located in the Agriculture land use designation. As discussed in Section III, Air Quality, the project does not include development of retail, business, or commercial uses that would be open to the public, therefore, land use planning strategies such as mixed-use development and planning compact communities are generally not applicable. The project would result in the establishment of activities that are similar in nature and would not result in employment opportunities or a substantial population increase in the project area.

California Air Resources Board 2017 Scoping Plan. Pursuant to AB 32, the California Air Resources Board (CARB or Board) prepared and adopted the initial Scoping Plan to “*identify and make recommendations on direct emissions reductions measures, alternative compliance mechanisms, market-based compliance mechanisms, and potential monetary and non-monetary incentives*” in order to achieve the 2020 goal, and to achieve “*the maximum technologically feasible and cost-effective GHG emissions reductions*” by 2020 and maintain and continue reductions beyond 2020. AB 32 requires CARB to update the Scoping Plan at least every five years.

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

- Implement SB 350 which is aimed at reducing GHG emissions in the electricity sector;

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- Low Carbon Fuel Standard (LCFS) -- Transition to cleaner/less-polluting fuels that have a lower carbon footprint.
- Mobile Source Strategy (Cleaner Technology and Fuels [CTF] Scenario) -- Reduce GHGs and other pollutants from the transportation sector through transition to zero-emission and low-emission vehicles, cleaner transit systems and reduction of vehicle miles traveled.
- Implement SB 1383 which is aimed at reducing Short-Lived Climate Pollutants to reduce highly potent GHGs.
- Implement the California Sustainable Freight Action Plan aimed at improving freight efficiency, transition to zero-emission technologies, and increase competitiveness of California's freight system.
- Implement the Post-2020 Cap-and-Trade Program which is aimed at reducing GHGs across the largest GHG emissions sources.

The strategies described in the 2017 Scoping Plan are programmatic and intended to be implemented state-wide and industry wide. They are therefore not applicable at the level of an individual project. However, as discussed in Section XVII, Transportation, the project is not expected to generate a significant increase in construction-related or operational traffic trips or Vehicle Miles Traveled (VMT) which is consistent with Scoping Plan strategies for reducing VMT. Overall, the project is consistent with adopted plans and policies aimed at reducing GHG emissions and impacts would be *less than significant*.

Conclusion

The project would be compliant with applicable plans and policies to reduce emissions. Additionally, the project would include green building design to reduce energy use and release of emissions. Therefore, impacts would be less than significant, and no mitigation is necessary.

Mitigation

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

Sources

See Exhibit A.

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VIII. HAZARDS AND HAZARDOUS MATERIALS

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

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Setting

The Hazardous Waste and Substances Site List (Cortese List), which is a list of hazardous materials sites compiled pursuant to California Government Code (CGC) Section 65962.5, is a planning document used by the state, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. The project would not be located in an area of known hazardous material contamination and is not on a site listed on the Cortese List (State Water Resources Control Board [SWRCB] 2015; California Department of Toxic Substance Control [DTSC] 2019).

The California Health and Safety Code provides regulations pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the California Building Code, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the County within moderate, high, and very high fire hazard severity zones.

The proposed project is in a High Fire Hazard Zone with an Emergency Response Time of 5 to 10 minutes. For more information about fire-related hazards and risk assessment, see Section XX. Wildfire.

The project would be located within the Paso Robles Airport Review Area. No comments were submitted.

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

Discussion

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

The project does not propose the routine use, transport, or disposal of hazardous materials. Therefore, the project is not likely to create a significant hazard to the public or environment through exposure to hazardous materials, and impacts will be less than significant.

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

Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Handling of these materials has the potential to result in an accidental release. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws. Additionally, the construction contractor would be required to implement BMPs for the storage, use, and transportation of hazardous materials during all construction activities. Therefore, impacts would be less than significant.

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

The project does not propose the use of hazardous materials, nor the generation of hazardous emissions. Additionally, the project is not within one-quarter mile of an existing or proposed school. Therefore, impacts would be less than significant.

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

The proposed project is not found on the 'Cortese List', a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, impacts would be less than significant.

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

The project is located in the Paso Robles Airport Land Use Area, Zone 5. Wineries and vineyards are compatible land uses in this Safety Zone 5 and are not considered to present a significant risk to the safety of persons on the ground or in aircraft overflying the proposed use, nor are these land use groups sensitive to anticipated aircraft noise or frequent aircraft overflights.

The maximum allowable nonresidential land use density in Safety Zone 5 is 150 persons per acre and the minimum percent open space is 10%. The proposed nonresidential land use density is 9 persons per acre, with a total proposed density of 549 for the entire project parcel. The property conforms with the required minimum 10% of open space since it maintains +/- 36 acres of vineyard, approximately 57% of the total acreage. The project meets all applicable policies outlined in the Paso Robles Municipal Airport Land Use Plan. Therefore, impacts would be less than significant.

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

The project does not require any road closures and would be required to be designed to accommodate emergency vehicle access. The project would not impair implementation or physically interfere with County hazard mitigation or emergency plans; therefore, impacts would be *less than significant*.

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

According to Cal Fire, the project site is located in a High Fire Hazard Severity Zone with a response time of 0 to 5 minutes within a State Responsibility Area. The project will be conditioned to implement building and site improvements in accordance with the Fire Code, as detailed in the referral response letter, including, but not limited to implementation of a fire safety plan. Therefore, potential impacts associated with exposure of people or structures to significant risk involving wildland fires would be *less than significant*.

