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November 6, 2008

Mr. Brian Pedrotti
Project Manager
County Planning and Building Department
976 Osos Street, Room 300
San Luis Obispo, California 93408-2040

RE: Comments on Laetitia Agricultural Cluster Subdivision DEIR
SUB2003-00001 (Tract 2606), SCH # 2005041094

Dear Brian:

The purpose of the Laetitia Ag Cluster is to ensure long-term family vineyard and winery ownership, and implementation of a strategy that will enhance the worldwide reputation and the financial wellbeing of Laetitia wines, as well as the wines of San Luis Obispo County. The family who owns the Laetitia Vineyard &Winery, with whom I've been friends for over twenty five years, asked me to assist in this effort. We propose to put Napa, Sonoma, and all other wine producers in a distant second place. **LV-6-1**

I have been working in San Luis Obispo County since 1987. I've enjoyed close professional relationships with County Staff, the Board of Supervisors, and residents of the South County. It has been my pleasure to entitle The Woodlands, the largest mixed-use project ever approved in this County. In addition, it has been my privilege to be part of The Woodlands' Specific Plan implementation. We, at The Woodlands, are proud to have turned the Woodlands' Specific Plan, with its many mitigations, into a well-planned and beautiful reality. Please come to The Woodlands and see for yourself.

I bring the same effort and enthusiasm to Laetitia. I am one of the few who has gone from Environmental Impact Report to project reality, so I promise all concerned that the Laetitia Vineyard, Winery, and Ag Cluster will be implemented with the highest quality and good taste. Laetitia will contribute to a new appreciation of the wine industry in San Luis Obispo County.

Having waited nearly five years for this Draft EIR (see my letter of October 31, 2008 to Brian Pedrotti), and having provided substantive technical input, I am extremely disappointed to find that the Draft EIR appears to reflect, *not a neutral factual document* based on established, applicable County policies and past precedent, but a document that *exaggerates and overstates* impacts and concludes Class I significance where in similar situations in San Luis Obispo County, the conclusion of a Class II impact has been found with far less mitigation. Naturally, I am very enthusiastic about what this project could do for the Laetitia Winery and the County. To ensure that my enthusiasm does not get in the way of an unbiased analysis of impacts and sound environmental planning, I hired a number of well-respected, independent consultants (see attached firm qualifications and resumes of individuals), all of whom have worked, or currently work in the County (many of them for County Departments), to advise me on the impacts of the project. It goes

LV-6

without saying, but I would note that none of these consultants would be willing to sacrifice their integrity or reputations for this one project. A summary of their conclusions with respect to the Class I impacts identified in the Draft EIR is presented below. Also attached to this letter are detailed comments (and supporting letters and calculations) on the Draft EIR. **LV-6-1 (cont'd)**

In response to mitigation measures identified in the Draft EIR and further analysis by recognized experts in each technical field, we have modified the site plan (Mitigated Plan) to avoid all potential significant adverse (Class I) impacts. A summary of the revisions made is provided in an accompanying letter (dated November 6, 2008) and attachments from RRM.

POLICY CONSISTENCY ANALYSIS

The Draft EIR Policy Consistency analysis presented in Tables IV-1 through IV-4 is flawed because the consistency analysis is based on inaccurate analysis of project impacts (see below) and purported policy conflicts. **LV-6-2**

A revised consistency analysis table addressing the Mitigated Plan (prepared by ESA) is attached. In analyzing the consistency of an individual project with plan policies (of any jurisdiction), it is necessary to look at the *project as a whole*, compared to the overall policy not the individual components of a project compared to each nuance of each policy. In undertaking a comprehensive analysis of the project as a whole the project is found to be consistent with applicable County plans and policies.

BIOLOGICAL RESOURCES

Loss of Oak Trees **LV-6-3**

The DEIR dramatically over-states the number of removed or impacted oak trees. In response to this issue a Certified arborist and team of surveyors has marked and identified the location and assessed the health of each potentially impacted tree. Based upon this detailed survey we have incorporated mitigation measures to further reduce impacts to oak trees (Laetitia Mitigated Plan). I am glad to report that the total number of Oak trees that would be removed/potentially removed due to impacts from home sites, roads and replacement agriculture is 1/5, and the number impacted/potentially impacted is 2/21. Therefore, all impacts would be reduced to Class II by applying County standard mitigation measures.

In addition, emergency secondary fire access along Upper Los Berros Road (as opposed to the County A-1f road standards assumed in the DEIR) would require removal of fewer than the 94 oak trees and 16 sycamore trees indicated in the DEIR. The applicant would provide appropriate mitigation for these secondary impacts in a similar manner to tree mitigation to be implemented on the project site (**BIO/mm-14, BIO/mm-15 and Bio/mm-16**). As required by State law such mitigation would reduce impacts below a level of significance; monitoring and follow up would ensure that tree replacement would be successful.

Water Quality and Quantity Impacts in Los Berros Creek on Steelhead Critical Habitat

The Draft EIR indicates (**BIO Impact 7**) that the project would result in a decrease in water quality and quantity in Los Berros Creek and within steelhead critical habitat. The applicant intends to implement a mitigation measure that would restrict water pumping to wells that would not have a water quantity impact **LV-6-4**

on Los Berros Creek (see letter from Cleath and Associates dated November 4, 2008) as part of the Mitigated Plan.

LV-6-4 (cont'd)

The Draft EIR addresses water quality impacts **(WAT Impacts 6 and 10)** and indicates numerous mitigation measures to address water quality. The Draft EIR indicates, and ESA concurs, that impacts to water quality are mitigable. In addition, the equestrian facility proposed adjacent to Los Berros Creek is no longer part of the project. In the professional opinion of Mike Podlech, an Aquatic Ecologist, potential impacts to water quality in steelhead critical habitat (assuming such habitat is adjacent to the site) would be mitigated by all the proposed water quality measures identified in the DEIR (see attached comments and memorandum from Mike Podlech, Aquatic Ecologist).

Therefore, because impacts to steelhead can be reduced to a less than significant level, **BIO Impact 7** should be identified as a less than significant Class II impact.

ARCHEOLOGICAL RESOURCES

Although the Archaeology section of the DEIR is unclear in regard to the use of industry standard protocols, nevertheless in response to issues identified in the DEIR we have modified the project description (Laetitia Mitigated Plan) to relocate lots to avoid potential impacts to archeological sites identified in the DEIR. The Archaeology section of the DEIR does clearly document the need for lots to be relocated; nonetheless, and to address other potential impacts, the Mitigated Plan complies with the recommendations to relocate lots.

LV-6-5

Lots 68, 69, 74-85, 12, 13, 14, 15, 42, 43, and the wastewater disposal site are relocated in the Mitigated Plan. The equestrian center has been deleted from the project description. Therefore, all impacts should be reduced to a less than significant Class II impact.

AGRICULTURAL RESOURCES

One of the fundamental problems with the DEIR is that it ignores the strong County policies in the General Plan and the South County Area Plan that promote agricultural cluster development at the Laetitia property as a means of achieving long-term preservation of agricultural resources in this part of San Luis Obispo County.

LV-6-6

The analysis in the DEIR is flawed because there are factual inaccuracies throughout the analysis that taint the ultimate conclusion. These inaccuracies are contained in the analysis of the project's impacts on the agricultural water supply, and in the analysis of the impact of the use of the project's wastewater on the productive capacity of the vineyards (and other crops). The DEIR also improperly applies the applicable policies of the county, particularly in regard to agricultural buffers.

The DEIR is also flawed because it fails to fully consider the mitigation designed to minimize the project's potential impact on agricultural resources. The project already includes mitigation that would fully mitigate impacts on agricultural resources; however, the mitigation was not properly framed and identified in the consideration of potentially significant impacts. Once all of the mitigation is considered, the project's potential environmental impacts on agricultural resources are *less than significant* and consistent with past County precedents on other similar cluster projects.

LV-6-7

TRANSPORTATION AND CIRCULATION

US 101 and US 101/Los Berros Road/North Thompson Avenue Interchange

LV-6-8

U.S. 101 operates at LOS D with or without the project. Some of the ramp junctions at the US 101/Los Berros Road-North Thompson Avenue interchange operate at LOS D with or without the project. According to the DEIR, project traffic is considered significant since the threshold is the addition of **one trip.** If the County were to apply these thresholds consistently, all development projects (one house) in the Nipomo area would generate significant impacts. In the opinion of ATE (a reputable traffic firm frequently engaged by the County) the (project and cumulative) traffic impacts on US 101 and the Los Berros/North Thompson Avenue Interchange would not be significant (see attached letter from ATE dated October 29, 2008). Therefore TR Impact 4 and TR Impact 15 should not be identified as Class I impacts.

Laetitia Vineyard Drive Access

LV-6-9

The secondary access is proposed for *emergency* purposes only, and yet the impact is identified as Class I in the DEIR. The mitigation outlined in the DEIR is to install control measures to allow emergency access while limiting typical residential traffic. Potential measures listed in the DEIR include gate control by opticom transmitters and detectors, and signage. Emergency use is not a normal use, and since the use of this gate by project residents would only be under unusual *emergency* circumstances, its use could not be considered significant. The applicant is now proposing to control this secondary emergency access by installing a gate with the facility controlled and operated by a guard assigned to the facility on a 24-hour basis. The manned gate would only be opened for emergencies. In the opinion of ATE this mitigation would reduce any potential (project and cumulative) impacts to less than significant since traffic would use the secondary access only during an emergency. Therefore TR Impacts 10 and 13 should not be identified as a Class I impact.

Traffic Mitigation

LV-6-10

In addition, please refer to the ATE and RRM comment letters (October 29, 2008 and November 6, 2008 respectively) concerning the inappropriate DEIR mitigation measures proposed (no nexus nor rough proportionality).

AIR QUALITY

LV-6-11

The Draft EIR uses an outdated version (Urbemis 2002 version 8.7) of the required model to analyze project operational air quality impacts. Using the latest model (Urbemis 2007 version 9.2.4), project impacts would be less (see attached detailed comments and model out puts) than the (Tier II) threshold and would be mitigable. The extensive mitigation measures identified in the Draft EIR (AQ/mm-13) are not necessary.

See the RRM letter dated November 6, 2008 for appropriate mitigation to be incorporated into the project based on the San Luis Obispo APCD CEQA Air Quality Handbook (April 2003).

NOISE

Thompson Road Operational Impact

LV-6-12

The Draft EIR identifies the increase of 1.2 dBA along North Thompson Road as a Class I impact. The County Ordinance indicates that the threshold for increased noise, when existing noise levels exceed acceptable levels for identified land uses, should be 1 dBA at the property line. The modeled noise levels shown in the Draft EIR are for 50 feet from the centerline of the roadway. At 60 feet from the centerline, the increase in noise level of 1.2 dBA would be reduced to the acceptable increase of 1 dBA. Given the error margins in the model, distances to property lines, measures to reduce trips (telecommuting), the nature of the project, adjacent uses (US 101), we believe that the increase of 1.2 dBA along N. Thompson Road (NS Impacts 2 and 5) should be identified as a Class II impact.

Agriculture Operational Impact on Project Residents

LV-6-13

Residents are anticipated to be wine lovers who want to experience winemaking and who would *choose to live on an active farm*. Residents would be notified of potential agricultural related issues when they purchase their property, and owners would be asked to sign an acknowledgement of what they should expect. Additionally, Laetitia has submitted as part of its project description an Agricultural Management Plan addressing the communication protocol between the farm operation and residents. As for many residences in agricultural areas, noise levels in the Laetitia Agricultural Cluster could experience noise that could occasionally exceed the county levels. The County's Right to Farm Ordinance allows for agricultural noise in agricultural areas. We believe that the notification of project owners prior to purchase, combined with insulation would reduce NS Impact 3 to a less than significant Class II impact.

AESTHETIC RESOURCES

LV-6-14

There are primarily two reasons why the analysis of aesthetics in the DEIR is flawed: (1) the photo simulations do not accurately reflect how the project will actually be perceived by the public, and (2) the DEIR fails to properly apply applicable County policies and precedent thresholds established by previously approved agricultural cluster projects and County ordinance. These flaws in the analysis are pervasive throughout the DEIR. There are also many factual inaccuracies.

If the applicable aesthetic policies are properly applied to the project, there are primarily four reasons why the project will not have significant aesthetic impacts: (1) agricultural cluster projects are encouraged by the Highway 101 Corridor standards for minimizing visual impacts – the project is a cluster project that complies with all corridor standards; (2) most of the project home sites are more than one mile from Highway 101 – which would even satisfy the standards for a State scenic highway such as US 1 (US 101 next to Laetitia is not a State designated scenic highway; (3) the project will be viewed at high speeds from rolling topography by commuters and truck traffic -- thus the public will only see the project site momentarily and many drivers will not be particularly sensitive to changes in the landscape; and (4) there is existing development throughout the area surrounding the project, and the views could generally be classified as "common," therefore the area is not particularly sensitive to changes to the landscape or "rural character."

The project's potential environmental impacts after mitigation are *less than significant*.

HAZARDS AND PUBLIC SERVICES

While CAL FIRE would prefer to have unimpeded access and resident access and egress at Laetitia Vineyard Drive, we (as a new mitigation measure) propose to include guard-gated access at the gate on Laetitia Vineyard Drive thus ensuring immediate CAL FIRE access and resident emergency egress. Therefore the project includes adequate access to ensure life safety and HM Impact 2 should now be identified as a Class II impact. **LV-6-15**

The project would increase the number of residents served by CAL FIRE, but there is no evidence to suggest that this increase would be significant -- especially with addition of the guard-gated access on Laetitia Drive. Therefore PSU Impact 4 should be identified as a Class II impact.

Regarding PSU/mm-6, we are willing to work with CAL FIRE to provide a one-acre site within the Laetitia Mitigated Plan, if CAL FIRE can establish the nexus, rough proportionality, utility, and effectiveness of this measure. **LV-6-16**

WATER

While water is not identified as a Class I impact, the mitigation measures imposed on the project to reduce the impact to a Class II impact (**WAT/mm-1** bulleted items 1, 2 and 3) are detrimental to the project. On a one-acre lot, an irrigated area of 1,500 square feet of which 20% of that is allowed as turf would be insufficient to allow for the landscape screening contemplated (and required by the Highway Corridor Standards) and the quality of development proposed. **LV-6-17**

The DEIR does not take into account the water to be recycled from the wastewater treatment plant that would be used to irrigate agricultural land and/or common areas, which would reduce potable water demand (water pumped from the wells) by up to 35.6 acre feet per year (afy).

Given the available water from on-site wells, an appropriate limit for total permanently irrigated landscaped area per homesite is 7,500 square feet, of which 6,000 square feet would be low-water use planting and 1,500 square feet would be turf. This limit would result in the project using significantly less than available water supply from on-site wells (see attached Cleath letter dated November 4, 2008).

ALTERNATIVES

As discussed extensively in the RRM letter dated November 6, 2008, we have developed a Revised Project Alternative (Mitigated Plan) that incorporates in detail, with sensitivity to project design and avoiding any further impacts, the mitigation measures identified in the DEIR. We then asked ESA to compare the impacts of this Mitigated Plan to the impacts of the project and other alternatives described in the DEIR, in the same manner as compared in the DEIR (see Table VI-2 page VI-35). The results of this analysis conclude that the Mitigated Plan is the Environmentally Superior Alternative. Using the DEIR scoring system (with a higher score indicating fewer impacts), the Mitigated Plan scores 17, and the previously DEIR-identified Environmentally Superior Alternative (Single Cluster) scores 14. The Mitigated Plan achieves this score through sensitive design *and* avoids reducing units, which enhances the economic viability of the project. **LV-6-18**

Thank you in advance for your detailed consideration and balanced review of these comments. Please do not hesitate to contact me if there is any additional information that I, or my consultants, can provide.

Sincerely,

John Jamneck
Laetitia Vineyard and Winery

ATTACHMENTS TO JOHN JANNECK LETTER

LV-6-1	COMMENTS, LAETITIA AGRICULTURAL CLUSTER< SUBDIVISION TENTATIVE TRACT MAP AND CONDITIONAL USE PERMIT, DRAFT EIR	**LV-6-19**
LV-6-2	POLICY CONSISTENCY ANALYSIS MITIGATED PLAN	
LV-6-3	LETTER FROM JOSEPH KASPEROVICH, PROFESSOR, CALIFORNIA POLYTECHNIC STATE UNIVERSITY, SAN LUIS OBIIPO	
LV-6-4	RRM VISUAL SIMULATIONS (1 through 10)	
LV-6-5	PARCEL LINES AND LAND USE IN THE PROJECT AREA	
LV-6-6	LETTER FROM LINO BOZZANO,, MANAGER LAETITIA VINEYARDS REGARDING VIABILITY OF REPLANTING AREAS	
LV-6-7	EXAMPLE BUFFER CALCULATIONS, (Small, Medium, Large)	
LV-6-8	LETTER FROM ATE, TRAFFIC COMMENTS	
LV-6-9	LETTER FROM CLEATH & ASSOCIATES, WATER ANALYSIS	
LV-10	URBEMIS MODELING RESULTS (2007 version 9.2.4)	
LV-11	SUGGESTED NOISE WALL DESIGN	
LV-6-12	OAK TREE INVENTORY, DAVE'S TREE SERVICE	
LV-13	STEELHEAD IMPACT, MEMORANDUM FROM MIKE PODLECH, AQUATIC HYDROLOGIST	
LV-14	COMMENT AUTHORS, FIRM QUALIFICATIONS, INDIVIDUAL RESUMES	

Responses to John Janneck's Comments: Cover Letter (LV-6)

Comment No.	Comment
LV-6-1	Please refer to specific comments below.
LV-6-2	Please refer to response to comment letter LV-6-2.
LV-6-3	The applicant's submitted Oak Tree Inventory (comment letter LV-6-12) has been reviewed, and the Applicant's Mitigated Project Alternative is included in the Recirculated Draft EIR (2013) and Final EIR. Please refer to these current documents.
LV-6-4	Please refer to the Recirculated Draft EIR (2013) Biological Resources, Water Resources, and Alternatives sections, and Final EIR regarding impacts to Los Berros Creek and steelhead.
LV-6-5	Please refer to the Recirculated Draft EIR (2013) Alternatives section and Final EIR regarding impacts to archaeological resources.
LV-6-6	The County concurs that clustered development can be used as an incentive to protect and preserve large areas of farmland. The proposed project was evaluated based on its design, the baseline environmental setting, consultation with the County Agricultural Commissioner's office, and review of the applicable County ordinances and policies. Please refer to the Recirculated Draft EIR (2013) and Final EIR regarding Water Resources and agricultural water supply, which incorporates additional information provided by the applicant regarding vineyard irrigation. Any inaccuracies specifically noted by the applicant are addressed in this response to comments chapter, as noted.
LV-6-7	Based on review by the County Agriculture Department, the permanent conversion and loss of existing productive Farmland would result in a significant adverse impact, as documented in EIR Section V.B. Agricultural Resources. The applicant's proposal to replace removed vineyards would reduce the identified impact, but would not fully mitigate the permanent loss of productive Farmland because there is no guarantee that the replacement vineyards would be equitable, and the County cannot mandate agricultural production in the long-term.
LV-6-8	Please refer to responses to specific comments from the applicant's consultant, ATE (comment letter LV-19).
LV-6-9	Please refer to responses to specific comments from the applicant's consultant, ATE (comment letter LV-19) and response to comment LV9-21 regarding the emergency access proposal.
LV-6-10	Please refer to responses to specific comments from the applicant's consultant, ATE (comment letter LV-6-8) and RRM (comment letter LV-7).
LV-6-11	Please refer to the Final EIR, which includes an updated air emissions model.
LV-6-12	Please refer to Final EIR Section V.I. Noise, NS Impact 2, for clarification regarding the noise impact determination.
LV-6-13	As noted in the EIR, the project would subject sensitive receptors (residents) to daytime and nighttime noise exceeding identified acceptable thresholds of significance. The applicant's current proposal for a noise wall at the processing facility would address daytime noise; however, nighttime noise generated by agricultural equipment would not be mitigated by the applicant's proposed buffers, and this impact would remain significant based on the County Noise Element.
LV-6-14	Please refer to Final EIR Section V.A. Aesthetics, 4. Impacts Assessment and Methodology, which outlines the sound practices which were conducted to assess potential impacts. When compliance with an existing regulation alone would not avoid or reduce identified significant effects, additional mitigation may be required. The aesthetics analysis assumes that required Highway Corridor Design Standards would be implemented, and notes that "Further review and analysis is required for projects requiring a discretionary permit, such as subdivisions. Based on the size, density, and location of proposed development, the project appears inconsistent with the intent of the Highway

Comment No.	Comment
	Corridor Design Standards to preserve the existing rural landscape as seen from the highway, and implementation of the standard guidelines would not sufficiently mitigate potential visual impacts" (refer to EIR Section V.A. Aesthetics, 2. Regulatory Setting, f. San Luis Obispo County General Plan Land Use Element South County Area Plan). As noted in Final EIR Section V.A. Aesthetic Resources, the project site makes up a portion of the last remaining visible open space east of the highway between the urban areas of Nipomo and Arroyo Grande, and Newsome Ridge is identified as a Sensitive Resource Area (SRA-47) in the County Agriculture and Open Space Element. The County Open Space Element includes policies to identify and protect open space, prevent urban sprawl, and reduce visibility of structures as seen from Highway 101. The identification of visual protection standards within the greenspace areas between urban areas along the Highway 101 corridor in San Luis Obispo County (including the project site) is a clear indicator of visual sensitivity. Although Highway 101 is used by commuters and commercial truckers, it is also used by tourists, visitors, and residents and the change in visual character from agricultural/rural to residential use would be noticeable, even at high vehicle speeds.
LV-6-15	Please refer to response to comment LV9-21 regarding the emergency access proposal, based on current communications with Caltrans and Calfire.
LV-6-16	A specific site for a fire station has not been identified by the applicant or Calfire to date. The set-aside of location would not include construction or operation of the facility, and construction of the facility may result in impacts on the environment depending on the location.
LV-6-17	Please refer to Recirculated EIR and Final EIR Section V.P. Water Resources regarding water supply and demand.
LV-6-18	Please refer to Recirculated EIR and Final EIR Chapter VI Alternatives Analysis, which incorporates the Applicant's Mitigated Project Alternative.
LV-6-19	Please refer to responses to specific comments above and below.

