

INITIAL STUDY/NEGATIVE DECLARATION

[Pursuant to Public Resources Code Section 21080(c) and California Code of Regulations, Title 14, Sections 15070-15071]

LEAD AGENCY: San Joaquin County Community Development Department

PROJECT APPLICANT: Operative Office / Peltier Winery

PROJECT TITLE/FILE NUMBER(S): PA-2200025

PROJECT DESCRIPTION: A Use Permit application to expand an existing large winery in 2 phases over 5 years, and to add winery events. Phase 1 includes construction of a 7,200 square foot office and storage room and construction of a 6,250 square foot tasting room. Phase 2 includes construction of a 5,000 square foot storage building. Annual events proposed are: 20 Marketing Events with 100 attendees maximum; 24 Small-Scale Accessory Winery Events with 80 attendees maximum; and, 4 Wine Release Events with 100 attendees maximum. Winery hours are 8:00 a.m. to 5:00 p.m., 7 days a week. (Use Type: Wineries and Wine Cellars – Winery, Large).

The project site is located on the southeast corner of N. Kennifick Road and E. Peltier Road, Acampo.

ASSESSORS PARCEL NO(S): 017-150-02; -01

ACRES: 38.49 acres

GENERAL PLAN: A/G

ZONING: AG-40

POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):
Structures totaling 70,000 square feet for use in the large winery.

SURROUNDING LAND USES:

NORTH: Agricultural with scattered residences; Gill Creek

SOUTH: Agricultural with scattered residences

EAST: Agricultural with scattered residences; Union Pacific Railroad

WEST: Agricultural with scattered residences; Central California Traction railroad; State Route 99

REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc.

Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Additional standard sources which should be specifically cited below include on-site visits by staff (note date); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application. Copies of these reports can be found by contacting the Community Development Department.

TRIBAL CULTURAL RESOURCES:

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

No

GENERAL CONSIDERATIONS:

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?

☐ Yes ☒ No

Nature of concern(s): Enter concern(s).

2. Will the project require approval or permits by agencies other than the County?

☒ Yes ☐ No

Agency name(s): **California Alcohol and Beverage Control**

3. Is the project within the Sphere of Influence, or within two miles, of any city?

☐ Yes ☒ No

City: Enter city name(s).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:


The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "**Potentially Significant Impact**" as indicated by the checklist on the following pages.

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

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

- ☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that 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.
- ☐ I find that 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.


Signature


Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

I. AESTHETICS.

Except as provided in Public Resources Code Section 21099, would the project:

a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 publically accessible vantage points). 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"/>	<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"/>	<input type="checkbox"/>

Impact Discussion:

- a) San Joaquin County is set within the greater San Joaquin Valley, with the delta and large expanses of generally flat, agricultural lands and urban development framed by the foothills of the Diablo Range to the west and the foothills of the Sierra Nevada to the east. According to the County's General Plan, scenic resources within the County include waterways, hilltops, and oak groves (County of San Joaquin 2035).

The project site is located on N. Kennefick Road and E. Peltier Road, in a generally flat area, surrounded by agriculture and scattered residences. It is currently the site of a large winery totaling 51,000 square feet of structures and approximately 20 wine storage tanks. The project would expand the winery with 3 additional buildings totaling 18,450 square feet, on a site that is already developed. Although the viewshed that the project site is located within contains expansive views of agricultural lands, the project site is already developed with a large winery and the expansion is unlikely to further affect any local scenic resources. Therefore, the project would have a less-than-significant impact associated with scenic vistas.

- b) There are two officially designated state scenic highways in San Joaquin County: I-580 and I-5 (County of San Joaquin 2035). Both are located too far from the project site for the project site to be visible from I-580 or I-5.

In addition, the County has designated 26 roadways within the County as local scenic routes (County of San Joaquin 2035). The nearest locally designated scenic route is Jack Tone Road, located approximately 6 miles east of the project site, which, due to distance, does not have a view of the project site. Therefore, the project would have a less-than-significant impact associated with scenic resources within a state- or locally-designated scenic highway.