Conclusion

The construction and use of the proposed winery facility will not require the use or generation of any hazardous materials. Additionally, the project is not located on a site known to contain, use, or generate any hazardous materials. The project is within the Airport Review Area and it is unlikely that the project result in any safety hazard or excessive noise exposure. The project is not expected to interfere with any adopted emergency response or evacuation plan. Finally, the threats posed by the project's location within a High Fire Hazard Severity Zone will be minimized to less than significant levels through the requirements set forth by Cal Fire. Therefore, potential impacts related to hazards and hazardous materials would be less than significant and no mitigation measures are necessary.

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Mitigation

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

Sources

See Exhibit A.

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IX. HYDROLOGY AND WATER QUALITY

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

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Setting

The topography of the project site is gently rolling to moderately sloping. The project site is not within a 100-year Flood Hazard designation and is approximately 460-feet from the closest creek. The project site contains two existing wells, winery facilities, and the agricultural operations.

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

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

The project is located within the Salinas Valley – Paso Robles Area Groundwater Basin (PRGWB).

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

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

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

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

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acre or more must obtain coverage under the SWRCB's Construction General Permit. The Construction General Permit requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. There are several types of projects that are exempt from preparing a SWPPP, including routine maintenance to existing developments, emergency construction activities, and projects exempted by the SWRCB or RWQCB. Projects that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by the San Luis Obispo County LUO.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in a 100-year flood zone is subject to Federal Emergency Management Act (FEMA) regulations. The County Land Use Ordinance designates a Flood Hazard (FH) combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements, including, but not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements for substances that could be injurious to human, animal or plant life in the event of flooding. The project site is not located within a Flood Hazard combining designation. The nearest watercourse to the project is unnamed creek located approximately 460 feet to the south of the project site.

The project is located in the Paso Robles Groundwater Basin within the area of severe decline and is subject to the Water Neutral Development Ordinance off-set requirements. This project does not alter the winery production capacity and therefore there are no additional water demands for wine production as proposed. The Bed and Breakfast, swimming pool, additional employees would result in additional water uses.

The applicant is currently processing an application for a water supply permit with the Environmental Health Department. Water system requirements shall be completed prior to obtaining building permits. This project does not alter the winery production capacity.

The total increase in annual water demand at full build out of the proposed project is 3.742-acre feet a year (Water Offset Calculations provided by Wallace Group, August 27, 2021). New water demands include those produced by the limited production of spirits, events, limited food serving facility, Bed & Breakfast, swimming pool, additional employees and landscaping. Bed & Breakfast, swimming pool, additional employees and landscaping. This project does not alter the winery production capacity and therefore there are no additional water demands for wine production.

A total of 11.05-acre feet a year of water credits will be provided through water offset measures, including the removal of 2.25 acres of existing irrigated lawn to be replaced with drought tolerant ornamental landscaping and removal of a 4,250-square-foot irrigation reservoir which will eliminate evaporative losses associated with open water surface. Additionally, installation of a stormwater recovery system will allow capture of 4.92-acre feet a year of on-site stormwater and roof run-off that will be pumped into the existing wastewater polishing ponds for irrigation, dust abatement, and percolation use. With these water offsets, there is a net water credit of 7.308-acre feet a year.

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Discussion

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

The project will result in approximately 4.5 acres of site disturbance on a 59-acre parcel, including 14,605 cubic yards of cut and 7,000 cubic yards of fill. The project is not on highly erodible soils, nor on steep slopes. The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use. Project grading will create exposed graded areas subject to increased soil erosion and down-gradient sedimentation. Adherence to the County's LUO for sedimentation and erosion control (Sec. 22.52.120) will adequately address these impacts. Additionally, all disturbed areas will be permanently stabilized with impermeable surfaces and landscaping and stockpiles will be properly managed during construction to avoid material loss due to erosion.

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

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

Existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above what are required or proposed are needed to protect water quality.

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

With these water offsets, there is a net water credit of 7.308-acre feet a year. The project would be consistent with existing and planned levels and types of development in the project area and would not create new or expanded water supply entitlements. Operational water demands would not be substantially different than existing demands. Therefore, potential impacts on water supplies would be less than significant.

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

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

The project will result in approximately 4.5 acres of site disturbance. A sedimentation and erosion control plan are required to minimize the potential for soil erosion, which would be subject to the review and approval of the County Building Division in accordance with LUO Section 22.52.120 to minimize potential impacts related to erosion, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation.

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

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

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

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

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

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

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

As discussed in the previous section (Hazards and Hazardous Materials), portions of the subject property are not within the 100-year Flood Hazard Combining Designation. No impacts are anticipated. The project is not located in an area known to be at risk of tsunamis and is not located near any water bodies that may pose the risk of seiche.

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

The proposed project site is in the Paso Robles Groundwater Basin and subject to the County's water off-set ordinances. Therefore, there would be no impact relating to implementation of a water quality control plan or sustainable groundwater management plan. Therefore, there would be *no impact*.

Conclusion

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

Mitigation

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

Sources

See Exhibit A.

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X. LAND USE AND PLANNING

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

Setting

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

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

The proposed project site parcels and surrounding parcels are Agriculture Land Use.

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

The proposed project (winery facility) would be located in an area designated Agricultural by the County of San Luis Obispo. The project site is surrounded by large agricultural parcels, wineries and rural residences. The proposed project is considered compatible with these surrounding uses. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate

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land use (e.g., County Land Use Ordinance, North County Area Plan, etc.). Referrals were sent to outside agencies and other County departments to review for policy consistencies (e.g., County Fire/CAL FIRE for Fire Code, Environmental Health, Public Works, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., Cal Fire, Environmental Health, Public Works, Agricultural Department, Ca. Department Fish and Wildlife, Cal Trans, Regional Water Quality Control Board, Air Pollution Control Board, City of Paso Robles, Paso Robles Airport Manager, Airport Land Use Committee Liaison Brian Pedrotti and Native American Tribes.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

Discussion

(a) *Physically divide an established community?*

The project is located outside of an existing community, within a rural, unincorporated area. The property is not located in such a way as to cause the physical divide of any establish community. Therefore, impacts would be less than significant.