COMMENTS
LAETITIA AGRICULTURAL CLUSTER
SUBDIVISION TENTATIVE TRACT MAP AND
CONDITIONAL USE PERMIT DRAFT EIR

LV-6-1 1

POLICY CONSISTENCY ANALYSIS

The Draft EIR contains an analysis of County policies that focuses too narrowly on one or two components of the project. Rather analysis of County policies should contain a balanced review of all the project characteristics as compared to the broad policy goals and objectives. A more comprehensive analysis based on a review of project impacts and mitigations along the lines of past County precedent reveals different conclusions with regard to project consistency. **LV-6-1-1**

In addition it should be noted that the DEIRs interpretation of the number of allowed units on the site is incorrect. See County Planning department letter dated December 10, 2004, attached to letter from KMTG dated November 6, 2008.

The attached table provides a more comprehensive review of project characteristics compared to County policy; note this table provides a summary of how the project would address County policy; please see prior materials submitted by ESA (Technical Study), correspondence from RRM (November 6, 2008) submitted as comments on this DEIR, as well as correspondence from KMTG (also dated November 6, 2008), for a more comprehensive assessment of project impacts and consistency with applicable County policies.

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AESTHETICS

1.) CLASS 1 IMPACT, AESTHETIC RESOURCES

LV-6-1-2

The DEIR states that impacts on the aesthetic resource values in the project area will be significant and unavoidable, Class I impacts. (DEIR, pp. 11-16 - 11-19.) The DEIR states that the "[d]ecision-maker must issue a 'Statement of Overriding Considerations' under CEQA Guidelines Section 15093 if the project is approved," for the following potentially significant impacts:

AES Impact 4	Visibility of development and associated earthwork related to main Road 2, residential development of Sub-cluster E (Lots 87 through 105), Roads A, B, E, and F, residential development of Lost 46, the water storage tank, associated cut slope and access road, would adversely affect the rural visual character and increase noticeabiltiy of the project as seen from Highway 101 resulting in a direct long-term impact.
AES Impact 5	Visibility of the residential development of Sub-cluster A (Lots 1 through 23) would adversely affect the rural character of the area and would be in conflict with SRA goals and the Highway 101 Corridor Design Standards, resulting in a direct long-term impact.
AES Impact 6	Visibility of the residential development of Sub-cluster B (Lots 24 through 43) would adversely affect the natural and rural visual character of the Upper Los Berros Road corridor resulting in a direct long-term impact.
AES Impact 18	The visibility of individual project elements in the context of emerging development along the Highway 101 corridor would result in direct and indirect long term adverse cumulative impacts.

(DEIR, pp, II-16- II-19.)

2) DEIR ANALYSIS OF AESTHETIC RESOURCES IS FLAWED

LV-6-1-3

There are two reasons why the analysis of aesthetics in the DEIR is flawed: (1) the photo simulations do not accurately reflect how the project will actually be perceived by the public, and (2) the DEIR fails to properly apply applicable county policies and precedent established by previously approved agricultural cluster projects and the County Viewshed Ordinance. These flaws in the analysis are pervasive throughout the DEIR. There are also many factual inaccuracies, but those will be addressed in Section 4, below.

Photo Simulations Are Not Representative Of Human Perception Of Project:

The DEIR's analysis of aesthetics is flawed, because the photo simulations in the DEIR do not accurately reflect how the project would actually be perceived by the public.

The DEIR admits that the pictures at EIR pages 317-381, which are the basis for the analysis of aesthetics in the EIR, do not meet industry and accepted standards for properly replicating a "human eye" view. (See DEIR, p. V-295.) However, the DEIR further states that the pictures

actually underestimate the visual impacts of the project because the pictures, "…do not represent the same level of acuity and sensitivity to detail as the human eye." The DEIR is flawed because it provides no basis for this conclusion. There is no description of the techniques used to take the pictures. There is no explanation of why the techniques that were used allegedly underestimate the purported impacts of the project. And, there is no explanation of the value of using a picture taking technique that does not accurately reflect the project as perceived by the human eye. Because the entire analysis of aesthetics is based on these flawed visual simulations, the DEIR's conclusions regarding significant impacts are also flawed. **LV-6-1-3 (cont'd)**

RRM has retaken the pictures using a technique that does reflect how the project will be perceived by individuals using Highway 101, local roads, and other public spaces. To most closely approximately the view from the human eye, the applicant used a 50 mm lens on a full frame camera (CMOS chip sensor)[1] focused at infinity. Focal length is measured in "mm." The magnification which most closely matches the eye is 50 mm. Even though the human eye has a much bigger field of view, if a person looks at something, and then through a 50 mm lens, the perception of the object would be nearly identical. This technique provides a field of view ("FOV") of 39.6 degrees. It provides a 1:1 ratio to the 35 mm format and also provides a 3:2 horizontal-vertical aspect ratio. The 39.6 FOV can be used directly for CAD purposes to lay out the FOV in plain view over a base map or aerial photo. RRM used a tripod with a multi-axis bubble for leveling. The camera height was set to approximately 49" to 51" to simulate an average driving view height.

Joseph Kasperovich, a professional architectural and field photographer, has provided documentation explaining why the methodology explained above is the industry standard for replicating how people perceive the project. He explains the accepted standards for replication of human visual acuity, the methodology and equipment used in the visual simulations (letter from Kasperovich, attached). **LV-6-1-4**

All of the pictures in the DEIR have been manipulated, suffering from the improper use of wide-angle lenses, panoramic views, and zoomed in views that distort the accuracy of the photo simulation. The DEIR should be amended to include more accurate visual simulations, like those taken by RRM. **LV-6-1-5**

Failure To Properly Apply County Policies: **LV-6-1-6**

Contrary to statements and certain assumptions contained in the DEIR, the project site is not located in a designated Sensitive Resource Area (SRA). There are numerous developed parcels in the vicinity of the site (see attached exhibit showing parcel lines and land use in the project area (RRM 11). The project is surrounded by what could be considered common views, being near other residential development that can be seen from public roads. (See also, Laetitia Agricultural Cluster, Technical Study [Technical Study], ESA, June 2007, p. 26.) While the project can be seen from certain locations on Highway 101, the highway is not a designated scenic highway or a scenic corridor. Also contrary to statements in the DEIR, the project is not located in a designated Sensitive Resource Area (SRA). (*See*, LUO 22.112.030(A)(3)(c) [the only SRA in South County is Black Lake Canyon].) Nor is the project located in a designated viewshed area. Therefore, the county policies do not require a finding of significance merely because a portion of a new

[1] If a non-full frame camera is used (like most consumer cameras) a multiplier must be used. The results using a multiplier are not as accurate as using a full frame camera.

residence at the project site may be visible from a public road. The contrary assumptions underlying the analysis in the DEIR are incorrect, and the analysis must be revised regarding conclusions regarding significance and effect on the rural character.

LV-6-1-6 (cont'd)

If the applicable aesthetic policies are properly applied to the project, there are primarily four reasons why the project would not have significant aesthetic impacts: (1) agricultural cluster projects are encouraged by the Highway 101 Corridor standards for minimizing visual impacts – the project is a cluster project that complies with all corridor standards; (2) most of the project is more than 1 mile from Highway 101 – which would even satisfy the standards for a scenic corridor like Highway 1; (3) the project would be viewed from high speeds from rolling topography (as a major transportation route in the state, much of the traffic on Highway 101 is commuters and truck traffic); thus the public would only see the project site momentarily and many drivers would not be particularly sensitive to changes in the landscape, and (4) there is existing development throughout the area surrounding the project, and the views could generally be classified as "common," therefore the area is not particularly sensitive to changes to the landscape or "rural character."

Highway 101 Corridor Design Standards

While a portion of the project is located within the Highway 101 Corridor Design Standards, these standards do not require a mandatory finding of significance when a project can be simply seen from Highway 101, rather they are standards for minimizing the visual impacts of a project. As a means to preserve the rural character of the area, the Highway 101 standards encourage agricultural clustering projects. (LUO22.112.040(A)(3)(f); see also, LUO 22.112.020(D).) As this project is a cluster development encouraged by the Highway 101 Corridor Design Standards, the project is designed to be more aesthetically pleasing than traditional residential construction and the potential visual impacts of the project have already been minimized. The DEIR should have acknowledged that this type of cluster development is encouraged. The analysis in the DEIR should be revised accordingly.

LV-6-1-7

The Highway Corridor Design Standards also include requirements for maximum building heights of 25 feet, and limitations on silhouetting. The project would comply with these requirements in every area where they apply. The project has also extended these requirements to areas that are outside of the corridor but where adoption of these standards would further minimize the visual affects of the project. The DEIR should be revised to acknowledge that the project is in full compliance with the Highway 101 design standards, and that the project has even applied the standards where they are not otherwise required.

LV-6-1-8

The DEIR misapplies the 101 Highway Corridor Design Standards, as these standards do apply to discretionary projects. In DEIR page V-290 it states:

> Based on review of the standards and consultation with County long-range planning staff (Jamie Lopes, 2008), the general standards are intended to be applied to ministerial (i.e., building permit issued for single-family dwelling). Further review and analysis is required for projects requiring a discretionary permit, such as subdivisions.

The indication that the "intended" use of Highway Corridor Standards is for ministerial projects is in direct contradiction to the language of OCP-25 – Development and Land Divisions Within

5

Scenic Corridors. OSP-25.a indicates "Proposed **discretionary** development and land divisions within scenic corridors **shall** address the protection of scenic vista as follows… (emphasis added). The applicability of the Highway Corridor Standards to discretionary permits is clear.

LV-6-1-8 (cont'd)

The six listed criteria for addressing discretionary permits do not list "size of the project" or "density of the project." The project as proposed provides an overall open space area of approximately 93% of the property owned by the applicant. The applicant has located proposed development considering a balance of factors, including the presence or absence of existing agricultural crops, use of existing roads, views from off-site, use of topography, screening, colors and other factors in order to achieve the "balance" desired in OSP 25. The DEIR overstates the intent of OSP-25. The intent of OSP-25 is not to "preserve" the existing rural landscape. "Preservation" implies keeping the same, without change. OSP-25 allows new development to occur subject to the listed criteria thus its intent is to minimize allowed intrusions using the listed criteria.

LV-6-1-9

The applicant has sought to eliminate all silhouetting of homes in the project and agrees to limit the height of homes to eliminate silhouetting. All new wire, dry and wet, utilities to serve the project will be placed underground, when practical. Known exceptions to this are the wastewater treatment head works (the tanks are proposed underground), and the water tank. The water tank will be screened from view from US 101 by tank placement (refined if necessary), earthwork and landscape screening. The analysis in the DEIR should be amended to more accurately reflect the application of the 101 Highway Corridor Design Standards to the project.

LV-6-1-10

Precedent Set By Standards That Are Applicable To Scenic Corridors (Highway 1)

The DEIR is applying a standard to Highway 101, which is not a designated scenic highway, that is more restrictive than the standards applied to Highway 1, which is designated a "State Scenic Highway and 'All American Road' in the National Scenic Byway Program." (LUO 22.92.020(c)(1).) The restrictions applicable to Highway 1 are limited to activities that are "visible from and within one mile of Highway 1." (LUO 22.92.020(c)(2).) The Highway 1 standards define "visible" as "…the ability to see 50 percent or more of the entire structure when viewed from a line of sight that is directly perpendicular from Highway 1 to the structure at the shortest distance from Highway 1." (LUO 22.92.020(c)(3)(a).) The DEIR inappropriately applies a higher standard to Highway 101, finding significant impacts when the structures are less than 50% visible and located more than a mile away. As Highway 101 is not designated a scenic highway, the limitations on aesthetics should be less restrictive, not more, than those applied to Highway 1. The analysis in the DEIR should be amended accordingly.

LV-6-1-11

Precedent Set By Approved Agricultural Cluster Developments

The DEIR should also have followed precedent established by other development projects (especially agriculture projects). Specifically, the DEIR should have incorporated into its analysis the fact that the public space from which the project may be seen is primarily Highway 101, which means that the project site will only be viewed from cars moving at high speeds. (See, Edna Ranch FEIR and Monbito Initial Study and Negative Declaration.) There are few opportunities, if any, for the public to view the project while standing beside the road or at some other public space. The environmental consulting firm ESA calculated the visibility of this project from Highway 101 in a moving vehicle in a manner similar to that applied to the Edna Ranch and Morabito projects. They determined that the project's 7,000 feet perimeter along

LV-6-1-12

Highway 101 could only been seen for a little more than 60 seconds if a motorist is passing the site at approximately 60 miles per hour. (Technical Study, p. 27, fn. 4.) Further complicating the ability of the public to view the project is the fact that Highway 101 in the project area has rolling topography, as does the project site itself. Therefore, the project is only visible momentarily as motorists speed by over the rolling topography.

LV-6-1-12 (cont'd)

The Edna Ranch project EIR also applied the visual thresholds established by the US Forest Service, and an adaptation of criteria for urban design used in *Fundamentals of Urban Design* by Hedman and Jaszewski (1984). (Technical Study, p. 4.) The US Forest Service assumes "a greater sensitivity by those driving, walking, and bicycling for pleasure and those engaged in recreation activities than those commuting for work-related purposes." (Technical Study, p. 5.) Highway 101 in the project area is not safe for bicycling or walking. It is also a major road artery, used heavily by commuters and by large commercial trucks. The commercial nature and the use by commuters should have been factored into the DEIR's determination of how sensitive the public would be to minor changes in the aesthetics of the area.

There is another threshold or rating system that has been used by San Luis Obispo County and other counties in the state: the modified US Fish and Wildlife Service/ Lawrence Headley guideline. (Technical Study, p. 5.) Under this rating system, the project site would generally be considered to have only "common" views. The combination of "common" views, the commuter and trucking traffic on Highway 101, and the number of already existing residences throughout the area surrounding the project, see RRM-11, strongly suggests that the test for measuring aesthetic impacts should not be particularly sensitive to changes in the landscape or "rural character." The analysis in the DEIR should be modified accordingly.

LV-6-1-13

3) RECOMMENDED CHANGES TO THE DEIR

AES Impact 4:

Impact 4 is illustrated by pictures in the DEIR as follows: KVA-1, EIR at V-319; KVA-5, EIR at V-343; KVA-6, EIR at V-347; KVA-6, EIR at V-349; KVA-6, EIR at V-351; and KVA-7, EIR at V-355. The fundamental problems with these pictures are described in Section 2, above. The analysis of AES Impact 4 is also flawed for all of the reasons described in Section 2, above. The discussion in Section 2 provides further explanation of why AES Impact-4 is not a Class 1 impact.

LV-6-1-14

The project applicant has reproduced the pictures in the DEIR to illustrate how the public will actually perceive the project. The project applicant's pictures are attached as exhibits RRM-1, RRM-5, RRM-6, and RRM-7. We have the following specific objections to the photos in the DEIR and the resulting analysis:

- *Photo Simulation KVA-5 and RRM-5*:
  These photos were taken of the same intersection from northbound Highway 101. The picture in the DEIR was apparently taken from the hill above Highway 101 looking down on the intersection. The DEIR photo does not accurately reflect what a person would actually see from Highway 101. The project applicant's picture, RRM-5, was taken from the side of Highway 101 looking toward the project site. The DEIR photos also have inserted frames that are zooming in at the project site in a couple of different ways that do not reflect how people standing at this location would actually see the project. The

LV-6-1-15

improper enlargement of the project exaggerates the potential visual impacts of the project. In fact, Cluster E is more than one mile from Highway 101, thus the fact that the roof tops may be seen is not a significant impact. The project applicant's photo RRM-5 is a more accurate representation of the aesthetics of the project. The proposed residences are less visible in RRM-5, which was taken using methods that more accurately reflect how the human eye would perceive the project. **LV-6-1-15**

- *Photo Simulation KVA-1 and RRM-1:*
  These pictures were taken of the project site from southbound Highway 101. The picture in the DEIR was taken from above the Highway 101, rather than from eye level of someone standing next to the road. RRM-1, shows that when someone is actually on the highway, they cannot see the top of the home on Lot 46. RRM-1 is a more accurate representation of the aesthetics of the project. **LV-6-1-16**

- *Photo Simulation KVA-6 and RRM-6:*
  The fact that a portion of any home from this project could be seen from this location on Highway 101 is insignificant, as the rural character of this location is already substantially impaired. There are numerous rather unsightly greenhouses in the foreground, thus the view from the highway is anything but pristine. The project site is not a SRA. At the same time, there are problems with the photos KVA-6 at DEIR pp. V-349 and V-351. These photos have inserted frames that are zooming in at the project site in a couple different ways that do not reflect how people standing at this location would actually see the project. The improper enlargement of the project exaggerates the potential visual impacts of the project. RRM-6 is a more accurate representation of the aesthetics of the project. **LV-6-1-17**

- *Photo Simulation KVA-7 and RRM-7:*
  The photos KVA-7 at DEIR on pp.V-355 and V-357 are misrepresenting the aesthetics of the project because the inserted frames are zooming in at the project site from various angles. The improper enlargement of the project exaggerates the potential visual impact of the project. The project applicant's photo RRM-7 is a more accurate representation of the aesthetics of the project. **LV-6-1-18**

AES Impact- 5:

Impact 5 is illustrated by picture KVA-5, DEIR at p.343. The fundamental problems with these pictures are described in Section 2, above. The analysis of AES Impact 5 is also flawed for all of the reasons described in Section 2, above. The discussion in Section 2 provides further explanation of why AES Impact-5 is not a Class 1 impact. **LV-6-1-19**

RRM has reproduced the pictures in the DEIR to illustrate how the public would actually perceive the project. RRM's pictures are attached as exhibit RRM-5. We have the following objections to the photos in the DEIR and the resulting analysis:

- *Photo Simulation KVA-5, DEIR at p. 343 and RRM-5:*
  These photos were taken of the same intersection from northbound Highway 101. The pictures in the DEIR were apparently taken from the hill above Highway 101 looking down on the intersection. The DEIR photo does not accurately reflect what a person would actually see from Highway 101. The DEIR photos also have inserted frames that **LV-6-1-20**

are zooming in at the project site in a couple different ways that do not reflect how people standing at this location would actually see the project. The improper enlargement of the project exaggerates the potential visual impacts of the project. RRM-5, was taken from the side of Highway 101 looking toward the project site. RRM-5 is a more accurate representation of the aesthetics of the project. The proposed residences are less visible in RRM-5, which was taken using methods that more accurately reflect how the human eye would perceive the project. Contrary to statements in the DEIR, the proposed residences illustrated in RRM-5 do not silhouette against the skyline.

LV-6-1-20 (cont'd)

The fact that a portion of any home from this project could be seen from this location on Highway 101 is insignificant, as the rural character of this location is already substantially impaired. There are numerous existing houses in the foreground, thus the view from the highway is anything but unimpaired. Contrary to statements in the DEIR, this location is not a SRA.

Proposed lots 11 and 12 are now proposed to be repositioned to accommodate the CAL FIRE requirements for emergency access (see letter from RRM). The project applicant will also be implementing mitigation measure AES/mm-17. The visibility of these proposed residences could be further minimized as a result.

AES Impact-6:

Impact 6 is illustrated by pictures in the DEIR as follows: KVA-8, DEIR at pp.V-361 and V-363; KVA-9, DEIR at pp.V-365, V-367 and V-369; KVA-10, DEIR at pp. V-371, V- 373 and V-375. The fundamental problems with these pictures are described in Section 2, above. The analysis of AES Impact 6 is also flawed for all of the reasons described in Section 2, above. The discussion in Section 2 provides further explanation of why AES Impact-6 is not a Class 1 impact.

LV-6-1-21

RRM has reproduced the pictures in the DEIR to illustrate how the public will actually perceive the project. RRM's pictures are attached as exhibit RRM-6. We have the following objections to the photos in the DEIR and the resulting analysis:

AES Impact-18:

The analysis of impacts for AES-18 is encompassed within the analysis of AES-4.

4) APPLICATION OF RECOMMENDED CHANGES

Starting on page V-289, we suggest the text be revised as follows (new text underlined, deleted text shown through strike out):

LV-6-1-22

f. San Luis Obispo County General Plan Land Use Element - South County Area Plan

Chapter 4 of the South County Area Plan defines as a primary planning goal that development patterns support a clear distinction between urban and rural development, and the preservation of separate, identifiable communities. Chapter 4 also mentions that the large agricultural areas between Santa Maria, Nipomo and Arroyo Grande reflect a rural character that the community values.

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The western and northern portions of the project are subject to the Highway Corridor Design Standards as defined in the South County Area Plan. The limits of the Highway Corridor Design Standards coincide in part with the limits of the SRA S47 defined in the Agriculture and Open Space Element (refer to Figure V.K.-1). The purpose of the Highway Corridor Design Standards is to provide public views of:

LV-6-1-22 (cont'd)

- Scenic vistas and backdrops containing varied topography including ridgelines and rock features,
- Significant stands of trees and wildflowers; and
- Natural landmarks, historic buildings and pastoral settings.

These Highway Corridor Design Standards include the following applicable requirements:

> **2d. Ridgetop Development**. Structures within the corridor boundaries shall be located so they are not silhouetted against the sky.
>
> **2g. Building Height and Color**. Maximum building height is 25 feet above natural grade. Building color other than trim shall be similar to surrounding colors and no brighter than six in chroma and value on the Munsell Color Scale on file in the Department of Planning and Building.
>
> **2h. Landscaping**. A landscaping plan per the LUO is required that will insure at least 50 percent screening of structures at plant maturity.
>
> **5. Residential Land Divisions - Cluster Development Encouraged.** States as a guideline to "Retain land in open space in new land divisions that will preserve existing views of land subject to the Highway 101 Corridor Design Standards."

The Highway Corridor Design Standards were developed in anticipation of rural level development. Based on review of the standards and consultation with County long-range planning staff (Jamie Lopes, 2008), the general standards are intended to be applied to ministerial projects (i.e., building permit issued for single-family dwelling). Further review and analysis is required for projects requiring a discretionary permit, such as subdivisions. Based on the design ~~size, density~~, and location of ~~proposed development~~ the Mitigated Plan, the project is ~~appears in~~ consistent with the intent of the Highway Corridor Design Standards to ~~preserve~~ protect the ~~existing~~ rural landscape as seen from ~~the~~ US 101~~highway~~, and implementation of the ~~standard~~ guidelines ~~would not~~ will sufficiently mitigate potential visual impacts.

g. The San Luis Obispo County Design Guidelines

LV-6-1-23

This document prepared by the San Luis Obispo County Department of Planning and Building consists of "design objectives, guidelines and examples that will help retain and enhance the unique character of the unincorporated communities and rural areas of San Luis Obispo County." The following design objectives apply to the project site:

> **RU-1.** New residential subdivisions should locate building envelopes where the visibility of new buildings from public roadways and adjoining properties will be minimized.