- c) The project site is located in a generally flat area and is surrounded by agricultural uses and scattered residences. The project includes the addition of 3 buildings totaling 51,000 square feet, on a site that is already developed with a large winery. The site is surrounded by large trees and a decorative masonry wall, screening it from view from both N. Kennifick Road and E. Peltier Road. Therefore, the project would have a less-than-significant impact associated with the existing visual quality or character of the site or its surroundings.
- d) The existing lighting and glare conditions in the project area are typical of a rural agricultural area. New lighting for the project would include outdoor building lighting and parking lot lighting. Parking lot lighting standards stipulate that all lighting be designed to confine direct rays to the premises, with no spillover beyond the property line except onto public thoroughfares, provided that such light does not cause a hazard to motorists (Development Title Section 9-1015.5).

Therefore, the project is expected to have a less than significant impact from new sources of light or glare on day or nighttime views in the area.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

II. AGRICULTURE AND FORESTRY RESOURCES.

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input 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"/>	<input 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"/>	<input 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"/>	<input type="checkbox"/>

Impact Discussion:

- The portion of the project parcel that is developed with the winery and proposed for expansion is designated as Urban and Built-up Land on maps provided by the California Department of Conservation's Farmland Mapping and Monitoring Program. The remainder of the parcel is designated Prime Farmland and this portion will continue to be used for agriculture. Therefore, the project would have no impact associated with Prime Farmland, Unique Farmland, or Farmland of State Importance conversion.
- The project site is zoned AG-40 (General Agriculture, 40 acre minimum). A winery is an agricultural use that may be conditionally permitted in the AG-40 zone with an approved Use Permit application, therefore, the project will not conflict with existing zoning. The parcel is currently under Williamson Act contract No. WA-72-C1-0470 and is subject to the provisions of the contract which restricts development to uses that are compatible with the Williamson Act. Pursuant to Development Title Section 9-1805, a winery is a compatible use with land under a Williamson Act contract. Therefore, the

project will not conflict with existing zoning or a Williamson Act contract.

- c-d) There are no forest resources or zoning for forestlands or timberland, as defined by Public Resources Code and Government Code, located on or near the project site, therefore, the project will have no impact on corresponding zoning or conversion of such land.
- e) The proposed project, an expansion of an existing large winery, does not conflict with any existing uses as the zoning and General Plan designations will remain the same. The expansion will not interfere with any agricultural activity on the parcel as the project site is not planted in crops. Furthermore, it has been previously determined that a large winery is a conditionally permitted use in the AG-40 (General Agriculture, 40 acre minimum) zone with an approved Use Permit. Therefore, the project would have no impact on farmland and forest land conversion.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

III. AIR QUALITY.

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

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in substantial 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"/>	<input type="checkbox"/>

Impact Discussion:

- a-d) The proposed project is the expansion of an existing large winery with 2 storage buildings. The project site is located within the San Joaquin Valley Air Basin which lies within the jurisdiction of the San Joaquin Valley Air Pollution Control District (APCD). APCD is the local agency established by the State to regulate air quality sources and minimize air pollution.

The project was referred to APCD for review on March 10, 2022. APCD issued a response dated April 27, 2022 stating that, having reviewed the project, the agency had determined the project specific annual emissions from construction emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (Sox), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5).

District Rules and Regulations are intended to reduce a project's impacts on air quality through compliance with regulatory requirements. APCD District Rules 2010 and 2201 related to stationary source emissions including any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. Prior to commencing construction on any permit-required equipment or process, a finalized Authority to Construct must be issued to the project proponent to determine the estimated number of emission units produced by the project.

District Rule 9510 is intended to reduce the growth in both NOx and PM10 emissions associated with development and transportation projects from mobile and area sources associated with construction and operation of development projects. The rule encourages clean air design elements to be incorporated into development projects; if clean air design elements are insufficient to meet the targeted emission reductions, the rule requires developers to pay a fee used to fund projects to achieve off-site emissions reductions. Pursuant to the APCD, the project has been determined to be below subject to District Rule 9510 because it will receive a project-level approval from a public agency and will equal or exceed 2,000 square feet of commercial space. When subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project-level approval from a public agency.