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

The project does not conflict with any land use plan, policy, or regulation in such a way that would cause a significant environmental impact which would not be otherwise addressed and mitigated through measure proposed within this document. Therefore, impacts would be less than significant.

Conclusion

The project would be consistent with local and regional land use designations, plans, and policies and would not divide an established community. Potential impacts related to land use and planning would be *less than significant with mitigation* measures associated with biological resources.

Mitigation

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

Sources

See Exhibit A.

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XI. MINERAL RESOURCES

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

Setting

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

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

MRZ-1: Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.

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

MRZ-3: Areas containing known or inferred aggregate resources of undetermined significance.

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

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

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

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Discussion

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

Based on the California Geological Survey (CGS) Information Warehouse for Mineral Land Classification, the project site is not located within an area that has been evaluated for mineral resources and is not in close proximity to an active mine (CGS 2015). In addition, based on Chapter 6 of the County of San Luis Obispo General Plan Conservation and Open Space Element – Mineral Resources, the project site is not located within an extractive resource area or an energy and extractive resource area. The project is not located within a designated mineral resource zone or within an Extractive Resource Area combining designation. There are no known mineral resources in the project area; therefore, there would be *no impact*.

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

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

Conclusion

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

Mitigation

No mitigation measures are necessary.

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XII. NOISE

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

Setting

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

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

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

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- Offices

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

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

Table 12 – Maximum allowable exterior noise level standards⁽¹⁾

Sound Levels	Daytime 7 a.m. to 10 p.m.	Nighttime ⁽²⁾
Hourly Equivalent Sound Level (Leq, dB)	50	45
Maximum level, dB	70	65

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

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

The existing ambient noise environment is characterized by significant traffic on Highway 46 and as well as agricultural equipment from surrounding ag processing facilities and residential properties.

Highway 46 is the principal ambient noise source for the area. An annual daily traffic value of 26,000 vehicles traveling in each direction was used, split into cars and some light trucks and apportioned into day, evening, and nighttime hourly vehicle counts, was utilized here.

The proposed project site is located within loud noise source based on the County's noise contour map. Highway 46 is located along the northern property line. The roadway noise mapped areas are 70 db leading up to the existing tasting room and range from 65 db and 60 db near the winery processing building. The closest noise sensitive receptor is a residence located north of side of HWY 46, approximately 660 feet northeast of the project area.

Discussion

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

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

Project construction would result in a temporary increase in noise levels associated with construction activities, equipment, and vehicle trips. Construction noise would be variable, temporary, and limited in nature and duration. The County LUO requires that construction activities be conducted during daytime hours to be able to utilize County construction noise exception standards and that construction equipment be equipped with appropriate mufflers recommended

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by the manufacturer. Compliance with these standards would ensure short-term construction noise would be less than significant.

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

A noise analysis was conducted by 45dB (David Lord, June 20, 2020). The noise analysis shows noise contours for all locations of proposed outdoor amplified music, at all property lines and to the nearest off-site residences. Noise at the property boundary will not exceed 65dB, given that sound levels in any zone does not exceed 92 dBA at 10 feet from the speaker. The noise study shows that noise at the property boundary will not exceed 65dB, and is compliant with the standards contained in County Land Use Ordinance Section 22.10.120.

The noise study concluded that the levels at the property locations across Highway 46 to the north are not significantly affected by the addition of all five zones of amplified music concurrently emitting from the site, because the road traffic has a masking effect. The properties to the north are expected to experience a less-than significant increase for the neighboring properties and as such compliance is predicted at these properties.

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

The project intends to participate in activities during the Wine Industry Weekends and other marketing activities not defined as special events (non-advertised wine club activities and activities with under 50 attendees) by the Land Use Ordinance. Since the project is not requesting a Special Event Program, exterior noise levels will be governed by Land Use Ordinance Section 22.10.120 (Noise Standards). These standards are more restrictive than those provided in the winery special event section of the Land Use Ordinance.

The project is not expected to conflict with the surrounding uses. Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area. Compliance with these standards would ensure noise would be less than significant.

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

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

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

The project is within the mapped noise contours provided by the Paso Robles Municipal Airport. It is not expected that the location of the project within close proximity to an airport would result in the exposure of people working at or visiting in the winery facility to excessive noise levels. Therefore, impacts would be less than significant.

Conclusion

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

Winery Operations. Noise impacts related to agricultural processing noise would be less than significant and no mitigation measures are necessary.

Special Events and Industry-wide Events. The Noise study concludes that all amplified music zones are anticipated to comply with the County Code, provided that sound levels at any zone, and particularly the westernmost zone near Building 1, does not exceed 92dBA at 10 feet from the speaker.

Mitigation

N-1. Events with outdoor amplified music may only occur between the hours of 10 AM and 10 PM.

N-2. Events with outdoor amplified music shall comply with the recommendations from the Acoustics Analysis, prepared by 45dB Acoustics, LLC, June 20, 2020.