LV-6-1-23 (cont'd)

RC-7a. Where possible, large cuts and graded pads should be avoided with foundations being stepped to minimize the alteration of natural contours.

RC-7b. Building masses should generally follow contours. On sloping sites, buildings should have multiple levels.

RC-7e. Artificial slopes that are visible to the public should match the natural contours in the immediate vicinity.

3. Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County of San Luis Obispo. County of San Luis Obispo planning documents do not contain specific criteria for determining thresholds of significance regarding aesthetic resources. However, in comparing the project to the above CEQA Guideline thresholds, substantial consideration was given to the project's consistency with public policies, plans, goals and regulations concerning scenic vistas, scenic roadways, visual character, and night lighting. The following goals, policies and guidelines described in the section above provide a basis for determining levels of potential impact as well as an indication of aesthetic values and sensitivity to visual change.

In addition to comparing the project to relevant policies and standards, the aesthetic resources assessment identified which specific criteria contribute most to the existing quality of each view, and if change would occur to that criteria as a result of the project. If a change in visual criteria was identified, this change was analyzed for its potential effect on the existing scenic character. This analysis was combined with the potential number of viewers, their sensitivities and viewing duration in order to determine the overall level of impacts. Specifically, the project would be considered to have a significant effect on the environment if the effects exceed the significance criteria described above.

4. Impact Assessment and Methodology

Several components were included in the assessment methodology used to determine project visibility, quantify visual change, and identify and assess of project impacts. Following are the key elements utilized in establishing the visual impact assessment for the project.

To most closely approximately the view from the human eye, a 50 mm lens was used on a full frame camera (CMOS chip sensor) focused at infinity. This technique provides a field of view ("FOV") of 39.6 degrees. It provides a 1:1 ratio to the 35 mm format and also provides a 3:2 horizontal-vertical aspect ratio. The 39.6 FOV can be used directly for CAD purposes to lay out the FOV in plain view over a base map or aerial photo. A tripod with a multi-axis bubble for leveling was also used. The camera height was set to approximately 49" to 51" to simulate an average driving view height. This technique most closely approximates a person's perception of the project while standing (or sitting) near the project site. The speed of the car from which the project will be viewed, has not been accounted for in the visual simulations. Therefore, the visual simulations are a conservative representation of the visual impacts of the project, potentially over estimating the project related changes to the landscape.

~~a. Reference Pylons~~

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~~Locations of proposed lots, maximum building envelopes, roadways and other project features were identified in the field based on site plan information provided by the applicant. Portable reference pylons were positioned at the center of each of the proposed building envelopes, as well as at critical roadway locations and structures. These pylon flags were used as a visual reference for establishing structure heights and locations and for determining overall project visibility.~~

~~Each pylon was equipped with a three-foot square reference flag affixed at a point 35 feet above existing grade, as well as a flag at 25 feet above ground. The 25 foot flag height represented the maximum building height allowed by Highway Corridor Design Standards defined in the County Ag and Open Space Element and LUO (refer to Figure V.K. 1 for a map of the Highway Corridor Design Standards boundary within which the 25 foot height limit applies). The 35 foot flag height was based on the maximum building height allowed within the Agriculture and Rural Lands land use categories defined in the County Ag and Open Space Element and the LUO. The 35 foot building height limit applies to the majority of the project site, which includes all areas outside of the Highway Corridor Design Standards boundary. The potential effects of the proposed wastewater recycling facility building and ponds were assessed using plans and elevations provided by the project applicant.~~

~~The reference flags were then observed from all potential viewing locations on Highway 101, Upper Los Berros Road, Dana Foothill Road, Sheehy Road, North Thompson Road, and all other public roadways in the area. As a result of these field studies, representative viewpoints were determined for further analysis. Key Viewing Areas (KVAs) were selected that would best illustrate the visual changes proposed by the project as experienced by the community and its visitors (refer to Figure V.K. 2 for KVA locations). The KVAs were specifically chosen based on County planning policy, anticipated viewer sensitivity, view access and viewing duration. Photographs were taken from the KVAs, and photo simulations were prepared illustrating the likely appearance of the project as proposed.~~

LV-6-1-23 (cont'd)

~~b.~~ a. Assumptions Regarding Project Appearance

LV-6-1-24

Each of the proposed residential parcels would be designed and developed individually by subsequent lot owners, therefore this visual resources section uses a "reasonable worst-case scenario" to assess potential impacts regarding the appearance of the residences and the developed lots. In conducting this analysis, the following assumptions were made:

1) Building Location within Each Residential Lot

The applicant is proposing specific building limit lines within each residential lot. It is reasonable to assume that the desire to maximize outward views would result in structure placement on the highest elevation possible within the buildable confines of each lot. The result may contribute to an increased visibility of structures as seen from off-site locations.

2) Residential Building Heights

~~The desire to raise the upper floors to gain a better view would put the roofs at the maximum allowable height above average natural grade. The result would be to increase exposure of the structure to view.~~ This study assumes that each residence will comply with the maximum height restriction defined in the LUO. As a result, all residential structures within the limits of the

Highway Corridor Design Standard boundaries would be 25 feet in height, and all other residences would be 35 feet in height. Specific residential lots subject to the Highway Corridor Design Standards ~~are shown in Figure V.K.-1 and~~ are listed as follows:

LV-6-1-24 (cont'd)

- Phase One - Lots 1 through 12 and Lots 16 through 23;
- Phase Two- Lot 46; and,
- Phase Three - Lots 87 through 91.

The study also assumes that certain lots outside of the Highway 101 corridor would be 25 feet in height, which would further minimize the appearance of these lots from public roads. Determination of building heights are defined in LUO Section 22.04.122 as: "the vertical distance from the highest point of the structure to the average of the highest and lowest points where the vertical plane of the exterior walls would touch the natural grade level of the site."

LV-6-1-25

3) Residential Building Size

It is likely, based on recent development trends and houses built on similar scale agricultural cluster subdivisions, that individual homeowners would desire larger houses, in the 3,000 to 6,000-square foot range. ~~These larger units would be potentially more visible~~.

4) Residential Building Character

Residential units designed for individual owners have the potential for using materials and forms that are highly visible (i.e., large reflective glass panes, bright color exteriors and expressive, non-compatible shapes).

5) Landscaping

LV-6-1-26

~~Although~~ Residential landscaping is expected on the ~~majority of~~ residential lots, ~~it is reasonable to assume that individual homeowners are not likely to place trees and other large plants such that quality views would be blocked.~~ It is assumed that screening of the homesite will comply with the LUO, where applicable, with 50% of residences and related structures screened as viewed from 101. ~~Additionally,~~ Large scale vegetation, such as trees, is not likely to prosper in ridgeline rocky soils. As a result, minimal large-scale landscaping would be placed along the outward facing, most visible sides of residential structures.

~~c.~~b. Photo-Simulations

LV-6-1-27

Photographic images and simulations are a valuable tool for understanding and disclosing the estimated visual effect of the proposed project. While the images accurately represent the project as perceived by the human eye by someone standing on local roads or Highway 101, the photo simulations do not account for the fact that the project would rarely be viewed from anywhere but a moving car. ~~It is important to note however that photographs do not represent the same level of visual acuity and sensitivity to detail as the human eye. As a result, photo simulations tend to understate the anticipated perception of impacts.~~ The posted speed on Highway 101 is 65 mph. US 101 is heavily traveled by commuters and large trucks. At these high speeds and rolling topography, there are significant safety issues that tend to keep drivers focused on vehicle control, defensive driving and roadway activities rather than looking at the view. There are few, if any, safe public viewing locations for anyone to stand along Highway 101, or ride a bicycle.

Therefore, the photo simulations overestimate the potential visual impacts of the project as they do not account for the speed from which the project will be viewed.

LV-6-1-27 (cont'd)

Photo-simulations were prepared in order to better understand and communicate the potential visual changes associated with the proposed project. Photo-simulation locations were selected to best show critical views, how the project would compare to applicable planning policy, or from viewpoints which would provide a good representation of the overall project character. No specific architectural styles are proposed for the residential development. The specific types of residential units shown in the photo-simulations are not proposed by the applicant. The residential structure images are representative only and are based on the appearance of existing homes in the area. They are a representation of the maximum height allowed for each lot, and depict a reasonable building scale and form. The photo-simulations show the development at a time period approximately five to ten years after construction ~~(refer to Figures V.K. 3 through V.K. 32)~~.

5. Project-specific Impacts and Mitigation Measures

LV-6-1-28

a. Project-wide

1) Earthwork

Because of the undulating to steep topography of the site, in order to create suitable building pads and road cross-sections, the project would result in ~~substantial amounts of~~ grading and earthwork. Due to the ~~extensive~~ visual exposure the site has to the surrounding public roads and other areas, ~~much~~ some of this earthwork would be visible. The visual contrast of disturbed earth combined with the angular appearance of engineered cut and fill slopes would be potentially seen from public roads, ~~great distances. This degree of visibility would increase noticeability of the project as a whole and would contribute to an alteration of existing rural character~~. Through successful vegetative erosion control, visibility of the earthwork would be reduced. These potential impacts would be considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures ~~(refer to Figures V.K. 3 through V.K. 32)~~.

AES Impact 1: **Earthwork required for some of the development of building pads, roads and utilities would be visible ~~throughout the project and would~~ could adversely affect rural visual character resulting in the short term, ~~a direct long term impact~~.**

AES/mm-1 At the time of application for construction permits for individual residential lots, the applicant for each individual lot shall submit grading plans to the County Department of Planning and Building for review and approval. Project CC&Rs shall state that county review of grading plans is required. Site grading on all residential lots shall be minimized to the greatest extent possible. Stepped foundations and other methods shall be used to minimize visible grading and reduce hillside scarring. Structure floor elevations shall generally follow the natural landform. Unavoidable grading shall be contour-graded where possible to avoid engineered, angular landforms. Slope-rounding shall be used where grading meets the natural topography and where slope grades change. Graded slopes shall not exceed of 2:1 (horiz:vert) to allow for successful revegetation.

AES/mm-2	At the time of application for construction or grading permits, the applicant shall show on the project plans, the border of cut slopes and fills rounded off to a minimum radius of five feet. For any visible cuts from public roads, sufficient topsoil shall be stockpiled and reapplied or re-keyed over these visible cut areas to provide at least eight inches of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed and prior to final inspection, the cut and fill slopes shall be reestablished with non-invasive, fast growing vegetation.	**LV-6-1-28 (cont'd)**
AES/mm-3	Prior to approval of the subdivision improvement plan, the applicant shall provide long-term erosion control plans for all disturbed areas. Erosion control shall include a vegetative component. Prior to recordation, the applicant shall provide independent third-party verification to the County Department of Planning and Building that the vegetative erosion control has been successfully established.	
AES/mm-4	At the time of application for construction permits for individual residential lots, the applicant for each individual lot shall submit long-term erosion control plans to the County Department of Planning and Building for review and approval. Plans shall include, but not be limited to, the use of revegetation efforts to restore disturbed cut and fill slopes visible from public roadways. Project CC&Rs shall state that county review of erosion control plans is required.	
Residual Impact	With implementation of these mitigations, in conjunction with the other measures recommended in this study, impacts due to the visual contrast of earthwork would be considered *less than significant with mitigation, Class II*.	

2) Residential Structures **LV-6-1-29**

The project would be visible from ~~many~~ viewpoints in the surrounding area and from important public roadways. The majority of the residences would be visible from at least one of the ~~many~~ viewpoints the project site affords. In spite of the visibility reduction measures identified in this section, ~~most~~ some of the residential structures would remain at least partially within public view. ~~As a result,~~ Structures with highly reflective or light colors and building forms that contrast with the natural landform would draw attention to the built character of the project, even though the proposed structures are miles away and only visible from passing cars, ~~as a whole and would adversely affect the existing rural character of the setting~~. Residential buildings that blend with the overall landscape setting in terms of form and color ~~and~~ would lessen the adverse affect on the visual environment. Landscape screening placed on the most visible sides of the residences would further reduce impacts.

These potential impacts would be considered potentially significant, but would be minimized or avoided through implementation of appropriate mitigation measures ~~(refer to Figures V.K.-3 through V.K.-32)~~.

AES Impact 2	**Reflective colors and contrasting forms of the residences, accessory buildings, walls and fences cwould increase project ~~noticeability~~**

visibility ~~and adversely affect rural visual character~~ resulting in a direct long-term impact.

LV-6-1-29 (cont'd)

AES/mm-5 At the time of application for construction permits on individual residential lots, each individual lot applicant shall submit architectural elevations of all proposed structures, walls, and fences to the County Department of Planning and Building for review and approval. Project CC&Rs for residences shall state that county review of elevations and related plans is required and shall outline the parameters specified below. Review shall include any proposed retaining walls and fences. The elevations shall show forms, dimensions, exterior finish materials and colors, as follows:

a. Roofs shall be articulated and follow the general shapes of the hills and avoid flat planes which project against the background in long straight lines or acute angles which may be considered intrusive to the existing natural character of the hills and vegetation.
b. Building, retaining wall, and fence colors shall be similar to surrounding natural colors and no brighter than six in chroma and value on the Munsell Color Chart.
c. Structure exterior wall colors, retaining wall and fence colors shall be limited to muted earth tones. White or off-white colors shall be prohibited.
d. Roof colors shall be limited to deep earth tones, deep muted greens, browns and grays and no brighter than six in chroma and value on the Munsell Color Scale Chart. Shiny metal roofs, bright orange red or blue colors shall be prohibited.
e. Retaining walls shall include landscaping to reduce visibility.

AES/mm-6 At the time of application for construction permits for individual residential lots, the applicant for each individual lot shall submit landscape screening plans to the County Department of Planning and Building for review and approval. Project CC&Rs for residences shall state that county review of such plans is required and shall outline the parameters specified below.

a. Screen planting shall be included along the western and southern sides of all residential structures.
b. Evergreen trees and large shrubs shall be used that are compatible with the surrounding vineyards. South side plantings may include some deciduous trees where it is shown that solar benefits would exist and where the visual screening function would not be reduced.
c. The landscape plan shall be prepared by a licensed landscape architect and shall provide a minimum 50 percent visual screening of the residential structure as viewed from the west and south within a period of 7 years of approval of the construction permit.
d. Plant types shall be carefully selected to perform well in the existing soil conditions.

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e. All plants within the screen planting area shall be maintained and kept in a healthy condition. Plants that die shall be replaced. Replacement planting shall be based on an evaluation of the cause of the original plant's death and the appropriate horticultural adjustment to ensure future plant success.

LV-6-1-29 (cont'd)

Residual Impact With implementation of this mitigation, in conjunction with the other measures recommended in this study, impacts due to the visual contrast ~~and noticeability~~ of the residential structures would be considered *less than significant with mitigation, Class II*.

3) Night Lighting

LV-6-1-30

The project would create a new source of night lighting visible from the Highway 101 corridor, Upper Los Berros Road, Dana Foothill Road, and some existing residences in the area. The elevated locations of the lots and internal roadways relative to most viewpoints would position the lights onto the hillside backdrops for the affected viewers. Thirty-three ~~elevated~~ post lights approximately 18-feet tall are proposed along roadways throughout the project. ~~Visibility of lighting would increase noticeability of the development and would be the primary indicator of the project's existence at night. As a result of this increased project visibility~~ The project could disrupt the existing darkened hillside as a result of additional project related lighting, which may be a visual impact. ~~and disruption of the existing darkened hillside backdrop, long term visual impacts would occur.~~ These potential impacts would be considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures.

AES Impact 3 **Visibility of light sources and glow from the hillside residences and roadways would ~~degrade~~ affect nighttime view quality and ~~adversely affect rural visual character~~ resulting in a direct long-term impact.**

AES/mm-7 Prior to approval of the subdivision improvement plan, the applicant will verify that the lighting plan is consistent with the following: ~~the applicant shall modify the lighting plan as follows~~:

a. Post lighting shall only be used at the ranch headquarters ~~and the equestrian~~ facility, and shall be fully shielded from public roadways.
b. All lighting required along roadways shall be shielded bollard lighting maximum four feet tall and only used to delineate intersections and critical driving decision points.
c. Lighting shall be the minimum required by county ordinance for a private residential development.
d. Lighting shall not shine light or glare upwards.

AES/mm-8 At the time of application submittal for construction permits on individual residential lots, each individual lot applicant shall submit an exterior lighting plan to the County Department of Planning and Building for review and approval. Project CC&Rs for residences shall state that county review of the lighting plans is required and shall outline the parameters specified below.

a. The point-source of all exterior lighting shall be shielded from all views outside of the individual lot.
b. Lighting shall not shine light or glare upwards.

LV-6-1-30 (cont'd)

Residual Impact With implementation of this mitigation, in conjunction with the other measures recommended in this study, impacts due to the visibility of nighttime lighting associated with the roadways and residences would be considered *less than significant with mitigation, Class II.*

4) Potentially Significant ~~and Unavoidable~~ Changes to Visual Character

LV-6-1-31

During the preparation of the aesthetics resource analysis for the EIR, several components of the proposed project were determined to be potentially significant. With mitigation, these impacts were determined to be less than significant. Please refer to the appropriate section below for specifics. ~~highly visible as seen from the Highway 101 travel corridor. Implementation of these project elements would result in significant changes to the existing rural character, and would increase the overall noticeability of the project, as a whole. Project elements and associated earthwork include: Residential Sub-clusters C and E; Main Road 2; Roads A, B, E, and F; and, the water tank. Please refer to the appropriate section below for a detailed description of specific impacts.~~

AES Impact 4 **Visibility of development and associated earthwork related to Main Road 2, residential development of Sub-cluster E (Lots 87 through 105), Roads A, B, E, and F, residential development on Lot 46, the water storage tank, associated cut slope and access road, would potentially ~~adversely~~ affect the rural visual character and increase ~~noticeability~~ visibility of the project as seen from Highway 101 resulting in a direct long-term impact.**

AES/mm-9 Upon submittal of subdivision improvement plans, the applicant shall submit ~~revised~~ plans showing the landscape screen planting plan for any section of ~~realignment of~~ Main Road 2 in the vicinity of Sub-cluster E that may be exposed to view from US 101 after construction of the homes on lots 87 through 105 and a similar screen planting plan for the water tank, ~~to a location below the relocated residential lots of Sub-cluster E, below the 660 foot elevation line.~~

Secondary Impact **The residences along Road 2, A, B, E and F would act as a visual barrier for the road during construction of the roads. To the extent the road may be visible between residences, landscape screening would be required. The impacts described would only be temporary during construction, as revegetation would be required after construction is complete.** ~~Secondary Impact Realignment of Main Road 2 would result in the additional removal of approximately ten acres of vineyards to accommodate the access road and residential parcels, resulting in significant secondary impacts to agricultural resources. As discussed in Section V.G. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this~~

~~project, including conversion of Farmland to a non-agricultural use and inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.~~

LV-6-1-31 (cont'd)

AES/mm-10 ~~Upon submittal of subdivision improvement plans, the applicant shall realign Road A to a location below the lots of Sub-cluster A.~~ Road A will be relocated as a result of response to CAL FIRE maximum cul de sac street lengths. Any portion of Road A that is anticipated to remain visible from US 101 after the change in road alignment and after construction of the homes shall be subject to submittal of a landscape screening plan concurrent with submittal of the subdivision improvement plans.

AES/mm-10A When Road A is relocated, and Main Road 2 realigned, the mitigation measures identified in the Agricultural Resources section will be applied to all newly located lots. The permanent protection of agricultural resources in a ration in excess of 7:1 and the replanting of approximately 127.5 acres to mitigate the removal of approximately 113 acres of planted acres will fully mitigate any additional anticipated minor removal of vineyards. The project promotes a no net loss of planted acreage.

AES/mm-10B **The residences along Road A will act as a visual barrier for the road during construction of the roads. To the extent the road may be visible between residences, landscape screening would be required. The impacts described would only be temporary during construction, as revegetation would be required after construction is complete, if necessary.** ~~**Secondary Impact** Realignment of Road A would result in the removal of an additional approximately one acre of vineyards to accommodate the access road, resulting in significant secondary impacts to agricultural resources. As discussed in Section V.G. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.~~

AES/mm-11 Upon submittal of subdivision improvement plans, the applicant shall provide plans showing the following modifications regarding the water storage tank facility:

a. The water storage tank shall be ~~placed below ground~~ a muted color and placed at the lowest elevation that enables provision of adequate service and screened by landscape screen plants that will reach maturity within 7 years.
b. The grading plan shall be modified such that no horizontal bench for the tank site, service or parking is visible from Highway 101 within 2 years after implementation of the landscape screen planting.
c. The access road to the water tank ~~shall be realigned to approach the tank site from the eastern side of the ridge, and~~ shall not be visible from Highway 101.

LV-6-1-31 (cont'd)

AES/mm-12 ~~Prior to approval of the subdivision improvement plan, the applicant shall modify Sub-cluster C as follows: a. Lot 46 shall be eliminated~~, building envelope will be moved lower in elevation and the building height limited to 25 ft, which will eliminate silhouetting.

AES/mm-13 ~~Upon application submittal of subdivision improvement plans,~~ The applicant ~~shall~~ has realigned Road B to a location below the relocated lots of Sub-cluster D. The building envelopes in the Sub-cluster D lots have been moved to a lower elevation within the existing lots.

a. Appropriate agricultural buffers will be re-calculated to ensure adequate buffers between agricultural and residential uses.

b. The mitigation measures identified in the Agricultural Resources section will be applied to all newly located lots.

c. The permanent protection of agricultural resources at a ratio in excess of 7:1 and the replanting of approximately 127.5 to mitigate the removal of approximately 113 acres of planted acres will fully mitigate any additional anticipated minor removal of vineyards. The project promotes a no net loss of planted acreage.

~~**Secondary Impact** Relocation of Road B would locate future residences closer to existing and proposed vineyards, resulting in significant and adverse secondary impacts to agricultural resources. As discussed in Section V.G. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.~~

LV-6-1-31 (cont'd)

~~a.~~AES/mm-14 ~~Upon application submittal of subdivision improvement plans, the applicant shall modify Sub-cluster E as follows: a.~~

Sub-Cluster E: Lots 87 - 91 shall have building heights limited to 25 feet per the Highway Design Corridor Standards. The reduction in height combined with being located more than 1 mile from Highway 101 will reduce any potential visual effects of the structures. As the heights are being reduced, and relocation is therefore unnecessary, the existing buffers will apply and there will be no secondary agricultural impacts.