Lastly, the APCD offered recommendations that project proponents with construction-related exhaust emissions and activities resulting in less than significant impact on air quality utilize the cleanest reasonably available off-road construction fleets and practices (i.e. eliminating unnecessary idling) to further reduce impacts from construction-related exhaust emissions and activities.

With implementation of the District Rules' requirements and implementation of other recommendations, the project's impact on air quality is expected to be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

IV. BIOLOGICAL RESOURCES.

Would the project:

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

Impact Discussion:

- a) The California Department of Fish and Wildlife Natural Diversity Database lists *lepidurus packardi* (vernal pool tadpole shrimp), *Branchinecta mesovallincis* (midvalley fairy shrimp), *Buteo Swainsoni* (Swainson's hawk), *Rana boylei* (foothill yellow-legged frog), and *Agelaius tricolor* (tricolored blackbird) as rare, endangered, or threatened species or habitat located on or near the site for the proposed project. Referrals have been sent to the San Joaquin Council of Governments (SJCOG), the agency responsible for verifying the correct implementation of the *San Joaquin County Multi-Species Habitat Conservation and Open Space Plan* (SJMSCP), which provides compensation for the conversion of Open Space to non-Open Space uses which affect the plant, fish and wildlife species covered by the Plan. Pursuant to the Final EIR/EIS for SJMSCP, dated November 15, 2000, and certified by SJCOG on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant.

SJCOG responded to this project referral in a letter dated March 8, 2022, that the project is subject to the SJMSCP. The applicant has confirmed that he will participate in SJMSCP. With the applicant's participation, the proposed project is consistent with the SJMSCP and any impacts to biological resources resulting from the proposed project will be reduced to a level of less-than-significant.

- b-c) The subject property has no riparian habitat or wetlands located within its boundaries, therefore the proposed project, an expansion of an existing winery, will not have an impact on riparian habitat or wetlands.
- d-f) This application, for the expansion of a large winery, will be conditioned to participate in the SJMSCP. The applicant has confirmed his intention to participate in the SJMSCP, therefore, any impacts to biological resources resulting from the proposed project will be reduced to a level of less-than-significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

V. CULTURAL RESOURCES.

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a-b) The proposed project would expand an existing large winery with 3 additional buildings totaling 18,450 square feet. All development is proposed within existing disturbed areas on site, which have been utilized for crop production in the past. A search of the National Register of Historic Places, the Office of Historic Preservation's list of California Historical Resources, and of the Register of Historic Places within San Joaquin County did not uncover any known historical resources on or near the project site as defined in CEQA Guidelines Section 15064.5. As a result, no impact on cultural resources is anticipated.
- c) In the event human remains are encountered during any portion of the project, California state law requires that all work shall stop immediately in the vicinity (e.g. 100 feet) of the finds and there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has verified the finding and determined manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation (California Health and Safety Code - Section 7050.5). In this way, any disturbance to human remains will be reduced to less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

VI. ENERGY.

Would the project:

- a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?
- 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"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a-b) The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. The code includes energy conservation standards applicable to most buildings throughout California. These requirements will be applicable to the proposed project ensuring that any impact to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant and preventing any conflict with state or local plans for energy efficiency and renewable energy.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--	--------------------------------------	---	------------------------------------	--------------	---------------------------------

VII. GEOLOGY AND SOILS.

Would the project:

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"/>	<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"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil and create direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a) According to the California Department of Conservation's California Geological Survey, the project site is not located within an earthquake fault zone. However, similar to other areas located in seismically active Northern California, the project area is susceptible to strong ground shaking during an earthquake, although the site would not be affected by ground shaking more than any other area in the region.