N-3. The applicant shall designate an employee to serve as a noise monitor. For events that include outdoor amplified music, the noise monitor shall monitor noise levels, on an hourly basis, with a sound level meter at the property lines to ensure that the noise levels do not exceed those prescribed in the County Land Use Ordinance. The outdoor amplified music shall not exceed Lmax levels of 65 dB decibels at the property line. A noise monitor shall be available by telephone to respond to any noise complaints and take corrective measures to ensure compliance with the County Land Use Ordinance. The applicant and successors in interest shall provide a telephone number to reach the designated noise monitor to the County and any neighbor who requests it. The telephone number provided shall allow the County and/or neighbor to reach the noise monitor during all events.

N-4. Prior to hosting any Temporary Events authorized by this land use permit, the applicant shall submit for review and approval to the County Planning Department a Condition Compliance Monitoring Plan ("CCMP"). The Condition Compliance Monitor shall oversee and monitor compliance with County Conditions of Approval. The Condition Compliance Monitor shall assist the County in condition compliance and mitigation monitoring for all applicable construction and operational aspects of the project. The CCMP may be modified with review and approval based on compliance. The CCMP shall include the following as a minimum:

- a. List of personnel that will need to be involved in monitoring activities;
- b. Description of how the monitoring shall occur;

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- c. Description of frequency of monitoring (e.g. full time, part time, spot checking, during certain activities);
- d. Description of monitoring reporting procedures;
- e. Description of actions to be implemented to assure compliance.

Sources

See Exhibit A.

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XIII. POPULATION AND HOUSING

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

Setting

In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the County. The County's Inclusionary Housing Ordinance (Title 22 Section 22.12.080) requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

Section 22.12.040.B.2.e. does require Inclusionary Housing fees if the commercial structures cumulatively exceed 5,000 square feet. The project is proposing the winery expansion 83,902-square feet. Inclusionary Housing fees will be required at time of submittal of building permits.

Discussion

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

Daily operations at the proposed winery may equate into 35-peak hour trips (Orosz Engineering Group, April 10, 2020). The project would not generate a substantial number of new employment opportunities that would encourage population growth in the area. The project does not include the extension or establishment of roads, utilities, or other infrastructure that would induce development and population growth in new areas. In addition, the project would be subject to inclusionary housing fees to offset any potential increased need for housing in the area. Therefore, the project would not directly or indirectly induce substantial growth and impacts would be *less than significant*.

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

The project would not displace existing housing or necessitate the construction of replacement housing elsewhere; therefore, impacts would be *less than significant*.

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Conclusion

No impacts to population and housing would occur and no mitigation measures are necessary above Land Use Ordinance requirements.

Mitigation

None necessary.

Sources

See Exhibit A.

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XIV. PUBLIC SERVICES

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

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by the California Department of Forestry and Fire Protection (CAL FIRE), which has been under contract with the County of San Luis Obispo to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county. The proposed project is located in a High Fire Hazard Severity Zone with an Emergency Response Time of 0 to 5 minutes. The proposed project area is served by Cal Fire and the nearest fire station is CalFire at 2510 Ramada Drive in Paso Robles.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The proposed project area is served by County Sheriff and the nearest police station is Paso Robles Police Department, 900 Park Street in Paso Robles.

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

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

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

Discussion

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

Fire protection?

The project would be designed to comply with all fire safety rules and regulations, including the California Fire Code and California PRC, fire sprinklers in new buildings, and compliance with other provisions of the Fire Code.

In addition, the project would be subject to public facility fees to offset the increased cumulative demand on fire protection services. Therefore, impacts would be *less than significant*. Additional information regarding wildfire hazard impacts is discussed in Section XX, Wildfire. Additional information regarding fire related hazard impacts is discussed in Section IX, Hazards and Hazardous Materials.

Police protection?

The project would be subject to public facility fees to offset the project's cumulative contribution to demand on law enforcement services. Therefore, impacts related to police services would be *less than significant*.

Schools?

As discussed in Section XIV, Population/Housing, the project would not induce population growth and would not result in the need for additional school services or facilities. However, the project would be subject to school impact fees, pursuant to California Education Code Section 17620, to help fund construction or reconstruction of school facilities. Therefore, impacts would be *less than significant*.

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Parks?

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

Other public facilities?

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

Conclusion

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

Mitigation

None necessary.

Sources

See Exhibit A.

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XV. RECREATION

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

Setting

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

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

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

The Recreation Element does not show any existing or potential future trails going through or adjacent to the project site.

Discussion

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

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The project proposes a winery facility and would potentially employ two full-time employees. Workers would likely be sourced from the local labor pool and would not result in increased demand on existing or planned recreational facilities in the county. The project is not proposed in a location that would affect any existing trail, park, recreational facility, coastal access, and/or natural area. The project would not result in a substantial growth within the area and would not substantially increase demand on any proximate existing neighborhood or regional park or other recreational facilities. Payment of standard development impact fees would ensure any incremental increase in use of existing parks and recreational facilities would be reduced to *less than significant*.

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

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

Conclusion

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

Mitigation

None necessary.

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XVI. TRANSPORTATION

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

Setting

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

The County has established Level of Service (LOS) "C" or better for rural roadways. The project site has direct access onto Kiler Canyon Road, which is an easily traveled paved County Maintained Road which offers adequate access. Further, the site is located in close proximity to the Arbor Road / Kiler Canyon Road intersection. Arbor Road is also a County maintained road and provides access to Highway 46 west. A project referral package was sent to the County Public Works Department and no traffic-related concerns were identified.

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

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adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

Screening criteria have been developed for projects within San Luis Obispo based on the methodology described in the County of San Luis Obispo *VMT Thresholds Study (2020)*. If a project meets the screening criteria identified below a detailed CEQA transportation analysis would not be required to determine or evaluate the project VMT. If any of the screening criteria are met, a project's level of impact related to VMT would be considered less than significant.