~~a. All lots within Sub-cluster E (Lots 87 through 105) shall be relocated below the 660 foot elevation contour.b. All building envelopes shall be relocated to the lowest elevation possible within each lot.Secondary Impact Relocation of Lots 87 through 105 would result in the removal of approximately four acres of additional vineyards to accommodate the access road and residential parcels, and would reduce buffers between residential development and agricultural production areas, resulting in significant and adverse secondary impacts to agricultural resources. As discussed in Section V.G. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.AES/mm-15 Upon application submittal of subdivision improvement plans, the applicant shall realign Roads E and F and any access drives to locations below the residential lots they serve. No earthwork associated with these roads shall extend above the 660-foot elevation contour. Secondary Impact Relocation of Road E would result in a further reduction in buffer distance between the residential and agricultural land uses, resulting in significant and adverse secondary impacts to agricultural resources. As discussed in Section V.G. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources~~

Residual Impact Implementation of these mitigation measures, in conjunction with the other measures recommended in this analysis, would reduce significant aesthetics impacts to less than significant. Mitigation measures listed

above include recommendations to modify the proposed project design, including relocation of lots, ~~and the associated access road Main Road 2.~~ The County can ~~not~~ require conditions of approval to modify the proposed tentative map and/or CUP, including elimination or relocation of lots ~~and associated access roads~~; therefore, this impact would be considered less than *significant with mitigation ~~and unavoidable~~, Class II.*

LV-6-1-31 (cont'd)

b. Phase One

LV-6-1-32

1) Residential Development

(a) Lot development

Residential Sub-cluster A

Lots 1 through 12 and 16 through 23 of Sub-cluster A are located with the area affected by the ~~SRA~~ Highway Corridor Standards. The Highway Corridor Standards are not the same as a Scenic Resources Area (Ag & Op SP Element, page 3-62) rather the element identified specific areas for detailed studies and the subsequent adoption of design standards (Highway Corridor Standards). Residential development on these lots is subject to the Highway Corridor Design Standards including the following provisions:

a. **Ridgetop Development.** Structures within the corridor boundaries shall be located so they are not silhouetted against the sky.

b. **Building Height and Color.** Maximum building height is 25 feet above natural grade. Building color other than trim shall be similar to surrounding colors and no brighter than six in chroma and value on the Munsell Color Scale on file in the Department of Planning and Building.

c. **Landscaping.** A landscaping plan per the Land Use Ordinance is required that will insure at least 50 percent screening of structures at plant maturity.

~~Even w~~With these design requirements including limitation of building height to 25 feet as well as the other measures identified in this section, the majority of these lots would remain visible from numerous points along Highway 101 (refer to Figures V.K.-16 and V.K.-22). Sub-cluster A occupies an ~~prominent~~ intermediate slope and ridge as seen from the Highway 101 corridor. From US 101 ~~the highway~~, views of Sub-cluster A range from as far as four miles away to closer viewpoints adjacent to the project site although these are over one mile away. ~~The proposed placement of the building envelopes at the upper portions of these lots increases this visibility and causes the project to have a greater visual presence in the landscape. The visibility of the residences and associated development within Sub-cluster A would contribute to a degradation of rural visual character as seen from the Highway 101 corridor. Development on Sub-cluster A would be inconsistent with the Highway Corridor Design Standards guideline to retain land in open space in new land divisions that will preserve existing views.~~ These potential impacts would be considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures ~~(refer to Figures V.K.-17 and V.K.-23)~~.

LV-6-1-32 (cont'd)

AES Impact 5 **Visibility of the residential development of Sub-cluster A (Lots 1 through 23) ~~would~~ could potentially affect existing views from US 101 ~~adversely affect the rural visual character of the area and would be in conflict with SRA goals and the Highway 101 Corridor Design Standards, resulting in a direct long-term impact.~~ After mitigation, the potentially significant silhouetting affect of certain lots will be eliminated and the overall visibility of the Sub-cluster A will be less than significant.**

AES/mm-16 Lots in Sub-cluster A (Lots 1-23) have been modified as follows:

~~—~~a. Lots 1-23 have been reduced to 25 feet in height, and are thus consistent with the Highway 101 Corridor Standards. ~~Prior to approval of the subdivision improvement plan, the applicant shall modify Sub-cluster A as follows:~~

~~Lots 11, and 12, shall be relocated across from Lots 13 and 14, along Road K. b. All building envelopes for Lots 1 through 23 shall be relocated to the lowest elevation possible within each lot.~~

b. Lots 1-23 have been adjusted and lowered in elevation.

Relocation of Sub-cluster A lots will tighten this cluster, avoid archeological resources and facilitate compliance with Cal Fire access standards. Required reduction in allowable building heights, colors and landscaping will be consistent with the Highway Corridor Standards. When the lots are relocated, there will be appropriate buffers placed between residential development and the nearby agriculture. The mitigation measures identified in the Agricultural Resources section will be applied to all newly located lots.

AES/mm-17 At the time of application submittal for construction permits on individual residential lots, plans shall show that all accessory structures shall be located with the building envelope for each lot. ~~Secondary Impact — Relocation of proposed envelopes for Lots 1 through 23 would place residential structures in closer proximity to productive vineyard areas, and would further reduce the buffer between the residential and agricultural land uses by approximately 150 feet, resulting in significant secondary impacts to agricultural resources. As discussed in Section V.G. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and land use conflicts due to inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.~~

Residual Impact

Mitigation measures include recommendations to modify the proposed project design, including relocation of Lots 11, ~~and~~ 12, 13 and 14. Implementation of these measures would mitigate potentially significant adverse visual impacts; ~~however,~~ the County ~~cannot~~ can include design changes to a tentative map and/or CUP as conditions of approval. The mitigation measures identified in the Agricultural Resources section will be applied to all relocated lots. The permanent protection of agricultural resources at a ratio in excess of 7:1 and the replanting of 127.5 acres for the 113 acres of planted acres proposed for removal will fully mitigate any additional removal of planted acres of vineyards resulting from adjusting Sub-cluster A. ~~–~~Therefore, this impact is considered *significant but mitigable ~~and unavoidable~~, Class II.*

LV-6-1-32 (cont'd)

Residential Sub-cluster B

LV-6-1-33

The development of Sub-cluster B ~~would~~ could potentially result in partially visible home sites~~add noticeable suburban type elements to the existing~~ as viewed from Upper Los Berros Road, ~~setting (refer to Figures V.K. 25, V.K. 28, and V.K. 31).~~ With mitigation, Lots 27, 28 and 29 would not silhouette above the primary ridgeline as seen from westbound viewpoints . As adjustments have been made throughout the project, the potential impact on mature oak trees would be eliminated, thus Sub-cluster B will be partially shielded from the hilltop. ~~Residential construction on Lots 27 through 29 may result in the removal of existing mature oak trees, which would further expose the structures' visibility along the hilltop.~~ Mitigation also would remove the possibility that Lots 41, 42 and 43 would profile against the sky as seen from Upper Los Berros Road primarily in the eastbound direction, as Lots 30-43 have been reduced in height to 25 feet. ~~Lots 36, 37, 38 and 39 would likely require substantial grading to accommodate level building pads on their sloping topography. This visibility of Sub-cluster B, increased by~~ The ~~silhouetting of~~ structures ~~and hillside grading would substantially alter the existing natural and rural character of Upper Los Berros Road and would have an adverse effect on visual quality. These potential impacts would be considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures (refer to Figures V.K. 26, V.K. 29, and V.K. 32).~~

AES Impact 6

Visibility of the residential development of Sub-cluster B (Lots 24 through 43) ~~would~~ could potentially adversely affect the ~~natural and~~ rural visual character of the Upper Los Berros Road corridor resulting in a direct long-term impact. The rural character has already been modified, however, as residential structures are scattered throughout the area. (See RRM-11, attached.)

AES/mm-18

Upon submittal of subdivision improvement plans, the applicant shall modify Sub-cluster B as follows:

a. Lots 27, 28, and 29 shall be relocated to a location that will not silhouette as seen from Upper Los Berros Road. ~~north of Lot 24, west of Road J.~~
b. Building envelopes within Lots 36, 37, 38, 41, 42, ~~and 43~~ shall be relocated immediately adjacent to Road I.

c. Site grading on Lots 36, 37, 38, and 39 shall be minimized to the greatest extent possible. Stepped foundations and other methods shall be used to minimize visible grading and reduce hillside scarring. Structure floor elevations shall generally follow the natural landform. Unavoidable grading shall be contour-graded where possible to avoid engineered, angular landforms.

d. Native trees and shrubs shall be planted and maintained along the north side of Upper Los Berros Road to screen views of the residences. The screen planting shall run along the entire project frontage ~~from the equestrian facility to a point~~ east of Lot 40. The planting shall be designed to look like naturally occurring vegetation to the greatest extent possible. Gaps in the screen planting may occur in order to achieve a natural appearance; however, the gaps shall not be greater than 30 feet in length and shall not occur at intervals closer than 200 feet. Tree species shall include primarily coast live oak. A minimum of 70 percent of the total screen tree planting shall be planted from 48-inch box containers. The remaining 30 percent of the screen planting shall be from one-gallon containers.

e. Lots 42 and 43 shall be relocated to a location that will not silhouette as seen from Upper Los Berros Road.

f. Building heights on Lots 30 through 43 have been reduced in height to 25 feet.

LV-6-1-33 (cont'd)

Residual Impact Implementation of this mitigation, in conjunction with the other measures recommended in this analysis, would minimize impacts due to the visibility of the residences of Sub-cluster B (Lots 24 through 43); however, the County can ~~not~~ include design changes to a tentative map and/or CUP as conditions of approval. Therefore, this impact would be considered *significant ~~and unavoidable~~ but mitigable, Class II.*

(b) Roads

Main Road 2

LV-6-1-34

The two primary roadways through the project would be constructed during the first phase of the project. Of these, portions of "Main Road 2" where it would not be screened by construction of homes would be the most visible from Highway 101 and other public areas due to its location at the higher elevations on the hillside, particularly where it provides access to Lots 87 through 105 of Sub-cluster E (~~refer to Figures V.K.-16 and V.K.-19~~). The generally steep topography along the portions of Main Road 2 alignment would necessitate excavation slopes of up to 40 feet in height visible from Highway 101. A 60-foot tall cut slope is proposed for Main Road 2 near the intersection of Road L; however, this cut is not ~~expected to~~ be visible from public roadways due to intervening topography. Mitigation to provide landscape screening to any remaining visible portion (as viewed from US 101) are recommended. ~~Mitigation measures are recommended to relocate Lots 87 through 105 to a lower elevation. In coordination with this mitigation, the realignment of Main Road 2 in the area of Sub cluster E to a location lower on the hillside~~ This mitigation would substantially reduce visible hillside scarring and adverse visual impacts ~~(V.K.-17 and V.K.-20)~~. ~~Please refer to AES Impact 4 and mitigation measure AES/mm-9~~.

Road A

LV-6-1-34 (cont'd)

Phase I includes the construction of roads A, G, I, J, K, L, and M. Of these roads, Road A provides access to Sub-cluster A (Lots 1 through 10 and 16 through 23) and is located within ~~the designated SRA and~~ the Highway 101 Design Corridor limits. ~~As mentioned previously,~~ Sub-cluster A is proposed on an ~~highly visible~~ intermediate ridgeline that contributes to the rural character of the area ~~(refer to Figures V.K. 16 and V.K. 22)~~. Although Road A is located over one mile away from US 101 and will be at least partially screened by homes, ~~Mitigation~~ mitigation measures are recommended to provide landscape screening for any remaining visible portions of Road A. ~~move the building envelopes of Sub cluster A to the lowest point on each lot. In coordination with this mitigation, realignment of Road A to a location below the lots would make Road A less visible in the landscape, and would allow access to the lots from the downhill side, eliminating the need for long driveways traversing the hillside from Road A to each residential structure.~~ The result when combined with other recommended mitigation measures would be ~~a more visually intact hillside profile and reduced intrusion into the SRA and existing rural character (refer to Figures V.K. 17 and V.K. 23). Please refer to AES Impact 4 and mitigation measure AES/mm-10.~~ consistent with the requirements of the Highway Corridor Standards.

(c) Water Infrastructure

The project proposes an above ground water tank 18 feet tall and 40 feet in diameter to be built as part of the first phase of construction. The tank would be located on the hill at the 870 foot elevation above and to the east of Sub-cluster E (Lots 87 to 105). The elevated location of the water tank allows it to be seen from several vantage points along Highway 101 (refer to Figures V.K.-16 and V.K.-19). Because of the tank's location ~~near the ridgeline~~, it may be visible~~silhouette against the sky as seen~~ from a portion of the highway. A 30-foot tall cut slope is proposed behind the water tank in order to create a level building pad. A paved access road up the western hillside would service the water tank facility from Road F. The elevation of the tank near the hilltop, its geometric form, the associated cut slope and the access road combine for a highly noticeable project element as seen from Highway 101. The visibility of the water tank ~~c~~would potentially draw attention to the project and ~~w~~could contribute to a loss of visual quality in the area. However, the tank would be a muted color and screened with vegetation, thus while visible, it would not silhouette against the sky. Mitigation measures elsewhere in this section require the relocation of Road F and the residential lots it serves ~~(refer to Figures V.K.-17 and V.K. 20)~~. With Road F relocated, an access road up the side of the hill to the water tank would still be necessary. Please refer to AES Impact 4 and mitigation measure AES/mm-11.

2) Ranch Headquarters

LV-6-1-35

The ranch headquarters includes a private recreation facility, community center, homeowner's association building, mail station, pools, a tennis court, parking and related features. The ranch headquarters would serve as the primary entrance to the project and would contain the entry gates and guard station. The ranch headquarters proposes to retain the large trees on site as well as two of the existing wooden barn structures.

The ranch headquarters site occupies a relatively flat area at the base of a small ridge (refer to Figure V.K-33 for a photo of the site). The ranch headquarters would only be visible from Upper

Los Berros Road and because of the road curvature, would only be seen from within the immediate vicinity. The ranch-style architecture and materials of the development are appropriate responses to the rural creek setting. Retention of the large trees and existing older buildings would help the headquarters somewhat integrate with the Upper Los Berros Road corridor. The proposed ranch headquarters is expected to be perceived as an attractive, well-designed development. Still, substantial visual changes would occur to the project site with construction of the proposed elements. Although the ranch vernacular would be employed, the site would appear neither as a ranch nor rural. The entry feature gate and guard station, recreation activities, mail station, maintained landscaping, vehicles, site users and other elements would be obvious visual clues that the site is part of a ~~n up scale~~ development of some sort. Because of this ~~inherent loss of rural character and gentrification of the project site along this wooded creek corridor,~~ a degree of visual impact would occur. By providing a partial screen planting of native plants along the ranch headquarters/Upper Los Berros Road frontage, the development would be somewhat less noticeable, and the ~~suburban~~ visual components would be less obvious.

LV-6-1-35 (cont'd)

AES Impact 7 **The ~~inherent~~ loss of rural character caused by ~~changing the existing working ranch into an architecturally designed~~ the construction of the recreation facility ranch headquarters would result in less than significant adverse impacts.**

AES/mm-19 Prior to approval of the subdivision improvement plans, the applicant shall modify the ranch headquarters landscape plan to show:

a. Native trees and shrubs shall be planted and maintained along the north side of Upper Los Berros Road to screen views of the ranch headquarters. The screen planting shall run along the project frontage from the east end of the existing barn nearest the road to remain in place, to a point approximately 200 feet east of the proposed main entry road. The planting shall be designed to look like naturally occurring vegetation. Gaps in the screen planting may occur in order to achieve a natural appearance; however, the gaps shall not be greater than 20 feet in length and shall not occur at intervals closer than 100 feet. Tree species shall include primarily coast live oak and shall be planted from minimum 48-inch box containers.

Residual Impact With implementation of this mitigation, in conjunction with the other measures recommended in this study, residual impacts due to the visibility of the ranch headquarters would be considered *less than significant, Class III.*

3) Equestrian Facility

LV-6-1-36

The applicant has removed the equestrian facility from the project description. ~~equestrian facility would include an arena, covered exercise ring, facilities buildings, paddocks and stalls, a tack room, parking, and other amenities. A paved access road would connect the equestrian facility to Upper Los Berros Road. The site for the equestrian facility is sloping, with an approximately 60 foot rise in elevation from Upper Los Berros Road to the northern perimeter of the site (refer to Figure V.K. 34 for a photo of the site). As a result, the facility includes retaining walls and sloped~~

~~viewing areas to help make the elevation transition. Substantial grading would also be required to create level arenas, building pads and parking areas.~~

~~The architectural style of the equestrian facility would be similar to that proposed for the ranch headquarters, and would be generally appropriate for the setting. The designed use and activities associated with the facility would somewhat support the agricultural based character of the area. Visual changes are inherent with the conversion from crops and open space to a built recreational facility. The scale of the equestrian facility and the expected intensity of use would affect the more natural visual component of the Upper Los Berros Road corridor. The 38 foot tall roof covering the exercise ring would exceed the maximum height allowable by the LUO and would appear unnecessarily tall as seen from the adjacent public roadway.~~

~~Because of this inherent change of character and the scale of the project along the creek corridor, visual impacts would occur. By reducing the height of the exercise ring cover, and by providing a screen of native plants along the equestrian facility Upper Los Berros Road frontage, the facility would be somewhat less noticeable and visually imposing to the roadway viewers.~~

~~**AES Impact 8 The inherent loss of rural character caused by changing the existing fields into a recreation facility would result in less than significant adverse impacts.**~~

~~AES/mm 20 Prior to approval of the subdivision improvement plan, the applicant shall modify the equestrian facility layout and landscape plans as follows:~~

~~a. The height of the roof covering the exercise ring shall be reduced to a maximum of 30 feet.~~

~~b. Native trees and shrubs shall be planted and maintained along the north side of Upper Los Berros Road to screen views of the equestrian facility. The screen planting shall run along the entire frontage of the equestrian facility. The planting shall be designed to look like naturally occurring vegetation. Gaps in the screen planting may occur in order to achieve a natural appearance; however, the gaps shall not be greater than 20 feet in length and shall not occur at intervals closer than 100 feet. Tree species shall include primarily Coast live oak and shall be planted from minimum 48 inch box containers.~~

~~*Residual Impact* With implementation of this mitigation, in conjunction with the other measures recommended in this study, impacts due to the visibility of the equestrian facility would be considered *less than significant with mitigation, Class II.*~~

LV-6-1-36 (cont'd)

c. Phase Two

1) Residential Development

(d) Lot development

Residential Sub-cluster C

LV-6-1-37

The development of ~~Sub-cluster C (~~Lots 46 ~~through 65)~~ cwould potentially add ~~suburban-type~~ visual elements to the existing Highway 101 setting. As seen from northbound Highway 101 Lot 46 ~~this subcluster~~ cwould be visible in the general context of the existing winery and tasting room ~~(refer to Figures V.K.-4, V.K.-7, and V.K.-13)~~. However, tTopography and existing vegetation in and around Lot 46 ~~Sub-cluster C cause most of these units~~ cause this lot to be less distinguishable in the landscape. ~~In addition, recommended~~ Mmitigation~~, which~~ also requires screen planting ~~on each lot, would further reduce the visibility~~. Lot 46 has also been reduced to 25 feet in height and the building envelope has been moved lower in elevation within the lot.– These measures eliminate the potential for Lot 46 to cause silhouetting, thereby complying with the Highway 101 Corridor standards. ~~of many of these residences. As seen from southbound Highway 101, Lot 46 would be quite visible and would silhouette above the primary ridgeline in the mid-ground. Lot 46 is within the SRA and the Highway Corridor Design standards boundary. Elimination or relocation of Lot 46 would reduce visual impacts for the southbound highway user and would bring Sub-cluster C closer to conformance with County visual policy. These potential impacts would be~~ considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures (refer to figures RRM 1 and 2.)~~(refer to Figures V.K.-5, V.K.-8, and V.K.-14)~~. Please refer to AES Impact 4 and AES/mm-12.

LV-6-1-37 (cont'd)

Residential Sub-cluster D

LV-6-1-38

Lots 74 through 85 are located on a knoll that is ~~highly visible~~ partially visible from both the northbound and southbound lanes of Highway 101 ~~(refer to Figures V.K.-10, V.K.-13, and V.K.-16)~~. As seen from the northbound direction these lots occupy an intermediate ridge in the overall landscape. The proposed placement of the building envelopes at the upper portions of these lots increases this visibility and causes the project to have a greater visual presence in the landscape. From the southbound viewing direction of Highway 101, residences on Lots 74 through 85 would be directly visible in the mid-ground and would silhouette above the horizon to the southeast. This silhouetting and visibility would substantially degrade the existing visual quality, reduce rural character, and be inconsistent with ~~County visual policy and goals~~ the Highway Corridor Standards.

Lots 66 through 73 would be seen from the southbound Highway 101 lanes, and where visible would contribute ~~the overall character~~ change introduced by the project ~~(refer to Figures V.K.-13 and V.K.-16)~~. These potential impacts would be considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures ~~(refer to Figures V.K.-11, V.K.-14, and V.K.-17)~~.

AES Impact 9 **Without Mitigation, v~~V~~isibility and silhouetting of Lots 66 through 85 would adversely affect visual quality and character of the area around the Highway 101 corridor potentially resulting in a direct long-term impact.**

AES/mm-21 Upon application submittal of subdivision improvement plans, the applicant shall modify Lots 66 through 85 of Sub-cluster D as follows:

~~a. All structures shall be a maximum 25 feet in height as measured by County ordinance. b. All building envelopes within Lots 66 through 85 shall be relocated to the lowest elevation possible within each lot.~~[*These Lots are not in the Highway 101 Corridor.*]

LV-6-1-38 (cont'd)

ab. Lots 68 and 69 have been relocated to a location to a new cluster that would not silhouette when viewed from US 101 and would not significantly impact archaeological resources.

b. Lots 66 through 85 have been relocated and moved lower in elevation. The relocated lots are not within an area identified as directly impacting archaeological resources.

The potentially significant impacts are mitigated to a level less than significant.