The Project would be required to comply with the most recent version of the California Building Code (CBC), which contains universal standards related to seismic load requirements and is codified within the San Joaquin County Ordinance Code under Section 8-1000. In addition, a soils report is required pursuant to CBC § 1803 for foundations and CBC appendix § J104 for grading. All recommendations of the Soils Report will be incorporated into the construction drawings. As a result, impacts associated with seismic ground shaking or possible ground liquefaction are expected to be less than significant.

The project site is located in an area that is relatively flat and does not contain any slopes that could result in landslides. Therefore, impacts associated with landslides are expected to be less than significant.

- b) The project would not result in substantial soil erosion or the loss of topsoil because the project will require a grading permit in conjunction with a building permit. Therefore, the grading will be done under permit and inspection by the San Joaquin County Community Development Department's Building Division. As a result, impacts to soil erosion or loss of topsoil will be less than significant.
- c) As part of the project design process, a soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction plans. As a result of these grading recommendations, which are required by the California Building Code (CBC), the project would not be susceptible to the effects of any potential lateral spreading, subsidence, or liquefaction. Compliance with the CBC and the engineering recommendations in the site-specific soils report would ensure structural integrity in the event that seismic-related issues are experienced at the project site. Therefore, impacts associated with unstable geologic units are expected to be less than significant.
- d) Pursuant to the Soil Survey of San Joaquin County, the project site soil is not classified as expansive. As a result, the potential for the shrink/swell behavior of expansive soils is not expected and its effects on project buildings is expected to be less than significant.
- e) The project site is developed with a winery that is currently served by an onsite septic tank for the disposal of wastewater. This project proposes to expand the winery with the addition of 3 buildings totaling 18,450 square feet. The expansion includes the construction of an additional septic system. All onsite wastewater treatment systems must conform to the requirement of the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems Policy, the San Joaquin County Onsite Treatment Systems Local Agency Management Program, Title 9 of the Ordinance Code of San Joaquin County, and all other standards required. Prior to the issuance of a permit for an onsite wastewater treatment system, a soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. Additionally, a percolation test is required to establish percolation rates. With these regulations in place, the project's impacts from relying on soils that can't adequately support a wastewater system are expected to be less than significant.
- f) As a result of existing development, the project site has been subject to extensive disturbance and significant historic or prehistoric archeological artifacts have not been discovered. Therefore, damage to unique paleontological resources or sites or geologic features is anticipated to be less than significant.

VIII. GREENHOUSE GAS EMISSIONS.

Would the project:

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

☐
☐
☒
☐
☐

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

☐
☐
☒
☐
☐

Impact Discussion:

- a-b) Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

Implementation of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO₂) and, to a lesser extent, other GHG pollutants, such as methane (CH₄) and nitrous oxide (N₂O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO₂ equivalents (MTCO₂e/yr).

As noted previously, the proposed project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*.¹¹ The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002-2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternative-fueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy-efficient mechanical systems, the installation of drought-tolerant landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures.

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for construction-related GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. As such, the analysis herein is limited to discussion of long-term operational GHG emissions.

¹¹ San Joaquin Valley Air Pollution Control District. *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*. December 17, 2009. San Joaquin Valley Air Pollution Control District. *District Policy Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. December 17, 2009.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 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"/> | <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"/> | <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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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"/> | <input type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a-c) The proposed project is an expansion of an existing winery with the addition of 3 buildings totaling 18,450 square feet. Pursuant to the Hazardous Materials Disclosure Survey submitted with the application, the winery does handle or store hazardous materials on site. However, before any hazardous materials/waste can be stored or used onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) and must comply with all applicable federal, state, and local regulations pertaining to the storage of hazardous materials. In this way, impacts related to the use, transport, or disposal of hazardous materials are expected to be less than significant.
- d) The project site is not listed as a hazardous materials site on the California Department of Toxic Substances Control EnviroStor database map, compiled pursuant to Government Code 65962.5 and, therefore, will not result in creating a significant hazard to the public or the environment.
- e) The project site is located within the Airport Influence Area zone for the Lodi Airport with the nearest runway located approximately 0.7 miles northwest of the project site. Pursuant to the San Joaquin Airport Land Use Compatibility Plan,

amended January 2018, the project site is located outside of the airport's noise exposure contours for both significant and marginal effects, therefore, the project's risk of exposing people residing or working in the project area to safety hazards or excessive noise is less than significant.