Retail projects (e.g., Costco) that are less than 50,000 square feet shall be presumed to have a less than a significant VMT impact if the retail is serving locally (e.g., winery). If the County determines the market geography of retail project in question, a transportation analysis should be conducted to verify the project does not generate regional trips.

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

Access, Circulation, Site Distance, and Parking

The County of San Luis Obispo Public Works Department reviews discretionary projects which will generate public traffic based on an adopted policy by the Board of Supervisors (Resolution 2008-152). The Roadway Safety Analysis was prepared in compliance with County of San Luis Obispo Resolution 2008-152. A sight distance analysis, trip generation, and Roadway Safety Audit was conducted by Orosz Engineering Group, Inc. (April 10, 2020) on the proposed project. Additionally, the City of Paso Robles reviewed this project (David Athey, City Engineer, August 6, 2020). The City of Paso Robles is supportive of the winery expansion. No concerns identified. Traffic impact fees shall be imposed on the building permits, in the amount currently adopted by the City, at the time of building permits are issued.

The primary access has an existing left-hand channelization turn land including acceleration lanes for left turns onto Highway 46 east and westbound traffic as well as maintains separate righthand deceleration turn land from the west. A secondary access (existing road) is proposed located off Highway 46. The secondary access maintains left hand channelization turn lanes for east and westbound traffic, including acceleration lanes for left turns onto Highway 46 East. An Easement agreement was obtained and recorded (Doc #2019-042269) for purpose of secondary access to support the event program.

Caltrans stopping distance requirements apply. Results of the sight distance analysis verified both the primary and secondary access locations comply with Caltrans stopping sight distance requirements. Both driveway access locations are improved to Caltrans standards for private road accesses.

Caltrans reviewed the project on April 5, 2020 on October 21, 2021 (Jenna Schudson). Caltrans reiterated that the secondary access shall only be used as emergency access for this property. This location has good site distance and they have right and left turn pockets into the property and an acceleration lane for the left (west bound) turns out. The secondary access shall only be used for emergency. No concerns identified for the primary access.

A 48,900 square foot overflow parking area under ten percent and free of combustible material is dedicated for the special events is located onsite along the northern edge of the parcel in a previously disturbed

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relatively level area. The overflow parking area connects to interior circulation roads leading to primary access and secondary (emergency) access. Numerous ADA accessible parking locations exist onsite where various events are located.

The project is expected to generate a total of 36 PM Peak Hour trips including one (1) new general public tasting trip. Special event trips are expected to total 132 PM Peak Hour trips per event with 300 attendees. Trip generation rates are summarized in Table 3 below:

Table 3: Project Trip Generation Summary

	Size	Peak Hour Trip Rate	Peak Hour Trips	Public Tasting Trips
Winery Uses				
Production/Storage/Office	Existing			
Production/Storage	6.89 KSF	0.57 PHT/1,000 SF	4	
Members Lounge	Existing			
Office	Existing			
Pool	1.8 KSF	0.57 PHT/1,000 SF	1	
Barrel Storage	26.0 KSF	0.57 PHT/1,000 SF	15	
Outdoor Work Area	2.5 KSF	0.57 PHT/1,000 SF	1	
Tasting Room Uses				
Tasting Room	Existing			
Tasting Room	0.410 KSF	0.76 PHT/1,000 SF		0
Restaurant/Kitchen Area	Existing			
Indoor Seating Area	Existing			
Outdoor Covered Seating Area	1.0 KSF	0.76 PHT/1,000 SF		1
Bed & Breakfast	8 units	0.52 PHT/unit	4	
Executive Offices	6.0 KSF	1.74 PHT/1,000 SF	10	
Special Event Program				
Special Event Attendees	300	0.4 PHT/person	120	
Special Event Support		10% of Attendee Trips	12	
Project Total				
	Public Tasting Peak Hour Trips			1
	Other Peak Hour Trips		35	
	Special Event Peak Hour Trips		132	

As a recommended condition of approval, Department of Public Works requests that at the time of application for construction permits, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire, or the regulating fire agency standards and specifications back to the nearest public maintained roadway.

The Roadway Safety Analysis also evaluated the collision data within a one mile of the primary access. The California Highway indicated there have been no collisions within a mile each way of the site access points

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over the past three years. The latest traffic counts indicated this portion of Highway 46 East carries an average of 29,300 ADT with 3,100 PM peak hour trips. The current roadway section on Highway 46 East meets the standards set by Caltrans for this level of service. The report concluded that the project is not expected to create a need for roadway improvements.

Discussion

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

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

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

The County of San Luis Obispo has not yet identified an appropriate model or method to estimate vehicle miles traveled for proposed land use development projects. Section 15064.3, subdivision (b) states that if existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively.

Based on the nature and location of the project, the project would not generate a significant increase in construction-related or operational traffic trips or vehicle miles traveled. The project would not substantially change existing land uses and would not result in the need for additional new or expanded transportation facilities. The project would be subject to standard development impact fees to offset the relative impacts on surrounding roadways. Therefore, potential impacts would be *less than significant*.

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

The project would not change roadway design and does not include geometric design features that would create new hazards or an incompatible use. Therefore, impacts would be *less than significant*.

- (d) *Result in inadequate emergency access?*

The proposed project would not result in road closures during short-term construction activities or long-term operations. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Therefore, no impacts would occur.

Conclusion

The project would not alter existing transportation facilities or result in the generation of substantial additional trips or vehicle miles traveled. Improvements to meet County Standards and the secondary access shall only be used as emergency access for this property. Potential impacts related to emergency access would be less than significant as mitigated.