~~**Secondary Impact**~~ ~~Relocation of building envelopes for Lots 68 and 66 through 69 would result in direct and adverse impacts to a significant archaeological site. As discussed in Section V.D. (Archaeological Resources), elimination of Lots 68 and 69 is recommended to avoid this impact. Implementation of this measure would avoid potentially significant and adverse project-specific and secondary impacts resulting from the proposed project and the mitigation measure identified above. However, T~~the County ~~can not include design changes to a tentative maps conditions of approval; therefore, the would contribute to the previously identified significant and unavoidable impact to archaeological resources.~~

~~**Secondary Impact**~~ ~~Relocation of building envelopes for Lots 67 through 70 and 74 through 85 would locate future residences immediately adjacent to existing and proposed vineyards, resulting in significant and adverse secondary impacts to agricultural resources. As discussed in Section V.G. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.~~

AES/mm-22 At the time of application submittal for construction permits on individual residential lots, plans shall show that all accessory structures shall be located with the building envelope.

Residual Impact With implementation of this mitigation, in conjunction with the other measures recommended in this study, impacts due to the silhouetting and general visibility of the residences on Lots 74 through 85 of Sub-cluster D would be considered *less than significant with mitigation, Class II.*

(e) Roads

Road B

Roads B, C, D, N, and P would be constructed during Phase Two. Of these roads, Road B provides access to residential Lots 74 through 85 within Sub-cluster D. Lots 74 through 85 are proposed on a ~~highly~~ visible intermediate ridgeline ~~that contributes to the rural definition of the area~~ as seen from north and southbound Highway 101 (refer to Figures V.K.-10, V.K.-13, and V.K.-16). ~~Mitigation measures are recommended to move t~~The building envelopes of Lots 74 through 85 have been moved to the lowest point on each lot. In coordination with this measure, ~~realignment of~~ Road B has been relocated to a location below the lots, thereby making ~~would make~~ Road B less visible in the landscape, and ~~would~~ allow access to the lots from the downhill side, eliminating the need for long driveways traversing the hillside from Road B to each residential structure. The result is ~~would be~~ a more visually intact hillside profile and reduced impact on the existing rural character ~~(refer to Figures V.K. 11, V.K.-14, and V.K.-17)~~. Please refer to AES Impact 4, and mitigation measure AES/mm-13.

LV-6-1-39 (cont'd)

d. Phase Three

LV-6-1-40

1) Residential Development

(f) Lot development

Residential Sub-cluster E

Lots 87 through 91 of Sub-cluster E are within the Highway Corridor Standards area.~~SRA~~. Residential development on these lots is subject to the Highway Corridor Design Standards including the following provisions:

Ridgetop Development. Structures within the corridor boundaries shall be located so they are not silhouetted against the sky.

Building Height and Color. Maximum building height is 25 feet above natural grade. Building color other than trim shall be similar to surrounding colors and no brighter than six in chroma and value on the Munsell Color Scale on file in the Department of Planning and Building.

Landscaping. A landscaping plan per the Land Use Ordinance is required that will insure at least 50 percent screening of structures at plant maturity.

~~Of all the development proposed with this project, Sub-cluster E~~ These four lots occupy ~~ies~~ the highest elevation on the hillsides, and as a result ~~is~~ are potentially the most visible from a distance. All of sub-cluster E is located over one mile away from US 101. Lots 99, 100, and 101 are near the top of the primary ridgeline, and residential development on Lot 101 ~~c~~would potentially silhouette above the horizon as seen from the Highway. However, the building envelopes on each of these Lots have been moved to the western portion of the Lots, and the height of the structures have been reduced to 25 feet. As a result, there will be no potential silhouetting.~~(refer to Figures V.K.-10, V.K.-13, V.K.-16 and V.K.-19). The unavoidable visibility of Sub-cluster E on this primary hillside~~

~~backdrop would greatly contribute to a redefinition of landscape character along the highway corridor. Because of their high visibility, the development of these lots would draw attention and would substantially increase overall awareness of the project for the casual observer. Landscape screening and architectural design measures would not sufficiently disguise the existence of these upper elevation lots nor reduce this noticeability issue. These potential impacts would be considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures (refer to Figures V.K.-11, V.K.-14, V.K.-17, and V.K.-20).~~ Please refer to AES Impact 4, and mitigation measure AES/mm-14.

LV-6-1-40 (cont'd)

(g) Roads

LV-6-1-41

Roads E and F

Phase 3 would include the construction of roads E and F as well as the access drive to Lot 92. Road E is within the SRA. The construction of Road E would require a cut slope 40 feet in height. Road F would require excavation slopes as tall as 35 feet. The slopes for Roads E and F would be highly ~~visible~~ and would greatly contribute to a reduction in visual quality of the hillside and visual backdrop for the Highway 101 corridor (~~refer to Figures V.K.-10, V.K.-13, V.K.-16 and V.K.-19~~). Mitigation measures are recommended to relocate Lots 87 through 105. In coordination with this measure, realignment of Roads E and F to locations below the lots would make the roads less visible in the landscape, and would allow access to the lots from the downhill side, eliminating the need for long driveways traversing the hillside to each residential structure. The residences along the roads will block the view of the roads and earthwork, and to the extent there are gaps between the shielding provided by the houses, vegetative screens will be planted. The result would be less visual intrusion onto the hillside backdrop as well as the SRA (~~refer to Figures V.K.-11, V.K.-14, V.K.-17 and V.K.-20~~). Please refer to AES Impact 4, and mitigation measure AES/mm-15.

e. Wastewater Treatment Facilities

LV-6-1-42

Although the ponds associated with the wastewater treatment facilities would not be noticeable from public roadways, a portion of the proposed building would be visible from a section of Highway 101 (refer to Figure V.K.-10). When seen in conjunction with the other visible elements of the project, the wastewater recycling facility building would contribute to an increase in the developed visual character of the area. In coordination with the other required mitigation measures, using darkened earth tones and material finishes for the building exterior and landscape screening would make the wastewater recycling facility less noticeable in the landscape. The result would be a more visually intact agricultural setting and reduced impact on the existing rural character (refer to Figure V.K.-11).

AES Impact 10	**Reflective roofing materials and colors of the wastewater recycling facility building, would increase project visibility ~~noticeability and adversely affect rural visual character~~ resulting in a direct long-term impact.**
AES/mm-23	Prior to issuance of a construction permit for the wastewater treatment facility, the applicant shall provide wastewater recycling facility building plans showing:

a. Roof and exterior wall colors shall be limited to deep earth tones, browns and grays and no brighter than six in chroma and value on the Munsell Color Scale Chart. ~~Shiny m~~ Metal roofs, or bright orange, red or blue roofs shall be prohibited.

LV-6-1-42 (cont'd)

AES/mm-24 Prior to issuance of a construction permit for the wastewater treatment facility, the applicant shall provide wastewater recycling facility building landscape plans showing:

a. Screen planting shall be included along the western and southern sides of the wastewater recycling building.
b. The landscape plan shall provide 100 percent visual screening of the wastewater recycling building structure as viewed from the west and south within a period of seven years of approval of the construction permit.
c. All plants within the screen planting area shall be maintained and kept in a healthy condition. Plants that die shall be replaced. Replacement planting shall be based on an evaluation of the cause of the original plant's death and the appropriate horticultural adjustment to ensure future plant success.

Residual Impact With implementation of this mitigation, in conjunction with the other measures recommended in this study, impacts due to the visual contrast and ~~noticeability~~ visibility of the wastewater recycling building would be considered *less than significant with mitigation, Class II.*

f. Future Development

LV-6-1-43

1) Dude Ranch

The area proposed for the dude ranch (an allowable use in the RL designation) currently appears as ~~natural and natural~~ a rural landscape along Los Berros Creek and the lower portions of slopes riding to the north (refer to Figure V.K.-35 for a photo of the site). The area is well vegetated with native oak woodland and riparian plant communities. A ~~few scattered~~ mobile home residences and other out buildings ~~are in the area~~, currently occupy the site although they are ~~mostly~~ set back from the roadway or partially hidden by existing vegetation. Views to the proposed dude ranch site are ~~generally~~ limited to Upper Los Berros Road and the immediate vicinity.

Only a detailed review of the future site development plans will determine the specific visual effects of the proposal. However, based on knowledge of the site and surroundings, certain planning and design criteria can be identified. For example, the ~~natural~~ visual character of the Upper Los Berros Road corridor ~~must~~ should be maintained to the extent practicable. The dude ranch would be one of ~~four~~ three developed areas ~~built by~~ of the project along Upper Los Berros Road, including the ranch headquarters, ~~the equestrian facility,~~ and the residential area Sub-cluster B (Lots 24 through 43). The extent and type of visual presence of the dude ranch ~~conveys~~ would have a substantial effect, ~~on the cumulative impression of the project. I~~ If the dude ranch is visible ~~and perceived as yet another upscale faux ranch project element strung out~~ along Upper Los Berros Road, the existing rural and natural character would be significantly compromised. To

minimize this potential visual impact, the visibility of the dude ranch should be minimized ~~or eliminated~~ through generous setbacks from Upper Los Berros Road, site design, structure scale, form, color and materials, retention of existing vegetation where practicable, screen planting, placement and alignment of access roads and entry points and other creative measures.

LV-6-1-43 (cont'd)

AES Impact 17	**Visibility of the built components of the dude ranch, in combination with the other project elements would cause ~~the~~ this area along Upper Los Berros Road ~~corridor~~ to appear ~~substantially~~ more developed and would adversely affect the rural visual character resulting in a direct long-term impact.**
AES/mm-25	Upon application for a Conditional Use Permit (CUP) for the dude ranch, the applicant shall provide development plans and reports that meet the following standards: a. Visibility of the built portion of the dude ranch from Upper Los Berros Road shall be ~~eliminated or~~ minimized to the greatest extent ~~possible~~ practicable through setbacks from Upper Los Berros Road, site design and retention of existing vegetation. The development shall not rely solely on architectural design and/or new landscaping to reduce visibility. b. Access roads and entry points to the dude ranch shall be designed and aligned to reduce their visibility from Upper Los Berros Road including required grading, and minimize views to the interior developed portion of the dude ranch. c. A visual impact report shall be prepared for the dude ranch that assesses the project's adherence to the above standards, identifies potential impacts, and develops appropriate avoidance, minimization and mitigation measures.
Residual Impact	With implementation of this mitigation, in combination with mitigation measures identified in the subsequent visual analysis of the CUP, impacts due to the visibility of the dude ranch would be considered *less than significant with mitigation, Class II.*

6. Cumulative Impacts

LV-6-1-44

The cumulative section addresses visual quality in two ways: 1) the combined affect of each of the visible project features when seen together as a single project; and 2) how this project may contribute to a change in visual quality when viewed along with other existing and reasonablye foreseeable future development in the viewshed area.

a. Views from Highway 101

The Highway 101 corridor through southern San Luis Obispo County has undergone visual changes within the last several years with new residential and commercial development. These changes have resulted in an increased although still rural ~~built~~ character through the corridor. ~~The visibility of this project would contribute greatly to an emerging perception that the Highway 101 corridor is undergoing a visual change from rural to urban development. Visibility of the~~

~~anticipated large scale homes would create a continuation of the hillside development visible on the Tenettate Ridge to the south. This project would further blur the visual distinction between communities and would degrade the unique rural character valued in county planning policy.~~ As development proposals continue to be advanced between Arroyo Grande and Nipomo, the visual benefits of the remaining open space and agricultural land increase in terms of preserving county scenic goals.

LV-6-1-44 (cont'd)

The current proposal ~~generally~~ places some of the residential lots on ~~top of~~ intermediate knolls and landforms, and at some of the upper elevations of ~~critical~~ viewshed backdrops. ~~In order to improve outward views from the lots as well as residential marketability, the rural visual character of the Highway 101 corridor and the community would be sacrificed. Although the project is being promoted as an attempt to "protect the rural character," the visual effect would be quite the opposite. The casual observer traveling the Highway 101 corridor would see several dozen large scale residences and a multitude of related site improvements scattered throughout the hills that were once strictly open space and agriculture. Proposed pole type street lights and residential lighting would continue this rural character degradation into the nighttime hours.~~ Some of the project is within the Highway Corridor Standards area (lots 87 through 91 and lots 1 through 23). Decisions have been made to relocate lots that have silhouette issues or otherwise bring these lots into conformance with the Highway Corridor Standards in regard to building heights, landscaping and color/materials standards. ~~Regardless of the mitigation measures recommended in this study, including proposed lot reconfiguration recommendations, the project would remain recognizable as a "large residence" hillside development as seen from Highway 101 (refer to Figures V.K. 3 through V.K. 20).~~

~~Newly planted~~ Landscaping was observed adjacent to Highway 101 along a portion of the project frontage. The planting included mostly ~~non~~-native species from local nurseries that may eventually reduce ~~potentially objectionable~~ views to the project site from that ~~one~~ location. ~~The purpose of this planting was not identified, however if it applies, the value of pre project screen planting should consider the following: 1) The impermanence of landscape planting and the potential for plant mortality, alteration or removal, and 2) County Open Space Policy 25 that states if screen planting must be used, it should be "native vegetation that is compatible with the scenic resource being protected and does not obstruct public vistas." The existing new planting along Highway 101 frontage would at maturity obstruct quality public views of the hillside backdrop and the SRA to the east.~~

b. Views from Upper Los Berros Road

LV-6-1-45

Views of the project from Upper Los Berros Road would be more isolated and from closer range than those from Highway 101. The viewer along Upper Los Berros Road would not perceive the full extent of the residential sub-clusters throughout the project, ~~but~~ Viewers would see ~~a series of exclusive~~ the Homeowners Association ~~recreation oriented~~ centers ~~along an otherwise small scale country back road~~ and existing buildings to be retained at the ranch headquarters area. The architecture, activities, entry gates, signage and other amenities ~~would by design convey the impression of wealth, which in turn~~ would cause a change ~~fundamental shift~~ in the visual character of this area along Los Berros Road. ~~perception of the corridor.~~ A large number of the potential viewers along Upper Los Berros Road or adjacent to it but with access through Rancho Nipomo would be residents of the development and are expected have a low degree of sensitivity regarding alteration of the existing visual setting. The remainder of Upper Los Berros Road users would likely notice a substantial change in visual character, ~~regardless of the project's ranch style~~

~~architecture. Some degree of rural character loss would occur even with project design efforts and implementation of measures recommended in this study (refer to Figures V.K. 21 through V.K. 35).~~

LV-6-1-45 (cont'd)

LV-6-1-46

~~This section~~The Aesthetic section of this DEIR identifies a range of avoidance, minimization and mitigation measures addressing the aesthetic affects of the project. ~~Because of the large scale of the project site, particularly as seen from Highway 101, much of the public perception would be based on the combined visibility of the project as a whole.~~ Many of the recommended mitigations are required in order for the project to comply with the adopted Highway Corridor standards. Because of the viewing distances involved from much of the ~~H~~highway ~~C~~corridor, the value of any single recommended mitigation would be most realized when seen in conjunction with implementation of ~~all the~~ other mitigation measures. For example, under most circumstances, a mitigation measure to limit the height of any one single residence may not provide great aesthetic benefit. However when applied to an entire group of residences, the benefits are apparent and visual impacts reduced (for example lots 1 through 23). ~~Because of the expanse of project elements over a wide extent of the viewshed, the noticeability of both individual and combined project elements would define the extent of visual impact.~~ As a result, the cumulative benefit of ~~all~~ a combination of the individual mitigation measures is critical.

AES Impact 18 **The visibility of ~~individual~~ the project ~~elements~~ in the context of emerging development along the Highway 101 corridor would result in direct and indirect long term adverse cumulative impacts.**

AES/mm-26 Prior to approval of the subdivision improvement plan, the applicant shall modify the project to comply with all adopted mitigation measures.

Residual Impact Mitigation measures specific to the proposed project include recommendations to modify the proposed project design, including relocation of lots, relocation of building envelopes, and relocation of main and minor internal access roads. Implementation of these measures would mitigate the proposed project's significant contribution to cumulative impacts to less than significant. ~~; however,~~ The County can ~~not~~ include design changes to a tentative map and/or a CUP as conditions of approval. Therefore, this cumulative impact would be considered *significant and ~~un~~ avoidable, Class II.*

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AGRICULTURAL RESOURCES

1) CLASS 1 IMPACT, AGRICULTURAL RESOURCES

LV-6-1-47

The DEIR states that impacts to agricultural resources are significant and unavoidable Class 1 impacts. (DEIR, pp. II-10 – II-11.) The DEIR states that the "[d]ecision-maker must issue a 'Statement of Overriding Considerations' under CEQA Guidelines Section 15093 if the project is approved," for the following potentially significant impacts:

AG Impact 1 Implementation of the proposed project would result in the permanent loss of 3.5 acres of Farmland of Statewide Importance, 3.0 acres of Farmland of Local Importance, 153 acres of Unique farmland, including 113 acres of productive vineyard, and 61.9 acres of Grazing Land. Implementation of the proposed project would set an adverse precedent in the county by resulting in the permanent conversion and loss of approximately 113 acres of existing productive vineyard.

AG Impact 2 The non-contiguous nature of the proposed project and inadequate buffers between the existing agricultural use and proposed residential use and access roads would create land use conflict, which would compromise the productivity of the existing agricultural operation.

AG Impact 4 Implementation of the proposed project would significantly contribute to the cumulative loss of productive Farmland.

(DEIR, pp. II-10 – II-11.)

The DEIR identifies only three mitigation measures, although there are numerous other measures already incorporated into the project that should have been considered, and improperly concludes that there is no feasible mitigation to reduce the potentially significant impacts of the project.

2) DEIR ANALYSIS OF AGRICULTURAL RESOURCES IS FLAWED

LV-6-1-48

One of the fundamental problems with the DEIR is that it ignores the strong county policies in the general plan and the South County Area Plan that promote agricultural cluster development as a means to preserve the agricultural resources of San Luis Obispo County. (*See*, Letter by K. Bornholdt, Re Public Records Act Requests to Planning Department and Agricultural Commissioner's Office.) This problem is pervasive throughout the DEIR.

The analysis in the DEIR is also flawed because there are factual inaccuracies throughout the analysis that taint the ultimate conclusion. These inaccuracies are contained in the analysis of the project's impacts on the agricultural water supply, and in the analysis of the impact of the use of the project's wastewater on the productive capacity of the vineyards (and other crops). The analysis in the DEIR is also flawed because it inaccurately describes the policies of the county, particularly in regard to agricultural buffers. The DEIR also incorrectly identifies the policies that apply to this project. This is a "pipeline" project that is subject to the county's regulations from 2003.

The DEIR is also flawed because it fails to fully consider the mitigation designed to minimize the project's potential impact on agricultural resources. The project already includes mitigation that would fully mitigate the environmental impacts identified above, however the mitigation was not properly framed and identified in the consideration of potentially significant impacts. Once the all of the mitigation is considered, the project's potential environmental impacts are *less than significant*. **LV-6-1-49**

3) RECOMMENDED CHANGES TO THE DEIR

The analytical flaws in each of the Class 1 impacts are so interrelated that they cannot be separated. Therefore each of the recommended changes and concerns about the analysis in the DEIR apply to all Class 1 impacts and are hereby incorporated by reference into the discussion of each impact. **LV-6-1-50**

The DEIR improperly assumes that the simple fact that farmland has been mapped by the Department of Conservation as part of its Farmland Mapping Program means the agricultural land at the project site is somehow more valuable than other unmapped farmland. That is a misinterpretation of the CEQA Guidelines, which only refer to the Farmland Mapping Program as a way of identifying farmland of different values for analysis. Entire counties are mapped or not mapped as the Department of Conservation's budget allows. The act of mapping itself is not a value judgment, rather it is the categories of mapped land that are one of the consideration for determining the value of the agricultural resource. There are no prime soils at the project site, being productive as a result of the best management practices historically employed by Laetitia.

The text of the DEIR must be reorganized to incorporate all of the project's mitigation measures into the mitigation section, and into the analysis of the project's potential impacts. This project is actually committing to protect agricultural resources at a ratio in excess of 7:1 (seven acres preserved for each acre converted). This is an extraordinary level of agricultural protection. This project will provide the long term protection of nearly 2,000 acres of agricultural land and open space to mitigate the conversion of approximately 230 acres of agricultural land; and this is only one of many measures that are being incorporated into this project. The project includes planting more agricultural land than it is removing, bringing additional land into more intensive agricultural production and increasing its agricultural viability. With mitigation, the potential impacts resulting from farmland loss are less than significant. **LV-6-1-51**

The project's agricultural buffers have been specifically designed for each lot. A detailed engineering analysis that considered wind direction, topography, existing and proposed agricultural use, and vegetative screening was completed for each lot. These buffers are completely protective of both agricultural and residential uses. At the same time, the project has adopted best management practices to further reduce potential conflicts, such as a homeowner's association that will be responsible for addressing all complaints and 500 foot zones around all lots where additional best management practices will be employed. This project will not cause potentially significant land use conflicts between the future residences and the project's productive agriculture. **LV-6-1-52**

The remaining recommended changes identified below are a result of factual inaccuracies that affected the analysis. These factual issues are primarily located in the agricultural water supply and wastewater sections. Specifically, the water supply section did not accurately reflect the analysis completed by Cleath and Associates in 2005, which did not suggest that there is an **LV-6-1-53**

insufficient water supply for both residential and agricultural uses in dry or critically dry years. In fact, there should be a sufficient water supply for both uses. The residential and agricultural wells are sufficiently separated that residential water use would not directly impact the agricultural wells. Therefore, the existing and future agricultural production will not be diminished by the proposed residential use of water at the project site, and the DEIR should be amended accordingly.

LV-6-1-53 (cont'd)

The other issue has to do with the potential over application of wastewater, and the impact that speculatively could have on agricultural production. First, the project site consists of hundreds of acres, so there are many opportunities to dispose of wastewater through land application. It would not be in the Laetitia Winery's best interest as the DEIR suggest to water log its vineyards, thereby damaging its valuable investment. In fact, its plan does not include applying wastewater to the vineyard. The wastewater would likely be used to irrigate agricultural land or common areas. It is unreasonable to assume that wastewater would ever be applied in an excessive and harmful manner, as not only is this contrary to best management practices but it is unlikely that it would be allowed by the Regional Water Quality Control Board. The project and the Laetitia Winery will follow best management practices at all times. The DEIR should be amended to accurately reflect the facts, and adopt more reasonable assumptions about wastewater management.