- f) The project site is located at the southeast corner of N. Kennifick Road and E. Peltier Road, approximately 1 mile east of the Interstate 5 and 0.8 miles north of E. Acampo Road in San Joaquin County. In San Joaquin County, Interstate 5 is one of the major evacuation routes in the event of an emergency. (San Joaquin County Office of Emergency Services) Because the project does not include any features that will impede the mobility of traffic to and on Interstate 5, the project would not affect the County's ability to implement its Emergency Operations Plan in the event of an emergency. Therefore, impacts associated with emergency response or evacuation plans are expected to be less than significant.
- e) The project location is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impact of wildfires on the project are expected to be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
<u>X. HYDROLOGY AND WATER QUALITY.</u>					
Would the project:					
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"/>	<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"/>	<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"/>	<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"/>	<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"/>	<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"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input 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"/>	<input type="checkbox"/>

Impact Discussion:

- a) The proposed project is an expansion of an existing winery with the addition of 3 buildings totaling 18,450 square feet. The construction phase of the project, which would include earthwork activities and possible storm water runoff, would require a Construction General Permit for Storm Water Discharges from the State Water Resources Control Board (SWRCB). The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) which requires implementation of best management practices to ensure water quality standards are met and that storm water runoff from the construction work does not degrade water quality.

Additionally, the project will be subject to the Central Valley Regional Water Quality Control Board's (CVRWQCB) rules and regulations to mitigate for any impacts to surface and ground water. The winery would be required to submit a Report of Waste Discharge (RWD) in order to discharge winery wastewater and residual solids to the land as irrigation for agriculture. Therefore, compliance with the rules and regulations of CVRWQCB and SWRCB will ensure any impacts to surface or ground water quality associated with water and waste discharge are expected to be less than significant.

- b) The proposed project, an expansion of an existing winery with the addition of 3 buildings totaling 18,450 square feet, will result in an increase in impervious surface area on the project site of approximately 1 acre, including new structures and paved parking. However, much of the project parcel remains in agriculture, providing pervious surfaces to allow continued filtration of water into the ground. Additionally, the project is located in a rural, agricultural area surrounded by hundreds of acres of pervious, cultivated land. Therefore, the project's impact on the depletion of sustainable groundwater is expected to be less than significant.
- c) The construction of the proposed project would result in grading and soil-disturbing activities and the installation of new impervious surfaces. A grading permit will be required which requires plans and grading calculations, including a statement of the estimated quantities of excavation and fill, prepared by a Registered Design Professional. The grading plan must show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of the California Building Code (CBC). The plans must also show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of the CDC. Additionally, the developer shall provide drainage facilities in accordance with the San Joaquin County Development Standards. Required retention basin capacity must be calculated and submitted along with a drainage plan for review and approval, prior to release of a building permit. In this way, any impacts to the existing drainage pattern of the site will be less than significant.
- d) The project site is not in a tsunami, seiche, or flood zone. Therefore, there is no risk of release of pollutants due to inundation of the project site.
- e) The applicant will be required to comply with the San Joaquin County 2021 Storm Water Quality Control Criteria Plan (SWQCCP) to protect surface and groundwater on site and to ensure that the project doesn't conflict or obstruct a water quality control plan or sustainable groundwater management plan.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

XI. LAND USE AND PLANNING.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a) This proposed project is an expansion of an existing winery. The project does not include construction of any feature that would impair mobility within an existing community nor does it include removal of a means of access between a community and outlying area. Currently, the project site is not used as a connection between established communities. Instead, connectivity with the area surrounding the project is facilitated via local roadways. Therefore, the project will not result in dividing an established community.
- b) The project site has a General Plan Designation of A/G (General Agriculture) and is zoned AG-40 (General Agriculture with a 40-acre minimum size). A Large Winery, and an expansion to a Large Winery, is a permitted use in the AG-40 zone with an approved Use Permit. Additionally, the project is under a Williamson Act contract. Pursuant to Development Title Section 9-1810.3(b), a winery is an accepted use for property under contract. Therefore, the proposed project is consistent with all land use policies and regulations of the County Development Code and 2035 General Plan, therefore, the project's impact on the environment due to land use conflict is expected to be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