See Exhibit B for mitigation measures TR-1.

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Sources

Referral Response from Public Works (JR Beard, Development Services, September 15, 2020), Caltrans Jenna Schudson (April 5, 2020 on October 21, 2021), City of Paso Robles, (David Athey, City Engineer, August 6, 2020).

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XVII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision I of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

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2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth California PRC Section 5024.11.

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

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

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

The area proposed for grading and development is not within the 300-foot buffer. Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources.

On April 23, 2020, in accordance with AB 52 Cultural Resources requirements outreach to four Native American tribes was conducted: Northern Chumash Tribal Council, Salinan Tribe of San Luis Obispo and Monterey Counties, Xolon Salinan Tribe, and yak tityu tityu yak tilhini.

Discussion

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

The County has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52. No responses were received.

As discussed in Section V., Cultural Resources, the project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to LUO 22.10.040 (Archaeological Resources), which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, impacts related to a

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substantial adverse change in the significance of tribal cultural resources would be *less than significant*.

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

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

Conclusion

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

Mitigation

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

Sources

See Exhibit A.

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XVIII. UTILITIES AND SERVICE SYSTEMS

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

Setting

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

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

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acre or more must obtain coverage under the SWRCB's Construction General Permit. Pacific Gas & Electric Company (PG&E) is the primary electricity provider and both PG&E and Southern California Gas Company provide natural gas services for urban and rural communities within the County of San Luis Obispo.

The existing winery is enrolled in the Regional Water Quality Control Board Winery Waste Discharge Program. No increase in case production is proposed. The existing wastewater system will not be required to be modified. The domestic wastewater system will be required to be reviewed during the building permit process to determine if it is sized appropriately to handle the additional buildings. Based on compliance with existing regulations and requirements, potential wastewater impacts would be less than significant.

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

The project is located within the Paso Robles Ground Water basin and subject to the County's water off-set ordinances. The total increase in annual water demand at full build out of the proposed project is 3.742-acre feet a year (Water Offset Calculations provided by Wallace Group, August 27, 2021) as shown below.

A total of 11.05-acre feet a year of water credits will be provided through water offset measures, including the removal of 2.25 acres of existing irrigated lawn to be replaced with drought tolerant ornamental landscaping and removal of a 4,250-square-foot irrigation reservoir which will eliminate evaporative losses associated with open water surface.

Additionally, installation of a stormwater recovery system will allow capture of 4.92-acre feet a year of on-site stormwater and roof run-off that will be pumped into the existing wastewater polishing ponds for irrigation, dust abatement, and percolation use. With these water offsets, there is a net water credit of 7.308-acre feet a year as shown on the following page.

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Water Offset Calculations

Paris Valley Road Winery, Paso Robles, CA

August 27, 2021

Estimated increase in water use subject to offset

Ag Use 1: Increased Spirits Production

Increase in cases per year (assuming 3.75 gallons/case water demand)	1,000
Total increased demand in acre-ft per year (AFY)	0.012 AFY
Percentage recycled for vineyard irrigation	80%
Total net increased demand in acre-ft per year (AFY)	0.002 AFY

Ag Use 2: Increased Employee Demand (employee allowance for additional visitor services, distillery)

Increase in full time equivalent (FTE) employee count	15 FTE
Estimated average daily use per employee	10 gpd/employee
Percentage discharged to subsurface recharge via leach system	80%
Total net employee demand (after accounting for recharge)	10,950 gallons per year
Net increased demand in acre-ft per year (AFY)	0.034 AFY

Ag Use 3: Increased visitor traffic for events and restaurant

Increased event population assuming 40 events/year x 300 guests/event	12,000 patrons
Estimated average use per patron for events	5 gal/patron/visit
Total event attendee demand (no credit taken for leach field discharge)	60,000 gallons per year
Increased visitor population for restaurant (assuming 100 guests/day on average)	36,500 patrons
Estimated average use per patron for restaurant	7 gal/patron/visit
Percentage discharged to subsurface recharge via leach system	80%
Total net restaurant demand (after accounting for recharge)	51,100 gallons per year
Total increased demand in acre-ft per year (AFY)	0.341 AFY

Total of all new agricultural uses (1 through 3 above)

0.377 AFY

Non-Ag Use 1: New Bed and Breakfast (8 rooms, assuming 70% occupancy, 2 occupants per room)

Estimated daily water use per occupant	38 gal/occupant/day
Annual population based on 2 occupants per room, 70% occupancy	4,088 occupants per year
Percentage discharged to subsurface recharge via leach system	80%
Total net B&B demand (after accounting for recharge)	31,063 gallons per year
Total increased demand in acre-ft per year (AFY)	0.095 AFY

Non-Ag Use 2: Increased Employee Demand (employee allowance for additional visitor services)

Increase in full time equivalent (FTE) employee count	5 FTE
Estimated average daily use per employee	10 gpd/employee
Percentage discharged to subsurface recharge via leach system	80%
Total net employee demand (after accounting for recharge)	3,650 gallons per year
Total increased demand in acre-ft per year (AFY)	0.011 AFY

Non-Ag Use 3: New Pool

New Pool	1,800 sf
Domestic water demand= annual evaporation ¹ (5.21 ft/yr)	5.21 ft/year
Total annual increase due to new pool	70,152 gallons per year
Total increased demand in acre-ft per year (AFY)	0.215 AFY