LV-6-1-54

4) APPLICATION OF RECOMMENDED CHANGES

LV-6-1-55

Recommended changes to EIR text are shown below:

Section V.G. Agricultural Resources, 5(a)(1), p. V-173

5. Project-specific Impacts and Mitigation Measures

a. Project-wide

The applicant proposes to implement an agricultural cluster project, which would create 102 residential lots and additional facilities and infrastructure within an area used for agricultural production of wine grapes, orchards, and livestock grazing. ~~The proposed lots would extend throughout the project site, resulting in project-side impacts to agricultural resources.~~ Implementation of the proposed project would result in the conversion of approximately 230 acres of Farmland and Grazing Land to non-agricultural uses by constructing residential development, facilities, infrastructure, and by permanently removing crops to accommodate buffers. Within these 230 acres, the applicant proposes to remove approximately 113 acres of productive vineyards.

1) Conversion of Agricultural Land to Non-Agricultural Use

The proposed project includes 102 residential lots, ranch headquarters (homeowners' association facility and recreational facilities), equestrian center, wastewater treatment ponds, and related infrastructure that would convert to non-agricultural use approximately ~~123~~ 23.5 acres of land classified as Farmland of Statewide Importance, 3.0 acres of Farmland of Local Importance, 153 acres of land classified as Unique Farmland and 61.9 acres of Grazing Land. ~~would be converted to non-agricultural land uses~~ (refer to Table V.G.-5). ~~This Farmland,~~ Within the impacted acreage, a total of approximately 113 acres of existing productive vineyard crops would be

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converted to a non-agricultural use. (See Table V.G-4, Conversion of Farmland.) ~~Approximately half the residential lots proposed by the applicant would require removal and re-location of existing vineyard. Proposed lots requiring removal of 53 acres of vineyards to establish the lots would include Lot 1 through 10, 16 through 23, 30 through 43, 46, 47, 49 through 52, 57 through 64, 68, 69 and 87 through 91. An additional ten acres of vineyard would be removed to construct the equestrian facility, and three acres would be removed for treated effluent storage ponds 2 and 3. Approximately 41 acres of vineyards would also be removed to establish buffer zones between residential development and agricultural areas. Removal of vineyards would not be required for future construction of the dude ranch.~~

The project would not convert prime agricultural soils. The agricultural soils impacted by the project are generally poorer soils representing a minor contribution to the County's total agricultural resource base. The project's predicted loss of 3.5 acres of Farmland of Statewide Importance represents approximately 0.02% of the County's total supply of 19,722 acres. (California Department of Conservation, Farmland Statistics, 2006.) The project's predicted loss of 3 acres of Farmland of Local Importance represents approximately 0.002% of the County total supply of 174,550 acres. The project's predicted loss of approximately 113 acres of Unique Farmland planted in vineyards represents approximately 0.31% of the County's total supply of 36,411 acres. The project's predicted loss of 61.9 acres of acres of Unique Farmland in grazing represents approximately 0.008% of the County's total supply of 742,004 acres. The State Farmland Mapping Program is not intended to rate agricultural land under CEQA, but is merely a mapping program. The fact agricultural lands are mapped and classified has nothing to do with the importance or non-importance of those lands under CEQA nor are those lands any less nor more important than any other agricultural lands not mapped in the State.

LV-6-1-55 (cont'd)

Section V.G. Agricultural Resources, 5(a)(1), p. V-174

LV-6-1-56

The applicant proposes to place four lots totaling 1,787 acres under open space easements, as required by the agricultural cluster ordinance. The applicant proposes to place these lots under Williamson Act contracts. Prime Farmland, Unique Farmland, Farmland of Statewide Importance and Local Importance, and Grazing Land will be included within the easements. Existing agricultural related uses within the open space easement include the winery and hospitality structure, maintenance area, farm support structures, agricultural/residential roads, and reservoirs. ~~Proposed~~ Predominantly agricultural uses within the open space easements would include the ~~ten-acre equestrian facility,~~ 1.4-acre ranch headquarters/homeowners association facility, and future dude ranch., ~~wastewater treatment facility and three treated effluent storage ponds, and residential roads.~~ These are permitted uses within the agricultural zone.

The applicant also proposes to plant approximately ~~140~~ 127.5 acres of vineyards or ~~orchards~~ other agricultural use throughout the project site to replace the vineyards removed for structurale development and establishment of proposed buffer zones. The soil types proposed for replacement are generally similar to the areas currently under production. ~~The proposed vineyard replacement would partially, but not completely, offset the loss of productive vineyards because the long-term success and productivity of these replacement areas is unknown, which the permanent loss of currently productive areas is certain. The proposed homesites, and proposed buffer areas, would remain out of production for the life of the project. The permanent loss of productive Farmland would result in significant, adverse, and unavoidable impact.~~ As the existing winery and its vineyard managers have extensive experience in the cultivation of vines, the new planting is expected to be successful. The new vines will be fully integrated into existing

vineyard operations, and incorporated into the high quality wines produced by Laetitia (see Letter from Lino Bozzano, Laetitia Farm Manager, attached).

LV-6-1-56 (cont'd)

The project related loss of agricultural resources will be fully mitigated by permanently protecting farmland at more than a 7:1 ratio, and increasing the agricultural viability of an additional approximately 127.5 acres by planting new vineyards or other agricultural uses.

Section V.G. Agricultural Resources, 5(a)(1), p. V-175 Through V-180

LV-6-1-57

~~In addition, if approved, removal of production agriculture to accommodate residential development would set an adverse precedent in the County (Lynda Auchinachie, 2006)~~

AG Impact 1 Implementation of the proposed project would result in the ~~permanent~~ loss of ~~123~~.5 acres of Farmland of Statewide Importance, 3.0 acres of Farmland of Local Importance, 153 acres of Unique Farmland, including approximately 113 acres of ~~productive~~ existing vineyards, and 61.9 acres of Grazing Land. ~~Implementation of the proposed project would set an adverse precedent in the county by resulting in the permanent conversion and loss of existing productive vineyard.~~

~~No f~~The project would implement the following ~~Feasible~~ mitigation measures: ~~are available that would mitigate impacts due to the loss of farmland and productive vineyard. Impacts could be substantially reduced with redesign of the subdivision, including elimination of lots and development within productive areas.~~

AG/mm-1 The conversion of agricultural land to non-agricultural uses will be mitigated at a ratio greater than 7:1, as the applicant will permanently protect approximately 1,792 acres of agricultural land onsite through the dedication of open space easements.

a) The project shall place approximately 1,792 acres into permanent agricultural open space; and

b) The project shall place approximately 1,792 acres under new Williamson Act Contracts.

AG/mm-2 To mitigate the loss of approximately 113 acres of existing vineyards that will be removed to accommodate the structural development of the project site, the applicant will also increase the intensity of agricultural use on approximately ~~440~~ 127.5 acres of existing agricultural land onsite by planting new vineyards or other agricultural uses.

~~*Residual Impact* Due to the lack of feasible mitigation measures, this impact would be considered *significant and unavoidable*, Class 1.~~

Residual Impact The mitigation measures sufficiently reduce the impact of the loss of agricultural resources to *less than significant*, Class II.

LV-6-1-57 (cont'd)

2) Location of Development and ~~Inadequate~~ Land Use Buffers

LV-6-1-58

~~Active, productive~~ There are vineyards ~~are present~~ on the project site. The applicant proposes to locate the residential clusters, and homeowner's association building/recreation center, ~~and equestrian facility within and throughout~~ outside of the vineyards. Implementation of the proposed project would provide housing for approximately 254 people (assuming 2.49 people per household). The design of the proposed project would result in small residential clusters located outside of the existing vineyard connected by access roads. Residents may use onsite residential and agricultural roads for recreational uses, including but not limited to equestrian use, bicycling, walking, or running. With the increase in population outside the vineyard, there is the increased potential for land use conflicts, but these potential conflicts will be mitigated to a level of insignificance with mitigation.

According to the County Agriculture and Open Space Element Buffer Policies, the current standard required buffer between productive vineyards and residential uses is 200 to 600 feet (San Luis Obispo County; 2005). At the time the proposed project application was accepted for processing, the buffer recommendation for vineyards was 400 to 800 feet. (San Luis Obispo County; 2002). These ranges were only recommendations, however, as "[s]ignificant overriding factors could justify buffers outside of the indicated range" (San Luis Obispo County, Agriculture & Open Space Element, 2002, p. D-6). Under the Guidelines, the range of buffers is just the first step or starting point for determination of an adequate buffer. One can pick a number or go on and do a detailed analysis applying the factors outlined in the Guidelines. The Applicant chose to do an analysis applying these Guideline factors to each lot. The County Agricultural Commissioner's Office (Ag Office) did not do an analysis of these Guideline factors as applied to each lot nor does the Office challenge specifically the application of these factors to each lot as done by the Applicant. Rather, the Ag Office stopped at the first step and went no further. The analysis under the Guidelines utilizing the factors is the only scientific approach to determination of appropriate buffers. The Applicant's proposed buffers using this scientific approach resulted in proposed buffers of different distances, some greater and some smaller than the buffer number picked by the Ag Office. The Ag Office comment did not contain any analysis of how it arrived at this number for the subject property and each lot.

The buffers identified in the 2002 policies were not maximums or minimums, rather merely recommendations when no other information was available (see, Letter by K. Bornholdt, Re: Public Records Act Requests to Planning Department and Agricultural Commissioner's Office [previously approved agricultural cluster projects had buffers less than 200 feet.]). The 2002 buffer policies stated that within the recommended ranges, "[s]ite specific non-crop factors and proposal specifications often affect the final buffer distance recommendation…," and, "[o]ther mitigation measures such as screening, may also affect buffer distance recommendations." More specifically, the buffer policies considered: existing and future agricultural use of the surrounding properties, zoning on the surrounding agricultural properties, site specific non-crop factors, and the nature of the proposal. In the evaluation of site-specific non-crop factors, "[v]arious specific factors are evaluated and potentially utilized in land use conflict determinations and mitigation measures. These include, but are not limited to: topography, prevailing wind direction, natural screening (e.g.; vegetation, stream channels), soil type, and the extent of existing development." In the evaluation of the nature of the proposal, the County considers, "[s]pecific factors related to

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LV-6-1-58 (cont'd)

the referred land use proposal that may be significant [which] include, but are not limited to: parcel size, configuration, density of development, and intended type of land use."

Buffer distances are recommended to avoid or minimize potential land use conflicts and incompatibilities due to noise odor, use of heavy equipment on access roads, trespass, and use of pesticides and fertilizers. Buffer distances are also recommended to minimize the spread of invasive species and pests within agricultural areas.

~~One of the goals of agricultural buffers is to allow agriculturalists to continue historic agricultural practices.~~ Upon review of the project, the County Agricultural Department recommended a buffer of 500 feet and that residences should be clustered in a compact and contiguous manner that would reduce the agricultural/residential interface, (Lynda Auchinachie, 2004, 2008). This recommendation was made without the analysis of non-crop factors. Since this initial recommendation, additional analysis lot by lot has been completed and lot specific buffers have been created.

~~Buffer distances are recommended to avoid or minimize potential land use conflicts and incompatibilities due to noise odor, use of heavy equipment of access roads, trespass, and use of pesticides and fertilizers. Buffer distances are also recommended to minimize the spread of invasive species and pests within agricultural areas.~~

The length of the agricultural buffers, or the space between the vineyard and each homesite envelope, is based on the predominate wind direction of the central coast. A reduction in the buffer is made if the elevation at the base of the development envelope is 20 feet or greater above vineyard elevation. This reduction is given at a one to one basis (see, Examples of Buffer Analysis, attached). The width of the buffers are tailored to each homesite, and designed to account for elevation of the homesite in relation to the vineyard and prevailing wind direction. The buffer widths would be adequate to avoid pesticide drift. Nevertheless, there will be no Class I pesticides sprayed within 500 feet of any residence. The buffers would also be sufficiently large to minimize noise and dust associated with normal farming activities (see, RRM letter and Mitigated Plan for Identification of Buffer Widths for all Lots).

~~1 through 35, 42, 43, 46 through 54, 56 through 63, 65 through 85, 87 through 96, and 99 through 105 would be located less than 600 feet from existing and proposed vineyards. Out of these lots, fifteen lots would be located less than 200 feet to the southwest and 400 feet to the northwest, as measured from existing and proposed vineyards, including Lots 7, 28, 49, 58, 59, 70 through 73, and 77 through 82. These building envelopes for these proposed lots would be located at approximately the same elevation as the existing and proposed replacement vineyards to the northwest; the building envelopes would be approximately 50 feet in elevation above existing and proposed replacement vineyards to the southeast. Prevailing winds blow from the northwest to the southeast, which may maximize drift of dust and pesticides toward these lots when the wind is blowing in the prevailing direction. The time of year when these winds prevail generally corresponds with the peak pesticide spray period (March though August).~~

~~Based on consultation with the County Agricultural Department, the proposed buffer distance for these lots would be inadequate, and inconsistent with the County's buffer policy (Lynda Auchinachie, 2006, 2008). In addition, the sprawling nature of the proposed development increases the agricultural/residential interface due to the location of proposed clusters, distance from central amenities, and use of shared roadways and residential roads adjacent to~~

LV-6-1-58 (cont'd)

~~agriculturally productive areas. Residents living adjacent to production agricultural operations often cite nuisance complaints due to odors, noise, dust, and use of pesticides and fertilizers. Ongoing operations of the vineyard and winery facility could result in nuisances experienced by future homeowners, due to inadequate buffers between the different land uses. Due to the nature of the proposed development, and measures identified by the applicant to minimize land use conflicts, it can reasonably be assumed that operation of the vineyard would change to accommodate the needs of the future residences.~~

~~Implementation of the proposed project would provide housing for approximately 254 people (assuming 2.49 people per household). The design of the proposed project would result in small residential clusters spread throughout the existing vineyard connected by access roads. Based on the traffic analysis prepared for the EIR, residential development would generate 1,049 daily trips, not including internal trips to the equestrian center and ranch headquarters/homeowners association facility. Residents may also use onsite residential and agricultural roads for recreational uses, including but not limited to equestrian use, bicycling, walking, or running. Increased populations within the vineyard would increase the potential for theft and vandalism. In addition, the increased presence of people on roads within the vineyards may interfere with normal agricultural management activities. In addition, due to the proximity of residential uses to vineyards, there is an increased potential for invasive species and pests to be transferred from landscape areas to the vineyards. The applicant's proposed regulation and inspection of landscape plants would not be feasible, enforceable mitigation measure as only state and/or county officials have the authority to conduct such inspections. The applicant proposes to modify current agricultural practices within 500 feet of each residence, including the following:~~
~~All vineyard work (pest control, vineyard floor maintenance, canopy management, and pruning with the exception of harvest) will be performed during daylight hours of 8:00 A.M. to 5:00 P.P., Monday through Friday. Harvest will be limited to handpicking during daylight hours only.~~

~~Permanent cover crops will be established and maintained to minimize dust. All pest control will incorporate organic farming practices. Class 1 restricted pesticides would not be used within the 500-foot buffer zone. Pesticides classified by the U.S Environmental Protection Agency as potential carcinogens would not be used. Vineyards will be maintained to a neat and orderly appearance. All trash will be picked up, and all tools and equipment will be transported back to the vineyard shop at the end of the workday. All the farm labor and employees would assemble at the vineyard shop daily, and would be transported throughout the ranch via company vehicles. The 500-foot buffer surrounding proposed residential building envelopes is shown in Figure V.G.-3. The applicant proposes to establish a homeowner's association that would manage the proposed equestrian center, security issues, common area landscaping, agricultural buffers, residential roads, and gates. The current vineyard manager would be designated the Agricultural Operator (AO), and would manage all onsite agricultural uses, the agricultural water supply and irrigation ponds, agricultural roads, green waste composting, and agricultural fencing and improvements. The homeowner's association would maintain the common area landscaping and agricultural buffers. The Agricultural Management and Buffers Plan includes protocol for communications between the homeowner's association and AO, including regularly scheduled meetings. Homeowner's association guidelines and conditions, covenants, and restrictions (CC&Rs) are proposed to include a copy of the County "Right-to-Farm Ordinance" and disclosure information regarding the surrounding agricultural operations, contact information, and mediation procedures.~~

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~~These measures proposed by the applicant may reduce the potential for nuisances experienced by the residents; however these measures are not enforceable by the County and are not consistent with County Agriculture and Open Space Element policies to protect agricultural resources and operations, because historical and future agricultural practices will be restricted to accommodate incompatible development. In addition, it may not be feasible to comply with all proposed measures for the life of the project (i.e., the use of restricted pesticides may be necessary to manage invasive pests). Management of the vineyard, with the intent of reducing conflicts with the proposed residential use as opposed to the production of agricultural crops, may result in lowered crop yield and potentially the long-term viability of the operation.~~

LV-6-1-58 (cont'd)

AG Impact 2 **~~The non-contiguous nature of the proposed project and inadequate buffers between the~~ existing agricultural use and proposed residential use and access roads ~~c~~would create land use conflicts, which ~~c~~would compromise the productivity of the existing agricultural operation.**

AG/mm-~~3~~1 Prior to transfer of the parcels created by this subdivision, the applicant shall disclose to prospective buyers, all of the parcels created by this proposal, the consequences of existing and potential intensive agricultural operations on adjacent parcels including, but not limited to: dust, noise, odors and agricultural chemicals and the county's Right to Farm Ordinance currently in effect at the time said deed(s) is recorded.

AG/mm-~~4~~2 Prior to issuance of construction permits for individual lot development, plans shall show that existing trees ~~and vegetation~~ located between residential building envelopes and agricultural areas shall be retained, to the extent practicable, to provide a vegetative barrier between residential and agricultural uses.

AG/mm-~~5~~3 Prior to final acceptance of subdivision improvements, the applicant shall install ~~no-climb~~ fencing along the perimeter of existing and proposed vineyards, at the interface between residential uses, ranch headquarters, equestrian facility, and residential access roads.

AG/mm-6 Current agricultural practices shall be modified within 500 feet of each residence,[2] as follows:

- ~~All~~ All vineyard work (pest control, vineyard floor maintenance, canopy management, and pruning with the exception of harvest) will be performed during daylight hours of 8:00 A.M. to 5:00 P.M., Monday through Friday. Harvest will be limited to handpicking during daylight hours only.
- To minimize pesticide drift, the application of pesticides will take place during nighttime hours when the air is comparatively still.
- Permanent cover crops will be established and maintained to minimize dust.
- All pest control will incorporate organic farming practices. Class 1 restricted pesticides would not be used within the 500-foot buffer zone.

[2] The 500-foot buffer surrounding proposed residential building envelopes is shown in Figure V.G.-3.

LV-6-1-58 (cont'd)

Pesticides classified by the U.S Environmental Protection Agency as potential carcinogens would not be used.

- Vineyards will be maintained to a neat and orderly appearance. All trash will be picked up, and all tools and equipment will be transported back to the vineyard shop at the end of the workday. All the farm labor and employees would assemble at the vineyard shop daily, and would be transported throughout the ranch via company vehicles.

AG/mm-7 The applicant proposes to establish a homeowner's association that would manage security issues, common area landscaping, agricultural buffers, residential roads, and gates. The current vineyard manager would be designated the Agricultural Operator (AO), and would manage all onsite agricultural uses, the agricultural water supply and irrigation ponds, agricultural roads, green waste composting, and agricultural fencing and improvements. The homeowner's association would maintain the common area landscaping and agricultural buffers. The Agricultural Management and Buffers Plan includes protocol for communications between the homeowner's association and AO, including regularly scheduled meetings. Homeowner's association guidelines and conditions, covenants, and restrictions (CC&Rs) are proposed to include a copy of the County "Right-to-Farm Ordinance" and disclosure information regarding the surrounding agricultural operations, contact information, and mediation procedures. The Agriculture Commissioner has approved this mitigation for previously approved agricultural cluster development project (see, K. Bornholdt Letter, Re: Public Record Act Request to Planning Department and Agricultural Commissioner's Office).

AG/mm-8 Residential set backs from proposed and existing vineyards have been developed for each residence to create a sufficiently large agricultural buffer area to minimize potential conflicts between vineyard production and future residential uses.

AG/mm-9 To minimize the potential for the spread of pests from residential landscaping to agriculture, landscape materials will be purchased only from San Luis Obispo County sources. The Agriculture Commissioner's Office has an inspection program that manages the threat of pests on landscape materials entering the county, so purchasing from in county sources should minimize the potential for the spread of pests.

~~The 500-foot buffer surrounding proposed residential building envelopes is shown in Figure V.G. 3. The applicant proposes to establish a homeowner's association that would manage the proposed equestrian center, security issues, common area landscaping, agricultural buffers, residential roads, and gates. The current vineyard manager would be designated the Agricultural Operator (AO), and would manage all onsite agricultural uses, the agricultural water supply and irrigation ponds, agricultural roads, green waste composting, and agricultural fencing and improvements. The homeowner's association would maintain the common area landscaping and agricultural buffers. The Agricultural Management and Buffers Plan includes protocol~~

~~for communications between the homeowner's association and AO, including regularly scheduled meetings. Homeowner's association guidelines and conditions, covenants, and restrictions (CC&Rs) are proposed to include a copy of the County "Right-to-Farm Ordinance" and disclosure information regarding the surrounding agricultural operations, contact information, and mediation procedures.~~

LV-6-1-58 (cont'd)

Residual Impact

The Implementation of the mitigation measures identified above~~, in addition to the measures proposed by the applicant,~~ would minimize potential land use conflicts to a level that is *less than significant*, Class II.~~; however, residual nuisance complaints and land use conflicts are expected to occur, which may further restrict agricultural operational practices within the vineyard. These conflicts would occur due to the inadequate buffers between inherently incompatible uses, and this impact would be considered significant and unavoidable, Class 1.~~

Section V.G. Agricultural Resources, 5(a)(3), pp. V-180-182

[NOTE: The DEIR fails to accurately reflect Cleath and Associates 2005 report regarding water supply. Specifically, the agricultural water supply is not expected to be reduced in times of extreme drought to serve residential uses, so there is no significant and unavoidable impact on agricultural production. There are separate wells used for the exclusive use of agriculture, and separate wells used for the exclusive use of the future residential development (in all but one case). And, there is no overlap in the area of the groundwater basin under the property from which the wells are drawing water. Therefore, the residential water use even during dry years will not impact the agricultural water supply. The DEIR should be revised accordingly, as the project related water use will have a less than significant impact on agricultural resources.