XII. MINERAL RESOURCES.

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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"/> | <input type="checkbox"/> |

Impact Discussion:

- a-b) Pursuant to the San Joaquin County General Plan Background Report, Chapter 10-Mineral Resources, the primary extractive resource in San Joaquin County is sand and gravel, with the principal areas of sand and gravel extraction located in the southwestern part of the county and along the Mokelumne, Calaveras, and Stanislaus rivers in the eastern portion of the county. The project site is located approximately 2.5 miles north of the Mokelumne River and is outside of the mapped area designated as an area containing mineral deposits. Therefore, the project will not result in the loss of mineral resources or mineral resource recovery sites within the region.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

XIII. NOISE.

Would the project result in:

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) For a project 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Impact Discussion:

- a) The project site is located on E. Peltier Road, north of the City of Lodi, and is currently developed with a winery. The project proposes expanding the winery with the addition of 3 buildings totaling 18,450 square feet. The project will result in a temporary increase in ambient noise level associated with project construction activities to include grading and use of heavy machinery and equipment. However, pursuant to Development Title Section 9-1025.9(c)(3), noise sources associated with construction, provided such activities do not take place before 9:00 a.m. or after 9:00 p.m. on any day, are exempt from the county noise ordinance.

Additionally, the winery is requesting approval to hold 48 annual events that will be open to the public and the proposed event area is located approximately 100 feet from the north property line. Pursuant to Development Title Section 9-1075.9, if approval for outdoor amplified sound is requested, a noise study to ensure compliance with the county noise standards is required. However, the applicant is not requesting approval for outdoor amplified sound, therefore a noise study is not required. There are 13 properties with residences in a 1,400-foot radius of the project parcel. However, the winery will be subject to the San Joaquin County provisions concerning noise levels and the standards specified in Section 9-1025.9 of the Development Title. Therefore, the project's impact on the increase in ambient noise levels in the vicinity of the project are expected to be less than significant.

- b) The project does not include any operations that would result in excessive ground-borne vibrations or other noise levels therefore, the project will not have any impact on vibrations or other noise levels.
- c) The project site is located within the Airport Influence Area zone for the Lodi Airport with the nearest runway located approximately 0.7 miles northwest of the project site. Pursuant to the San Joaquin Airport Land Use Compatibility Plan, amended January 2018, the project site is located outside of the airport's noise exposure contours for both significant and marginal effects, therefore, the project's risk of exposing people residing or working in the project area to safety hazards or excessive noise is less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

XIV. POPULATION AND HOUSING.

Would the project:

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- a-b) The project site is located in unincorporated San Joaquin County, north of the City of Lodi. The proposed project is an expansion to an existing winery and does not propose any residential development and will not generate additional employees. The project will not induce substantial population growth in the area either directly or indirectly because the project is not anticipated to result in an increase in the number of jobs available. The proposed project would not displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere because there are no residences on the project site and the zoning will remain the same if the project is approved. Therefore, the project would have no impact on population and housing.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

XV. PUBLIC SERVICES.

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

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

a) The project site is located in unincorporated San Joaquin County, north of the City of Lodi. The Liberty Fire Protection District provides fire protection services to the project site area. The District provides fire protection and prevention, fire inspection, hazardous material awareness, and basic emergency medical services. The District's service boundary is approximately 36 square miles and the station is located approximately 5 miles east of the project site. The station is manned 24/7. Police protection services are provided to the project area by the San Joaquin County Sheriff's Office. The Sheriff's Office employs over 800 sworn and support personnel. The project site is located within the Lodi Unified School District. With 50 schools and 2,500 employees, the school district spans 350 square miles and provides learning opportunities to over 28,000 students in Lodi, Stockton, and surrounding county areas. There are no public recreation facilities near the project site.