Non-Ag Use 4: New Ornamental Vines in Project Area

New Vines in Project Area	0.98 acre
Water Demand = 1.5 acre-ft/year-acre	1.50 acre-ft/year-acre
Total annual increase due to new vines in project area	479,001 gallons per year
Total increased demand in acre-ft per year (AFY)	1.470 AFY

Non-Ag Use 5: New ornamental landscaping

New lawn area - not applicable, planting area was previously lawn	0 sq ft
Annual water use factor for turf	2.50 ft/year
New ornamental plantings (estimated)	56,628 sq ft
Annual water use factor for drip/ornamental	1.50 ft/year
Total annual increase due to new landscaping	635,366 gallons per year
Total increased demand in acre-ft per year (AFY)	1.950 AFY

Total of all new non-agricultural uses

3.742 AFY

Proposed water reduction and efficiency projects

1 Removal of Lawn Area (2.25 acres removed x 2.5 acre-ft/year-acre)	5.63 AFY
2 Removal of Irrigation Reservoir (4,250 sf x 5.21 ft/year)	0.51 AFY
3 New Stormwater Capture System (256,166 sf x 12.54 in/year)	4.92 AFY
Total	11.05 AFY

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The project would be consistent with existing and planned levels and types of development in the project area and would not create new or expanded water supply entitlements. Short-term construction activities would require minimal amounts of water, which would be met through available existing supplies. Operational water demands would not be substantially different than existing demands. Therefore, potential impacts on water supplies would be less than significant.

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

The project proposes the use of the existing on-site wastewater treatment systems. The winery is currently enrolled in the Regional Water Quality Control Board (RWQCB) Winery Waste Discharge Program. The proposed distillery use is considered an agricultural processing use, similar to that of the winery, that uses a by-product of the wine making process. The distillery will operate under the current RWQCB wastewater discharge permit. The existing wastewater system will not be required to be modified.

At 60,000 cases (current average production), peak day flows would be expected to be in the range of 7,000 to 10,000 gal/day. Projected numbers as of date are expected to be what the pond can handle which is 325,000 cases. Therefore, adequate capacity exists. As production increases, the applicant will obtain coverage under the Winery General Order. Since the pond system has the peak capacity for 30,000 gal/day from a 325,000 cases/year production, which is consistent with the pond size. Any future expansion to the existing winery wastewater system that would increase the capacity of the wastewater pond would be reviewed at that time. Therefore, impacts associated with wastewater collection and treatment capacity are considered *less than significant*.

The Environmental Health Department will require a permit for the food prep to function as a commercial kitchen. The Environmental Health Department will require evidence that there is adequate water to the proposal. If plan review for a cross connection determines that a device is necessary, then an annual device test shall be provided. If water is made available to 25 or more employees at any one time, or to members of the public, then the applicant shall be required to have public water supply system. The project as proposed will require a Public Water System. The applicant has submitted documentation to San Luis Obispo County Environmental Health and the process is underway.

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

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

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

The project would not result in a substantial increase in waste generation during project construction or operation. Construction waste disposal would comply with federal, state, and local

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management and reduction statutes and regulations related to solid waste. Therefore, potential impacts would be less than significant.

Conclusion

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

Mitigation

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

Sources

See Exhibit A.

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XIX. WILDFIRE

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

Setting

The project is located within a local responsibility area and is located in a High Fire Hazard Zone with an Emergency Response Time of 5 to 10 minutes to the closest Cal Fire / County Fire station. The existing driveway and approach will be improved to meet Cal Fire commercial access requirements.

In central California, the fire season usually extends from roughly May through October; however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZ) are defined by CALFIRE based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency's ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the county have been designated as "Very High," "High," or "Moderate." In San Luis Obispo County, most of the area that has been designated as a "Very High Fire Hazard Severity Zone" is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County.

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

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

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

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

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

The County EOP outlines the emergency measures that are essential for protecting public health and safety. These measures include, but are not limited to, public alert and notifications, emergency public information, and protective actions. The EOP also addresses policy and coordination related to emergency management.

Discussion

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

The project does not require any road closures and would be designed to accommodate emergency vehicle access. Implementation of the proposed project would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. Temporary construction activities and staging would not substantially alter existing circulation patterns or trips. Access to adjacent areas would be maintained throughout the duration of the project.

The proposed project would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Potential impacts would be less than significant.

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

The project site has gently to moderately sloping topography. Vegetation consists primarily of vineyards, and ornamental landscaping. Proposed uses would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Therefore, potential impacts would be less than significant.

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

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

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

At the time of application for construction permits, the applicant shall submit complete drainage plans and report prepared by a licensed civil engineer for review and approval in accordance with Section 22.52.110 of the Land Use Ordinance. All drainage must be retained or detained on-site and the design of the basin shall be approved by the Department of Public Works.

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

The project site is in areas of Low Potential Landslide Risk. Based on the Landslide Hazards Map provided in the County Safety Element, the project site is not located within an area with slopes susceptible to local failure. The proposed project does not include any design elements that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts would be less than significant.

Conclusion

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

Mitigation

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

Sources

See Exhibit A.

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XX. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

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

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

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

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

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

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

Conclusion

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

Mitigation

See mitigation measures BR-1 thru BR-12 which would reduce biological resource impacts to less than significant, mitigation measures TR-1 which would reduce traffic impacts to less than significant and mitigation measures N-1 thru N-4 which would reduce traffic impacts to less than significant.

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Exhibit A – Initial Study References and Agency Contacts

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

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

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

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

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

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

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

Project-Specific Studies

Heritage Discoveries, Inc., Thor Conway, Archeological Surface Survey (Phase I) by). April 18, 2008

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Orosz Engineering Group, Trip Generation Summary and Roadway Safety Audit (RSA) – 5265 Highway 46 East (MP 35.0), Paso Robles, CA, for Paris Valley Road Winery, April 10, 2020.