LV-6-1-59

In regard to wastewater, the DEIR says that there may be soil saturation; and as a result, there may be subsequent crop failure because of the application of wastewater. This is apparently because the DEIR assumes that only 20 acres of vineyards will be used for the application of wastewater. (DEIR p. V-181.) The project will not be applying wastewater to vineyards, rather to will be applied to pasture for grazing, orchards, lavender, and/or forage crops. It is not reasonable to assume that the project will include damaging the property by over application, as it is unlikely that this would be allowed by the Regional Water Quality Control Board and it is contrary to best management practices. The project will be adopting best management practices. If there is an excess of wastewater at certain times, alternatives will be developed.]

LV-6-1-60

Section V.G. Agricultural Resources, 5(a)(6), pp. V-182-183

6. Cumulative Impacts

LV-6-1-61

General Plan Amendments, subdivisions, and residential development in South County area have resulted in the conversion of farmland. Implementation of the proposed project would contribute to the cumulative preservation ~~conversion~~ of agricultural land in the area, and the permanent retention ~~loss~~ of Farmland. ~~Removal of productive crops to accommodate a large residential development would set a precedent in the county for this type of practice, which is inconsistent with the goals and policies of the Agriculture and Open Space Element.~~ The proposed project is located within an agricultural area ~~and open space green belt~~ between the City of Arroyo Grande

and Community of Nipomo. Based on the records of the agricultural commissioner's office, the cConversion of this property to an agricultural cluster ~~residential~~ development could ~~would likely~~ result in increased conflicts between agricultural and residential uses in the area. However, the Agricultural Commissioner's Office has also determined that a Homeowner's Association is an effective means for addressing any potential conflicts (see, K. Bornholdt Letter, Re: Public Record Act Requests to Planning Department and Agricultural Commissioner's Office, Attached). ~~, and may result in non-renewals of Williamson Act contracted lands on adjacent parcels. The proposed project is inconsistent with the County's Buffer Policy; development of this project as proposed is inconsistent with the County's Buffer Policy; development of this project as proposed would initiate a precedent for inadequate buffers between residential and agricultural land uses. In addition, the proposed project appears inconsistent with the County Land Use Ordinance and Agriculture and Open Space Element policies requiring preservation of 95 percent of land for agricultural production, because permanent buffers and construction of non-agricultural uses (i.e., recreational uses, wastewater treatment facility) are proposed within the area quantified by the applicant for preservation. The potential impacts to agricultural resources resulting from the proposed project, and the precedent-setting nature of the proposed project would be considered cumulatively significant and adverse.~~ The implementation of mitigation measures will reduce this impact to a level of less than significant.

LV-6-1-61 (cont'd)

AG Impact 4 Implementation of the proposed project cwould ~~significantly~~ contribute to the cumulative loss of productive Farmland.

Implement AG/mm-1 through AG/mm-~~83~~.

Residual Impact With implementation of the above mitigation measures, the potentially significant cumulative impacts of the project are reduced to a level that is *less than significant*, Class II. ~~impacts would be reduced; however, residential impacts would be considered significant and unavoidable, Class1.~~

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ARCHEOLOGY

The applicant has agreed to implement mitigation measures relocating lots on sites identified as having potential resources (see letter from RRM). Where relocation was not possible, capping of the resource will be implemented. With these mitigation measures agreed to by the applicant, impacts to Archeological Resources should be identified as Class II.

LV-6-1-62

HAZARDS AND PUBLIC SERVICES

The applicant has agreed to the following new and revised mitigation measures (new language is underlined): **LV-6-1-63**

HM/mm-2 At the time of application for subdivision improvement plans or grading permits, the applicant shall submit an access plan showing secondary access at Laetitia Vineyard Drive. Crash gates shall not be allowed. Proposed gates shall open automatically upon approach by the fire department and/or shall be guard controlled to prevent use by residents except in case of an emergency.

HM/mm-3 At the time of application for subdivision improvement plans or grading permits, the applicant shall submit a revised tract map showing a revision of Access Roads A & K to meet CAL FIRE standards.

HM/mm-4 At the time of application for subdivision improvement plans or grading permits, the applicant shall submit a revised tract map showing a revision of Access Road 1 to meet CAL FIRE standards. This may require relocation of lots 24 through 43 or provision of access meeting CAL FIRE requirements via Upper Los Berros Road. **LV-6-1-64**

The provision of a controlled access that prevents routine residential exiting or entry, allows for "automatic" CAL FIRE access and prevents the generation of residential trips on to US 101 (except in an emergency) meets the requirements of both agencies and would reduce impacts to less than significance (Class II) without resulting in a secondary non-emergency impact on the Laetitia Vineyard Drive/US 101 intersection. **LV-6-1-65**

The DEIR (PSU Impact 4) indicates a Class 1 "cumulative impact to emergency services personnel." **Such a finding is not supported by any evidence.** **LV-6-1-66**

The DEIR (p. V-419) indicates a threshold applicable to Fire Service as follows:

> 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 fire protection, police protection, schools, or *other public facilities* [emphasis added].

The DEIR acknowledges that (p. V-421), "The applicant's compliance with standard fire safety regulations would minimize the potential for fire hazards, and minimize the demand for fire protection services . . ." The project would incorporate the use of appropriate building materials and all new residences would have sprinklers.

In addition the applicant has agreed to a mitigation measure (PSU/mm-6 – as slightly revised to clarify the measure – see letter from RRM) whereby the applicant has agreed to dedicate one acre of the site for Fire Department use.

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The Fire Department is funded from property taxes; with the construction of the new homes the property taxes from the site would increase considerably, with some fraction of that increase going to the Fire Department.

LV-6-1-66 (cont'd)

With all the proposed mitigation, increased tax base, past precedent in other environmental documents and no evidence to support a Class I impact, the impact on CAL FIRE should be identified as Class II.

TRANSPORTATION

Existing Conditions

LV-6-1-67

According to the Fehr & Peers study, existing levels of service at the Highway 101/Los Berros Road-North Thompson Avenue interchange are LOS C and LOS D during the a.m. and p.m. peak hour periods. The existing level of service for southbound Highway 101, as well as several of the ramp junctions at the Highway 101/Los Berros Road-North Thompson Avenue interchange, are listed at LOS D during the peak hour periods. As described in the DEIR, the County standard is LOS C for this area. Thus, the existing LOS D operations do not meet the County standard.

Thresholds of Significance

The DEIR lists Appendix G CEQA guidelines plus County of San Luis Obispo Guideline as the thresholds of significance. The text within the Thresholds of Significance section also states, "Caltrans strives to maintain a target LOS on State highways including Highway 101 at the transition between LOS C and D."

It is important to note that **Caltrans does not have any adopted thresholds.** Caltrans has published "*Caltrans Guide for the Preparation of Traffic Impact Studies*" (December 2002), which provides general parameters for conducting a traffic study but does not contain any adopted thresholds.

According to CEQA 15064.7.(b), "Thresholds of significance to be adopted for general use as part of the lead agency's environmental review process must be adopted by ordinance, resolution, rule, or regulations, and developed through a public review process and be supported by substantial evidence." However, CEQA does not require that Lead Agencies adopt thresholds, and in fact acknowledges that, "An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area." [CEQA Section 1064 (b)].

However, to the extent that thresholds are not adopted, a Lead Agency can not arbitrarily change thresholds with each project. Thresholds of significance for a community are indicated by past precedent -- how the same issue is dealt with in the same or dissimilar situations as documented in certified/ adopted Final Environmental Impact Reports and Negative Declarations provides the threshold of significance.

The text within the Thresholds of Significance section also states, "For U.S. Highway 101 ramps, Highway 101 mainline segments, or a County roadway segment already operating at LOS D, E, or F without the project, the addition of any project traffic to that location is considered a significant impact." To our knowledge, the County has not adopted thresholds that are applicable to State facilities (U.S. Highway 101 in the case).

According to the Fehr & Peers study, southbound Highway 101 and several of the ramp junctions at the Highway 101/Los Berros Road-North Thompson Avenue interchange operate at LOS D. Thus, according to the thresholds listed in the DEIR, the addition of ***one trip*** is considered a significant impact. If the County were to apply these thresholds consistently, almost all development projects in the Nipomo area would generate significant impacts. Any development

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that would generate a few peak hour trips (2-3 homes or 1,000 square feet of commercial use) would likely add one trip (or more) to U.S. Highway 101 and generate a significant impact based on this "threshold" since U.S. Highway 101 operates at LOS D during the peak periods and the threshold is one trip. **LV-6-1-67 (cont'd)**

Project-Specific Impact & Mitigations

TR Impact 1 (Highway 101/Los Berros Road-North Thompson Avenue Interchange). Impacts to Highway 101/Los Berros Road-North Thompson Avenue interchange (both of the intersections at the interchange) are considered significant since operations would worsen to LOS E during the A.M. peak and LOS F during the P.M. peak. The mitigation required of the development is install turn lanes and signals at the interchange. **LV-6-1-68**

It is important to note that the improvement project has been identified in the County's Capital Improvement Program and is being funded via the County's Traffic Impact Fee Program. The DEIR states, "The Capital Improvement Program funding at this intersection is not anticipated to be needed until 2025 without the project." The mitigation requires that the applicant fund the improvement. However, the existing operation is LOS D, which does not meet the County's standard. Further, the existing volumes meet the peak hour warrant criteria for the traffic signals. Thus, there is an existing deficiency at the interchange that would be remedied by the improvement project planned under the Capital Improvement Program. At a minimum, the project should receive traffic fee credits if it is required to construct the planned improvements that are being funded by the County's fee program.

TR Impact 2 (Sheehy Road/North Thompson). The existing + project operations for this intersection is LOS A-B, which meets the County's level of service standard. However, the DEIR states, "Based on consultation with Public Works, implementation of the project may increase the potential for rear-end collisions resulting from the left turn movement (Glen Marshall, 2008)." The mitigation is to install a left-turn lane. The impact and mitigation are not supported by any analyses. **LV-6-1-69**

TR Impact 3 (Sheehy Road/North Dana Foothill Road). The existing + project operations is LOS A, which meets the County's level of service standard. However, the DEIR discusses the fact that the intersection is uncontrolled and "this deficient condition could lead to driver confusion." Project traffic is considered significant and the mitigation is to install a stop sign. The impact and mitigation are not support by any analysis. **LV-6-1-70**

TR Impact 4 (Highway 101 and Highway 101/Los Berros Road-North Thompson Avenue Ramp Junctions). U.S. Highway 101 operates at LOS D with or without the project. Some of the ramp junctions at the Highway 101/Los Berros Road-North Thompson Avenue interchange operate at LOS D with or without the project. Project traffic is considered significant since the threshold is the addition of one trip (see above discussion of Thresholds of Significance). **LV-6-1-71**

Several points to consider for this impact and mitigation: **LV-6-1-72**

1) Building just a few of the proposed residential units (or a few residential or commercial units by any land owner in the area) would result in a significant impact to U.S. Highway 101 based on the "threshold" since that traffic would use a facility that does not meet the LOS C standard. Many of the segments of U.S. Highway 101

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within San Luis Obispo County operate at LOS D (or worse). Application of this threshold consistently would result in significant impacts to U.S. Highway 101 on a routine basis and could affect developments that are consistent with the General Plan. **LV-6-1-72 (cont'd)**

2) Operational analyses of freeway merging and diverging at ramp junctions is atypical for traffic studies prepared for development projects proposed in the County. To our knowledge, the County has not adopted criteria or thresholds for assessing freeway facilities. ATE has prepared traffic studies for development projects in San Luis Obispo County for more than 25 years. There has been only 1 other study where ramp junctions are analyzed. That is the Fehr & Peers study prepared for the Transportation and Circulation section of the Santa Margarita Ranch Project DEIR, which is currently being reviewed by the County. **LV-6-1-73**

3) The traffic affects of the Lactitia Agricultural Cluster Project on the U.S. Highway 101 mainline and at the ramp junctions would be nominal. There are three performance measures for freeway operations. Density in passenger cars per mile per lane (pc/mi/ln), mean passenger car speed (mph), and volume to capacity (v/c). Each of these measures is an indication of how the traffic is being accommodated. While the three measures are interrelated, level of service is based upon density (pc/mi/ln). The following table illustrates the Existing and Existing + Project densities and levels of service for U.S. Highway 101, as derived from the Fehr & Peers worksheets contained in the DEIR. **LV-6-1-74**

Table A
U.S. Highway Operations

Direction/ Location	Peak Hour	Existing		Existing + Project	
		Density(1)	LOS(2)	Density(1)	LOS(2)
NB Hwy 101 n/o Los Berros	A.M.	22.2	LOS C	22.6	LOS C
	P.M.	23.5	LOS C	23.8	LOS C
SB Hwy 101 n/o Los Berros	A.M.	18.1	LOS C	18.3	LOS C
	P.M.	29.3	LOS D	29.9	LOS D
NB Hwy 101 s/o Los Berros	A.M.	20.1	LOS C	20.2	LOS C
	P.M.	22.6	LOS C	22.8	LOS C
SB Hwy 101 s/o Los Berros	A.M.	17.5	LOS B	17.7	LOS B
	P.M.	26.4	LOS D	26.6	LOS D

(1)Density = passenger cars per mile per lane (pc/mi/ln).
(2)LOS based on Density.

Given the operational analyses prepared by Fehr & Peers, it is our professional opinion that the Lactitia Agricultural Cluster Project would not significantly affect U.S. Highway 101 operations. As shown in Table A above, densities do not significantly change with the addition of project traffic. Also, the project does not change the levels of service. Thus, the impact is insignificant.

To the knowledge of ATE, the County has not adopted thresholds for assessing freeway facilities. The DEIR may be applying the "threshold" from the "Caltrans **LV-6-1-75**

Guide for the Preparation of Traffic Impact Studies". However, the Caltrans publication is a guideline and does not contain adopted thresholds or standards. Furthermore, the Caltrans traffic study guideline states, "Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on State highway facilities, however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing State highway facility is operating at less than the appropriate target LOS, the existing MOE should be maintained." As shown in Table A above, the project does not change the levels of service on the adjacent freeway segments.

LV-6-1-75 (cont'd)

More importantly, according to the Transportation Concept Report for U.S. Route 101 prepared by Caltrans District 5, LOS D is the target level of service for U.S. Highway 101 in the Nipomo area. As shown in Table A above, LOS D would be maintained on the adjacent freeway segments under Existing + Project conditions, thus meeting the LOS D target contained in the Transportation Concept Report prepared by Caltrans.

4) The mitigation is to lengthen the deceleration lane on the northbound and southbound off-ramps by 50 feet; and lengthen the northbound on-ramp acceleration lane by 25 feet. There is no analysis that demonstrates the benefit of lengthening the ramps by these short distances. More importantly, it is doubtful that Caltrans would approve such modifications since they would have almost no affect on traffic operations.

LV-6-1-76

TR Impact 7 (Sheehy Road). This road does not meet the County's current standard. The impact statement says that the road does not have paved shoulders and that the proposed project would exacerbate this deficient conditions. There is no discussion that contains a nexus for the impact. The impact should be based on an accident/safety analysis that clearly demonstrates the significance of project traffic.

LV-6-1-77

TR Impact 8 (North Dana Foothill Road). This road does not meet the County's current standard. The impact statement says that the road does not have paved shoulders or roadway striping and that the proposed project would exacerbate this deficient conditions. There is no discussion that contains a nexus for the impact. The impact should be based on an accident/safety analysis that clearly demonstrates the significance of project traffic.

TR Impact 9 (Upper Los Berros Road). This road does not meet the County's current standard. Portions of this road are unpaved and narrow, indicating that improvements will be necessary in order to carry the future traffic. However, primary and secondary access for the residential units would not require use of Upper Los Berros Road. Primary access for the dude ranch is proposed via the connection to North Dana Foothill Road, with secondary access via Upper Los Berros Road. The proposed project could be phased so that residential units are constructed in the first phase and the dude ranch in the second phase. Any improvements required for Sheehy Road-North Dana Foothill Road could be constructed as part of the first phase. Improvements to Upper Los Berros Road could be constructed in the second phase when the dude ranch is developed in order to provide the secondary access connection. The improvements to Upper Los Berros Road would need to meet fire standards, since the secondary access is proposed for emergency access only.

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TR Impact 10 (Laetitia Vineyard Drive Access). While this secondary access is proposed for emergency purposes only, the impact is considered Class I. The mitigation outlined in the DEIR is to install control measures to allow emergency access while limiting typical residential traffic. Potential measures listed in the DEIR include gate control by opticom transmitters and detectors, and signage. **LV-6-1-78**

It is important to keep in mind that the access is proposed for emergencies only. Pursuant to CEQA Section 15359, "Emergency" means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage."

It is our understanding that the applicant is now proposing to control the secondary emergency access by installing a gate with the facility controlled and operate by a guard assigned to the facility on a 24-hour basis. The manned gate would only be opened for emergencies. This mitigation would reduce the impact to less than significant since traffic would use the secondary access only during an emergency.

Cumulative Impacts and Mitigations

TR Impact 13 (Laetitia Vineyard Drive Access). See above discussion under Project-Specific Impacts & Mitigations. Note that cumulative impacts are mitigated by the applicant's plan to control the secondary emergency access with a guard stationed at the gate at all times. **LV-6-1-79**

TR Impact 14 (Highway 101/Los Berros Road-North Thompson Avenue Interchange). See above discussion under Project-Specific Impacts & Mitigations. Note that cumulative impacts to the interchange are mitigated by implementation of the project-specific mitigations. **LV-6-1-80**

TR Impact 15 (Highway 101 and Highway 101/Los Berros Road-North Thompson Avenue Ramp Junctions). See above discussion under Project-Specific Impacts & Mitigations. The project would not significant affect U.S. Highway 101 operations and the cumulative impact would similarly be considered (based on past precedent, other than the anomalous Santa Margarita Ranch methodology which has not been certified) not be cumulatively considerable. **LV-6-1-81**

WATER

While water is not identified as a Class I impact, the mitigation measures imposed on the project to reduce the impact to a Class II impact (**WAT/mm-1** bulleted items 1, 2 and 3) are detrimental to the project. On a one-acre lot, an irrigated area of 1,500 square feet of which 20% of that is allowed as turf would be insufficient to allow for the landscape screening contemplated (and required by the Highway Corridor Standards) and the quality of development proposed.

LV-6-1-82

The DEIR does not take into account the water to be recycled from the wastewater treatment plant that would be used to irrigate agricultural land and/or common areas, which would reduce potable water demand (water pumped from the wells) by up to 35.6 acre feet per year (afy).

Given the available water from on-site wells, an appropriate limit for total permanently irrigated landscaped area per homesite is 7,500 square feet, of which 6,000 square feet would be low-water use planting and 1,500 square feet would be turf. This limit would result in the project using significantly less than available water supply from on-site wells (see attached Cleath letter dated November 4, 2008).

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AIR QUALITY

LV-6-1-83

Page V-241 of the Draft EIR indicates that the model used to analyze operational project air quality impacts was 2002 Urbemis 8.7. The most recent version of Urbemis is 2007 Urbemis 9.2.4. We confirmed with SLOAPCD (Melissa Guise, Air Quality Specialist) that the most recent version of Urbemis should be used.

Using the most recent version of Urbemis (assuming no mitigation), operational emissions would not exceed the APCD Tier II Thresholds. Therefore appropriate mitigation is: all applicable standard measures (see RRM letter) and 6 discretionary measures. The off-site measures (AQ/mm-13) are not necessary.

The applicant is willing to implement standard measures as applicable, more than 6 discretionary measures (see RRM letter) **plus** increase energy efficiency 20% above what is required by Title 24.

Table IV-6 should be revised to reflect the latest Urbemis results (see attached modeling outputs). The revised project emissions are as follows:

	ROG	NOx	PM10
Total	19.17	14.33	4.05

AQ/MM-12 should be replaced with the applicable measures from the SLOAPCD Handbook. AQ/mm-13 should be deleted.

The residual impact for both AQ Impacts 6, 9, and 10 should be identified as Class II.

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NOISE

LV-6-1-84

The DEIR identifies an increase of 1.2 dBA along North Thompson Road. The Draft EIR further notes that normally "Typically, a one dBA increase would not be considered a Class I noise impact; however, since existing outdoor noise levels associated with vehicle traffic on North Thompson Road are well above the threshold typically requiring mitigation, the estimated one dBA increase is significant and cannot be effectively mitigated."

The Draft EIR provides limited information to support the statement that existing outdoor noise levels from traffic on North Thompson Road are well above the threshold typically requiring mitigation. The Draft EIR does not indicate the distance from the roadway to the noise measurement or that the 68.1 dBA measurement is typical of outdoor use areas at any residences.

The County Noise Ordinance indicates that the threshold for increased *stationary* noise when existing noise levels exceed acceptable levels for identified land uses, should be 1 dBA at the property line. However, the 1 dBA criterion is for stationary operational noise and not vehicle traffic, which is exempt from the County Ordinance (County Noise Ordinance, 23.06.042 [e and f] - Exceptions to Noise Standards). For noise, an increase of 3 dBA is the typical level normally assumed to cause a significant increase in noise levels (see below). (See also other County EIRs, such as for example, *Final SEIR Guadalupe Restoration Project,* dated June 2005.)

The modeled noise levels shown in the Draft EIR are for 50 feet from the centerline of the roadway. A review of property line boundaries for properties along north Thompson Road indicates that many if not all of these boundaries are about 60 feet from the centerline of the street.

Given the following factors, we would argue that the calculated increase in noise levels of 1.2 dBA at 50 feet would not be significant:

1. Property line boundaries vary, whether they are 50 feet or 60 feet from the centerline is hard to judge from available County Maps. The distance will affect the baseline noise from existing traffic which is important.
2. Noise modeling techniques are imprecise; a difference of 0.2 dBA is negligible and within the error margin of the combined traffic and noise modeling techniques. The threshold for a normal person to be able to perceive a change in noise levels is 3 dBA. As indicated in the Caltrans Technical Noise Supplement, page 41 (1998);
   > *Outside of such controlled conditions, the trained ear can detect changes of 2 dBA in normal environmental noise. It is widely accepted that the average healthy ear, however, can barely perceive noise level changes of 3dBA.*

   An increase of 1 or 1.2 dBA is negligible and certainly not discernible.
3. The mitigation measures included in the air quality section to reduce project trips (e.g. encourage telecommuting), combined with the unique nature of this site (high-end properties with a focus on wine lovers) would likely result in traffic (and thus incremental noise increase) being less than indicated in the Draft EIR.
4. The DEIR identifies North Thompson Road as already well above the 60 dBA threshold (68.1 dBA compared to the 60 dBA threshold); ESA measured noise along this stretch of road at 62 dBA and 63 dBA. North Thompson Road is likely also impacted by the nearby US 101 Freeway, which is approximately 1,000 feet away (closer at some points

further at others). The project contribution is negligible and not cumulatively considerable.