The public service agencies listed above were provided with the project proposal and invited to respond with any project concerns or conditions. Comments were received from the San Joaquin County Fire Prevention agency for the Liberty Fire Protection District providing the California Fire Code (CFC) requirements that will be applicable to the proposed project. Responses from other agencies were not received, indicating there were no concerns about significant impacts resulting from the project. Therefore, the project's impacts on agency services are expected to be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

XVI. RECREATION.

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

☐
☐
☐
☒
☐

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?

☐
☐
☐
☒
☐

Impact Discussion:

- a-b) The project, an expansion to an existing winery, is not expected to increase employment at the winery. Therefore, the project would not result in an increase in demand for neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, because the project will not generate any new residential units and the project, an expansion of an existing winery, is not expected to result in an increased demand for recreational facilities. Therefore, the project will have no impact on recreation facilities.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--	--------------------------------	--	------------------------------	-----------	---------------------------

XVII. TRANSPORTATION.

Would the project:

a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<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"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Discussion:

- The project site is located at the southeast corner of E. Peltier Road and N. Kennifick Road in unincorporated San Joaquin County. Regional access to the site is provided by Interstate 5, a north-south highway. Local roads that provide access to the project site are E. Peltier Road, E. Acampo Road, N. Kennifick Road, and Elliott Road. The project was referred to the Department of Public Works on March 10, 2022. The Department requires a traffic study for projects that are expected to generate in excess of 50 vehicle trips during any hour and did not require a traffic study for this project. Therefore, the project's impact on the transportation circulation system of the area is expected to be less than significant.
- The project proposes to expand and existing winery and host events for the public. The Department of Public Works determined that a traffic study is not required because the proposed project is not expected to exceed 50 vehicle trips during any hour and would have a less than significant traffic impact.
- The Department of Public Works determined that a traffic study is not required because the proposed project is not expected to exceed 50 vehicle trips during any hour and would have a less than significant traffic impact. Additionally, a winery is a permitted use in the general agricultural zones making the project compatible with the surrounding area.
- The project site is accessed from N. Kennifick Road by an existing 25-foot-wide driveway. The site provides fire apparatus access as required by the California Fire Code (CFC). Therefore, site access provides adequate space for fire trucks and emergency vehicles to enter and turn around.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

XVIII. TRIBAL CULTURAL RESOURCES.

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

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

☐
☒
☐
☐
☐

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

☐
☒
☐
☐
☐

Impact Discussion:

a) The project parcel is located in a rural, agricultural area north of the City of Lodi. The proposed project will add approximately one acre of development to the 10-acre winery located on the 38-acre property. Less than half of the lot has been developed with buildings used in the winemaking process. The remaining acreage is used for agriculture. The eastern boundary of the parcel is adjacent to the railroad tracks of the Central California Traction Co. The Mokelumne River is approximately 2.5 miles to the south of the property.

A project referral was mailed March 10, 2022, to the list of California Native American Tribes specifically identified for San Joaquin County and provided by the California Native American Heritage Commission. This includes the Buena Vista Rancheria Mi-Wuk Indians, the California Tribal TANF Partnership, the California Valley Miwok Tribe, the North Valley Yokuts Tribe, and the United Auburn Indian Community.

The United Auburn Indian Community responded in an email dated April 27, 2022. The United Auburn Indian Community (UAIC) is a federally recognized Tribe comprised of both Miwok and Maidu (Nisenan) Tribal members who are traditionally and culturally affiliated with the project area. The Tribe has deep spiritual, cultural, and physical ties to their ancestral land and are contemporary stewards of their culture and landscapes. The Tribal community represents a continuity and endurance of their ancestors by maintaining their connection to their history and culture. It is the Tribe's goal to ensure the preservation and continuance of their cultural heritage for current and future generations.