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Exhibit B – Mitigation Summary

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

Biological

A Kit Fox Evaluation, which was prepared by (July 1, 2020) indicated that the project will impact 5.18 acres of San Joaquin kit fox habitat. The evaluation form was reviewed by Craig Bailey of the California Department of Fish and Wildlife (CDFW) October, 2020. The evaluation, complete with Mr. Bailey's changes, resulted in a score of 66, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). At time of submittal for construction plans, the plans will be reviewed by CDFW to determine the total site disturbance and the amount kit fox fees due.

The Preliminary Grading Plan submitted stated a total of 4.5 acres of site disturbance. A Kit Fox Evaluation, which was prepared by SWCA (July 1, 2020) indicated the project will permanently impact 5.18 acres of ground disturbance and temporary impact 1.1 acres. The total compensatory mitigation required for the project is 10.36 acres, based on 2 times 5.18 acres impacted. The evaluation form was reviewed by Craig Bailey of the California Department of Fish and Game in October 2021. The evaluation, complete with Mr. Bailey's changes, resulted in a score of 66, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1).

This is an estimate and is based on the preliminary site plans. A subsequent and final letter, which may include revised scoring and mitigation requirements, will be issued by CDFW after the CEQA document for the project is finalized. The impacted areas of kit fox habitat are subject to change during the construction permit process when the final site plans are prepared and submitted to the County. A reduction in the impacted acres would not result in additional impacts to kit fox habitat, and any substantial increase to the estimated impacted acres of kit fox habitat could potentially require additional environmental analysis. Changes to the number of impacted acres will require coordination with CDFW.

BR-1 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **10.36** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the County. This mitigation alternative (a.) requires that all aspects of this program must be in place before County permit issuance or

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initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to “The Nature Conservancy” (see contact information below), would total **\$25,900.00**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification identifying your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase **10.36** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total **\$25,900.00** (5.18 acres impacted x 2 x \$2,500 per acre). Amount of mitigation acres required (i.e. credits), currently priced at \$2500 per credit. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

BR-2 Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County. The retained biologist shall perform the following monitoring activities:

- a. **Prior to issuance of grading and/or construction permits** and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, diking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site- disturbance activities lasting up to 14 days do not require weekly monitoring by the

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biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

- c. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department (see contact information below) for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the U.S. Fish and Wildlife Service and the Department. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

- d. In addition, the qualified biologist shall implement the following measures:

1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - a) Potential kit fox den: 50 feet
 - b) Known or active kit fox den: 100 feet
 - c) Kit fox pupping den: 150 feet
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

BR-3 Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate as a note on the project plans, that: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**,

In addition, **prior to permit issuance and initiation of any ground disturbing activities**, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

BR-4 During the site disturbance and/or construction phase, grading and construction activities after

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dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.

BR-5 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

BR-6 During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

BR-7 During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.

BR-8 During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

BR-9 Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

BR-10 During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to Department for care, analysis, or disposition.

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BR-11 Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
- b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

BR-12 Prior to issuance of grading and/or construction permits for each Building-6, to assure avoidance of potential impacts to Western spadefoot, a survey shall be conducted by a County approved biologist with approval from California Department of Fish and Wildlife (CDFW) to relocate these species out of harm's way. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If these species are found to be present in the work areas, the following steps shall be taken:

- a. Western spadefoot a survey shall be collected by hand by the project biologist and relocated to an appropriate location well outside the project areas.
- b. A letter report shall be submitted to the County and CDFW within 30 days of Western spadefoot relocation, or as directed by CDFW.

Noise

N-1. Events with outdoor amplified music may only occur between the hours of 10 AM and 10 PM.

N-2. Events with outdoor amplified music shall comply with the recommendations from the Acoustics Analysis, prepared by 45dB Acoustics, LLC, June 20, 2020.

N-3. Prior to hosting any Temporary Events authorized by this land use permit, the applicant shall designate an employee to serve as a noise monitor. For events that include outdoor amplified music, the noise monitor shall monitor noise levels, on an hourly basis, with a sound level meter at the property lines to ensure that the noise levels do not exceed those prescribed in the County Land Use Ordinance. The outdoor amplified music shall not exceed Lmax levels of 65 dB decibels at the property line. A noise monitor shall be available by telephone to respond to any noise complaints and take corrective measures to ensure compliance with the County Land Use Ordinance. The applicant and successors in interest shall provide a telephone number to reach the designated noise monitor to the County and any neighbor who requests it. The telephone number provided shall allow the County and/or neighbor to reach the noise monitor during all events.

N-4. Prior to hosting any Temporary Events authorized by this land use permit, the applicant shall submit for review and approval to the County Planning Department a Condition Compliance Monitoring Plan ("CCMP"). The Condition Compliance Monitor shall oversee and monitor compliance with County Conditions of Approval. The Condition Compliance Monitor shall assist the County in condition compliance and mitigation monitoring for all applicable construction and operational aspects of the project. The CCMP may be modified with review and approval based on compliance. The CCMP shall include the following as a minimum:

- a. List of personnel that will need to be involved in monitoring activities;
- b. Description of how the monitoring shall occur;

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- c. Description of frequency of monitoring (e.g. full time, part time, spot checking, during certain activities);
- d. Description of monitoring reporting procedures;
- e. Description of actions to be implemented to assure compliance.

Transportation

TR-1. For the life of the project, the secondary access shall only be used as emergency access for this property.

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