UAIC conducted a records search for the identification of Tribal Cultural Resources for this project which included a review of pertinent literature and historic maps, and a records search using UAIC's Tribal Historic Information System (THRIS). UAIC's THRIS database is composed of UAIC's areas of oral history, ethnographic history, and places of cultural and religious significance, including UAIC Sacred Lands that are submitted to the Native American Heritage Commission (NAHC). The THRIS resources shown in this region also include previously recorded indigenous resources identified through the California Historic Resources Information System Center (CHRIS) as well as historic resources and survey data. The search did not identify any tribal cultural resources or areas of sensitivity, however, because development of the proposed project will involve ground disturbing activities, the following mitigation measures will be implemented in the event potential Tribal Cultural Resources (TCR) are unearthed during ground disturbing activities:

If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment as necessary.

When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs under CEQA and UAIC protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by UAIC or by the California Native American Tribe that is traditionally and culturally affiliated with the project area.

The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.

Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB52, have been satisfied.

No other responses were received from the California Native American Tribes notified. With the above mitigation measures in place, potential impacts on tribal cultural resources will be reduced to a less-than-significant level.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
<u>XIX. UTILITIES AND SERVICE SYSTEMS.</u>					

Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<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"/>	<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"/>	<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"/>	<input type="checkbox"/>

Impact Discussion:

- a) The proposed project is an expansion to an existing winery, located in a rural area north of the City of Lodi. The existing winery will continue to utilize an existing private well and onsite wastewater treatment system. Retention ponds are existing on the site for stormwater drainage. Therefore, the project will be served by private, onsite services and will not require relocation of existing facilities or require new facilities.
- b) The project is served by an existing private well. Groundwater is used for both winemaking processes and for domestic use. The applicant is in the process of obtaining a permit for a Public Water System through the California State Water Resources Control Board, Division of Drinking Water (Water Board). The Water Board will provide oversight of the onsite water system and impacts on water supplies are expected to be less than significant.
- c) The project site utilizes an existing onsite sewage disposal system that was constructed under an Environmental Health Department permit and is subject to the onsite wastewater treatment system regulations that will ensure compliance with the standards of San Joaquin County. An additional onsite sewage disposal system is proposed with this expansion. It will also be subject to the same regulations.
- d-e) The project is an expansion of an existing winery. As proposed, the project is not anticipated to generate solid waste in excess of State and local standards and will be able to comply with all regulations related to solid waste.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

XX. WILDFIRE.

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

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<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"/>	<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"/>	<input type="checkbox"/>

Impact Discussion:

- a-d) The project location is in a rural, agricultural area north of the City of Lodi, CA, and is not identified as a Community at Risk from Wildfire by Cal Fire's "Fire Risk Assessment Program". Communities at Risk from Wildfire are those places within 1.5 miles of areas of High or Very High wildfire threat as determined from CDF-FRAP fuels and hazard data. Therefore, the impact of wildfires on the project are expected to be less than significant.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In the Prior EIR
--------------------------------------	---	------------------------------------	--------------	---------------------------------

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.

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

☐
☐
☒
☐
☐

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

☐
☐
☒
☐
☐

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

☐
☐
☒
☐
☐

Impact Discussion:

- a-c) Review of this project has not indicated any features which might significantly impact the environmental quality of the site and/or surrounding area. Mitigation measures have been identified in areas where a potentially significant impact has been identified and these measures, included as conditions of approval, will reduce these impacts to a less than significant level.

ATTACHMENT: (MAP[S] OR PROJECT SITE PLAN[S])

PA-2200025 (UP) MMRC 8/3/2022

Impact	Mitigation Measure/Condition	Type of Review		Agency for Monitoring and Reporting Compliance	Action Indicating Compliance or Review	Verification of Compliance or Annual Review of Conditions		
		Monitoring	Reporting			By	Date	Remarks
IV. Biological Resources	Participation in the SJMSCP	X		San Joaquin Council of Governments	Certificate of Payment and Signed ITMM			
XVIII. Tribal Cultural Resources	If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB52, have been satisfied.	X		Applicant				