LV-6-1-84 (cont'd)

For these reasons we recommend that the Residual Impacts for NS Impacts 2 and 5 be identified as Class II. If the County feels strongly that the impact should be technically identified as Class I, these factors provide good reasons for overriding considerations.

LV-6-1-85

With respect to NS Impact 3, the DEIR indicates that new project residents could be exposed to noise levels in excess of the County hourly standard of 45 dBA nighttime and 50 dBA daytime.

First of all this is an agricultural cluster. Residents are anticipated to be wine lovers who want to experience winemaking and *who would choose to live on an active vineyard.* Residents would be notified of potential agricultural related issues when they purchased their property, and would be asked to sign an acknowledgement of what they should expect. As for many residences in agricultural areas, noise levels in the Laetitia Agricultural Cluster could experience noise that could occasionally exceed the county levels. The county's Right to Farm Ordinance allows for agricultural noise in agricultural areas. The discussion of the County Noise Ordinance (beginning on page V-266 of the DEIR) should also note that the noise sources associated with agricultural land uses are also exempt from the County Noise Ordinance standards (County Noise Ordinance, 23.06.042 (f) - Exceptions to Noise Standards).

In addition, the residential lots are large (1 acre) -- allowing residents to be removed from nearby agricultural operations. In addition homes would be insulated/double glazed to reduce interior noise levels.

The noise study submitted by ESA provides the following analysis of noise impacts on-site:

ESA interviewed Lino Bozzano, the vineyard manager, at the winery on August 29, 2006, to better understand winery operations that could affect noise levels at proposed residences. Important information from that interview included the following:

- The loudest activity at the vineyard is mowing. The cover crop between the vines is mowed three to four times a year.
- On a rotating schedule, the vineyard disks the cover crop in all areas (completed in approximately one week) once every three years to reestablish and/or rotate cover crops.
- Disk operations are not as loud as mowing activities. The disk moves slower than the mower and makes three to four passes over each area.
- The vineyard uses goats for vegetation control in steep areas.
- The vineyard harvests by hand and does not harvest at night.
- Vehicles used for vineyard operations are not very loud and generally operate at speeds of 5 to 10 mph. Site observations by ESA confirmed that these vehicles were not obtrusive noise sources at the vineyard, typical noise levels from these vehicles can be assumed to typically be less than 60 dBA at a distance of 50 feet.

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- The vineyard processing area includes crushing, pressing, storage and bottling. This area is oriented so that noise is directed towards the south, away from the wine tasting room and all proposed residences.[3] Destemming, crushing, and pressing occur outdoors and bottling occurs inside the building.

- The vineyard processing area operates from about 7 a.m. to 7 p.m. during the harvest. Since Mr. Bozzano has been manager of the Vineyard there have been no nighttime operations of the winery and none are expected, pending some unforeseen emergency. Because of the climate, fruit that has not been processed at the end of the day can sit overnight and be processed in the morning.

LV-6-1-85 (cont'd)

To characterize existing noise levels at the project site, ESA took both long-term and short-term noise measurements. Long-term noise measurements were taken at two proposed housing sites; near Lot 58 and near Lot 46 (the data are plotted in Figures 1 and 2, respectively). A summary of long- and short-term noise measurements are provided in Table 1.

LV-6-1-86

As shown in the General Plan Noise Element, according to the General Plan, residential land uses are compatible in locations where the CNEL is below 60 dBA. Recent noise measurements were conducted to determine the compatibility of proposed lots with County General Plan residential noise standards. Lots 58 and 46 were considered to be representative of the lots most affected by noise from US 101 and the winery processing building. Twenty-four hour noise measurements at Lots 58 and 46 determined that the CNELs in these locations were 54 and 53 dBA respectively (see Figures 1 and 2 and Locations 1A and 2 in Table 1). On the basis of these measurements and existing vineyard/winery operations (no noisy operations between 10 p.m. and 7 a.m.) and other measures used to pick grapes and control vegetation, the lots can be considered to be consistent with County land use compatibility standards for residences. There would be no impact from the project.

LV-6-1-87

The ESA report concludes by recommending the first suggested new measure below; the applicant has subsequently agreed to the second new measure listed below if deemed necessary by the County:

Recommended Measures for NS Impact 3:

NS/mm-X The vineyard and winery shall continue to handpick the grapes, use non-gas powered alternatives to gas powered weed whackers, and limit vineyard/winery operations to daytime hours (no noisy operations between 10 p.m. and 7 a.m.).

NS/mm-Y If needed the applicant shall construct a noise wall as shown on the attached exhibit.

Implementation of the above Recommended Measures would reduce NS Impact 3 to a Class II impact.

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[3] All activities at the wine tasting facility and visitor areas would be required to conform to the San Luis Obispo Noise Ordinance.

In summary, we believe that the notification of project occupants prior to purchase, combined with insulation, buffer areas, and the additional mitigation measures above would reduce NS Impact 3 to Class II.

LV-6-1-87 (cont'd)

Both the ESA measurements and the measurements in the DEIR find that the site is extremely quiet. As shown in Table V.J-1 on page V-260 of the DEIR, typical noise levels at these lots are less than 50 dBA. The ambient noise environment is certainly acceptable for residential uses, which should be less than 60 dBA, CNEL (see the County land use compatibility figure on page V-268).

LV-6-1-88

The discussion of stationary noise sources in the DEIR (beginning on page V-275) assumes that Lots 46 through 64 would be most impacted by operations occurring during the harvest because of their proximity to the processing facility and the large number of vehicle movements associated with transporting fruit to the facility. This is inconsistent with the observations of ESA, which measured noise levels during some of the harvest operations in 2007. ESA found that the natural topography of the area and the design of the processing area (which provide natural barriers between most of the lots and any view of processing operations) would eliminate noise impacts to all the lots except Lot 58 and potentially Lots 49, 50 and 59. ESA determined that would be no potential for noise impacts from the processing area operation to affect Lots 46 - 48, 51- 57 and 60 – 64. The DEIR indicates that noise measurements were not obtained from these properties and furthermore the DEIR did not include any consideration for the noise barriers that exist between the existing winery operations and these lots.

The applicant has proposed a noise wall (see suggested measure above, and attached Exhibit showing the noise wall) that would further reduce noise levels at Lots 49, 50, 58 and 59. With this wall the impact of noise from the winery processing area would be even further reduced below a less than significant level for all residential lots.

The applicant acknowledges that there will be some noise from maintenance vehicles during the year and from harvest operations, but these would occur infrequently and would only have noise effects during the daytime hours and would only exceed the 50 dBA limit at most a few hours per year near any residence. Many residences in the County have far greater impacts from mowing their own lawns or neighbors mowing lawns or using leaf blowers.

Given the extremely low background noise levels in the area (mainly due to the remoteness from all major roads) and the limited number of times maintenance would occur near any residence, the overall noise environments at these residences will be some of the quietest environments in the County.

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LV-6-1-88 (cont'd)

Figure 1
24-hours Noise Measurement
Laetitia Winery - Lot 58
August 30/31, 2006

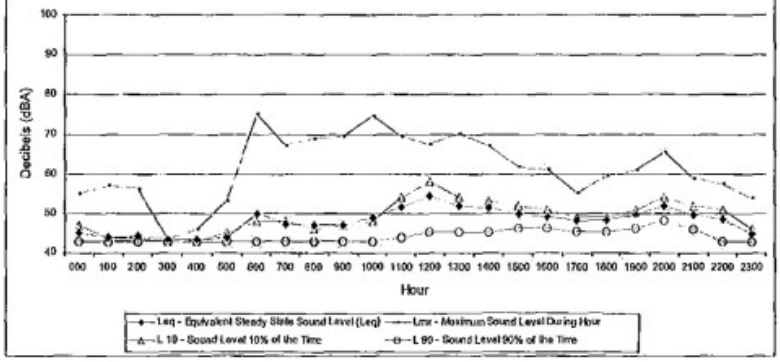
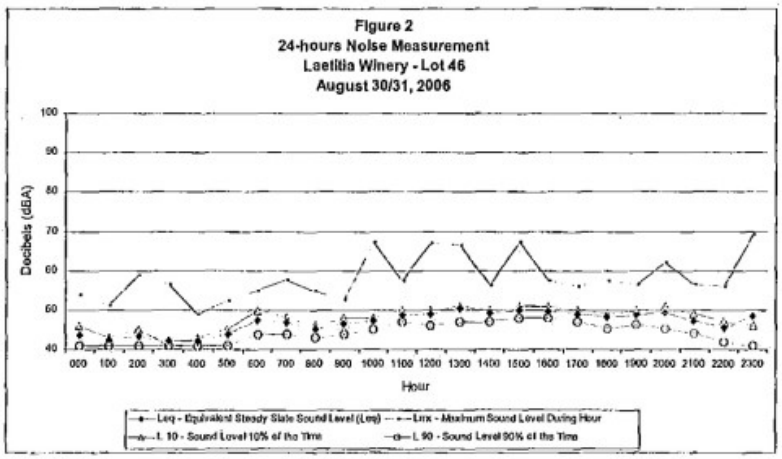


Figure 2
24-hours Noise Measurement
Laetitia Winery - Lot 46
August 30/31, 2006



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LV-6-1-88 (cont'd)

TABLE 1
SUMMARY OF EXISTING NOISE MEASUREMENTS

Noise Measurement Location/ ID	Time Period	Leq (dBA)	Noise Sources
1A. Lot 58	August 30/31, 2006 24-hour CNEL= 54	Hourly Leq values were between 43 and 54.	Unattended 24-hour measurement – individual noise sources not identified.
1B. Lot 58	August 29, 2006 (3:55 p.m. – 3:59 p.m.)	1-minute Leqs ranged from 47 to 52 dBA.	US 101 traffic noise at about 50 dBA Overhead aircraft 54 dBA Brake noise from truck behind processing area – audible but not loud (<50 dBA)
2. Lot 46	August 30/31, 2006 24-hour CNEL= 53	Hourly Leq values were between 42 and 50.	Unattended 24-hour measurement – individual noise sources not identified.
3A. Winery outdoor processing area below wine tasting area. South side of processing area.	August 29, 2006 (1:59 p.m. to 2:30 p.m.) 25' to 75' from various activities	1-minute Leqs ranged from 56 to 71 dBA.	Forklifts taking grape crates off of trucks Destemmer 67 dBA at 50 feet Backup beeper 82 dBA at 25 feet Hosing equipment 54 dBA.
3B. Southwest area south of winery. Near the compressors and fans.	August 29, 2006 (4:12 p.m. to 4:19 p.m.)	1-minute Leqs ranged from 63 to 70 dBA.	Noise levels were 63 to 70 dBA at 25 feet from compressor fans (varies depending on the number of fans running)
4. West side of winery mid-building.	August 29, 2006 (2:33 p.m. to 2:35 p.m.)	1-minute Leqs ranged from 55 to 58 dBA.	Noise from US 101 and noise from winery processing operations were shielded by the building to a level that they were below US 101 noise at the side of the winery processing area. Heard no processing noise at this location.
5. Tasting room parking lot directly north of the winery processing building.	August 29, 2006 (2:44 p.m. to 2:47 p.m.)	1-minute Leqs ranged from 48 to 54 dBA.	Trickling water from the fountain near the tasting room. Some freeway traffic noticeable here, but no noise from grape processing on the south side of the building.
6. Tractor pulling mower this was cutting the cover crop between vines.	August 29, 2006 (3:01 p.m. to 3:14 p.m.)	1-minute Leqs ranged from 50 to 84 dBA.	Mower behind the tractor has a noise level of 86 dBA at a distance of 25 feet.
7. SE of the intersection of N. Thompson Avenue and Sheehy Road	August 30, 2006 (7:57 a.m. to 8:07 a.m.)	5-minute Leqs 58 and 61 dBA	Approximately 100 feet from center of N. Thompson Avenue and approximately 100 feet from Sheehy Road. Noise is from cars on Thompson Avenue (28 cars during first 5 minutes; 23 cars during second 5 minutes). Less traffic on Sheehy.
8A. East of existing entrance road to Laetitia Winery.	August 30, 2006 (8:55 a.m. to 9:10 a.m.)	5-minute Leqs 69 to 71 dBA	Approximately 150 feet from center of northbound US 101 lanes. (US 101 traffic is the main noise source.)
8B. East of existing entrance road to Laetitia Winery.	August 30, 2006 (9:25 a.m. to 9:40 a.m.)	5-minute Leqs 65 to 66 dBA	Approximately 250 feet from center of northbound US 101 lanes. (US 101 traffic is the main noise source.)
9. Lot 71	August 30, 2006 (4:45 p.m. to 5:00 p.m.)	5-minute Leqs 44 to 45 dBA	Distant noises of US 101, train horn and airplanes overhead
10. Lot 79	August 30, 2006 (5:16 p.m. to 5:26 p.m.)	5-minute Leqs 48 and 48 dBA	Highway noise was less than 50 dBA; small plane flyover
11. Lot 18	August 30, 2006 (5:46 p.m. to 5:56 p.m.)	5-minute Leqs 44 to 45 dBA	Highway noise in distance. Train horn in distance; Crickets in field; Dripping of irrigation onto vines.

SOURCE: ESA, 2006

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BIOLOGICAL RESOURCES

Oak Trees

The DEIR dramatically over-states the number of removed or impacted oak trees. In response to this issue a Certified arborist and team of surveyors has marked and identified the location and assessed the health of each potentially impacted tree. Based upon this detailed survey we have incorporated mitigation measures to further reduce impacts to Oak trees. The total number of oak trees that would be removed/potentially removed due to impacts from home sites (Mitigated Plan), roads and replacement agriculture is 2/5, and the number impacted/potentially impacted is 2/21. (The correct number of removed/potentially removed trees and impacted/potentially impacted trees for the original plan analyzed in the DEIR is 13/40 removed/potentially removed and 58/58 potentially impacted/impacted versus the 118 removed and 182 impacted identified in the DEIR.) See attached letter from Dave's Tree Service regarding trees removed and impacted on the original plan analyzed in the DEIR. See RRM letter (November 6, 2008) and associated attachments regarding trees removed and impacted on the Mitigated Plan. **LV-6-1-89**

In addition, emergency secondary fire access (as opposed to County A-1f road standards assumed in the DEIR) would require removal of fewer than the 94 oak trees and 16 sycamore trees indicated in the DEIR. The applicant would provide appropriate mitigation for these secondary impacts in a similar manner to tree mitigation to be implemented on the project site (**BIO/mm-14, BIO/mm-15 and BIO/mm-16**). As required by State law such mitigation would reduce impacts below a level of significance; monitoring and follow up would ensure that tree replacement would be successful. **LV-6-1-90**

Steelhead

The Draft EIR indicates (**BIO Impact 7**) that the project would result in a decrease in water quality and quantity within Los Berros Creek and steelhead critical habitat. The applicant intends to implement a mitigation measure that would restrict water pumping to wells that would not have a water quantity impact on Los Berros Creek (see attached letter, dated November 4, 2008, from Cleath & Associates). **LV-6-1-91**

The Draft EIR addresses water quality impacts (**WAT Impacts 6 and 10**) and indicates numerous mitigation measures to address water quality. The Draft EIR indicates, and ESA concurs, that impacts to water quality are mitigable. In addition, the equestrian facility proposed adjacent to Los Berros Creek has been eliminated from the project description for the Mitigated Plan. In the professional opinion of Mike Podlech, ESA's contract Aquatic Ecologist (see attached letter from Mike Podlech), potential impacts to water quality in steelhead critical habitat (assuming such habitat is adjacent to the site) would be mitigated by all the proposed water quality measures identified in the Draft EIR.

Therefore, because impacts to steelhead can be reduced to a less than significant level, BIO Impact 7 should be identified as a Class II impact.

The Draft EIR indicates that potential secondary biological impacts could result from traffic mitigation, including roadway improvements to Upper Los Berros Road (TR/mm-10) **LV-6-1-92**

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immediately adjacent to Los Berros Creek. A number of biological mitigation measures to protect listed species (**BIO/mm-1 through BIO/MM-12, BIO/mm-14 through BIO/mm-16, BIO/mm-19 and BIO/mm-20, WA/mm-11 through WAT/mm-14**) are included in the Draft EIR. ESA and Mike concur that these measures would reduce potential impacts to steelhead (and other listed species) to a less than significant level, and the Draft EIR correctly indicates that the secondary biological impacts associated with improving local roadways including Upper Los Berros Road would be Class II.

LV-6-1-92 (cont'd)

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ALTERNATIVES

LV-6-1-93

As discussed extensively in the RRM letter dated November 6, 2008, we have developed a Revised Project Alternative (Mitigated Plan) that incorporates in detail, with sensitivity to project design and avoiding any further impacts, the mitigation measures identified in the DEIR. ESA compared the impacts of this Mitigated Plan to the impacts of the project and other alternatives described in the DEIR, in the same manner as compared in the DEIR (see the following revised Table VI-2).

The results of this analysis conclude that the Mitigated Plan is the Environmentally Superior Alternative. Using the DEIR scoring system (with a higher score indicating fewer impacts), the Mitigated Plan scores 17, and the previously DEIR-identified Environmentally Superior Alternative (Single Cluster) scores 14.

The Mitigated Plan achieves this score through sensitive design and avoids reducing units which enhances the economic viability of the project.

LV-6-1-93 (cont'd)

TABLE VI-2 FROM LAETITIA DEIR
IMPACT COMPARISON OF PROJECT ALTERNATIVES WITH MITIGATED PLAN ADDED

Significant and Unavoidable Impact	Project	No Project	Reduced Density	Two-Cluster	Single Cluster	Effluent Disposal	Alternative Location	Project w/ Mitigation	Alternative Access	Mitigated Plan
BIO Impact 3: Oak woodland	0	+1	+1	+1	+1	0	-1	0	-1	0
BIO Impact 7: Los Berros Creek	0	0	0	0	0	+1	0	0	-1	+1
AR Impact 1: Arch. resources	0	+1	+1	+1	+1	+1	+1	+1	-1	+1
AR Impact 9: Cumulative impact	0	+1	+1	+1	+1	+1	+1	+1	0	+1
AG Impact 1: Farmland conversion	0	+1	+1	+1	+1	0	+1	0	-1	+1
AG Impact 2: Land use conflicts	0	+1	+1	0	+1	0	+1	0	-1	0
AG Impact 4: Cumulative impact	0	+1	+1	+1	+1	0	+1	0	-1	+1
TR Impact 4: Highway operations	0	+1	0	0	0	0	0	0	0	0
TR Impact 10: Secondary access safety	0	+1	0	0	+1	0	+1	0	+1	+1
TR Impact 13: Sec access cumulative	0	+1	0	0	+1	0	+1	0	+1	+1
TR Impact 15: Highway cumulative	0	+1	0	0	0	0	0	0	0	0
AQ Impact 6: Long-term impact	0	+1	+1	+1	+1	0	0	0	0	+1
AQ Impact 9: Clean Air Plan	0	+1	0	0	0	0	0	0	0	+1
AQ Impact 10: Cumulative impact	0	+1	0	0	0	0	0	0	0	+1
NS Impact 2: Transportation noise	0	+1	0	0	0	0	0	0	0	0
NS Impact 3: Stationary noise	0	+1	0	0	+1	0	+1	0	0	+1
NS Impact 5: Cumulative impact	0	+1	0	0	0	0	0	0	0	0
AES Impact 4: Highway 101	0	+1	+1	+1	+1	0	+1	+1	-1	+1
AES Impact 5: SRA/HCD	0	+1	+1	+1	+1	0	+1	+1	0	+1
AES Impact 6: Upper Los Berros Rd.	0	+1	+1	+1	+1	0	0	+1	0	+1
AES Impact 18: Cumulative impact	0	+1	+1	+1	+1	0	+1	+1	0	+1
HM Impact 2: Dead-end roads	0	+1	0	0	0	0	0	0	+1	+1
PSU Impact 4: Service personnel	0	+1	0	0	0	0	0	0	0	0
Summary	**0**	**22**	**11**	**10**	**14**	**3**	**10**	**6**	**-4**	**17**

+1 = impact would be less than proposed project
-1= impact would be greater than proposed project
0= impact would remain approximately the same as proposed project
* elimination of equestrian center reduces farmland conversion

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LV-6-1-94

TECHNICAL EXPERTS WHO PREPARED PRECEDING COMMENTS

Laetitia Project technical expert information is provided below including name, title, years of experience and technical contribution. Resumes and qualifications are attached.

Name	Title	Years of Experience	Technical Contribution
ESA			
Deborah Kirtman, AICP	Senior Managing Associate	11	Policy Consistency Analysis, Agricultural Resources, General CEQA Expertise
Paul Miller, REA	Senior Managing Associate	32	Noise and Air Quality
Mitch Marken, PhD	Director	19	Cultural Resources
SIRIUS ENVIRONMENTAL			
Wendy Lockwood, REA	Principal	25	Air, Noise, Policy Consistency Analysis, Agricultural Resources, Aesthetics, General CEQA Expertise
MIKE PODLECH			
Mike Podlech	Principal	15	Aquatic Ecologist, Steelhead
ATE			
Dan Dawson, PTP	Supervising Transportation Planner	25	Traffic/transportation
Scott Schell, AICP, PTP	Principal Transportation Planner	25	Traffic/transportation
RRM			
Victor Montgomery, AIA, NCARB	Principal	33	Environmental Design and Planning, Aesthetic Resources, Agricultural resources
Allison Donatello	Principal Planner	25	Environmental Design and Planning
Bret Stinson	Planner / GIS Specialist	15	Environmental Design and Planning, Mapping, and Photography
Tim Walters	Principal	24	Environmental Design and Planning
CLEATH & ASSOCIATES			
Tim Cleath	Principal Hydrogeologist/Engineering Geologist	31	Water Resource Planning
Spencer Harris	Associate Hydrogeologist	23	Water Resource Planning
APPLIED EARTHWORKS			
Barry Price, RPA	Principal Archaeologist	33	Cultural Resources
DAVE'S TREE SERVICE			
Dave Ragan	Principal	27	ISA Certified Arborist
LAETITIA VINEYARD AND WINERY			
Lino Bozzano	Vineyard Manager	20	Feasibility of Replacement Agricultural Use

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Responses to John Janneck's Comments: Main Comment Document (LV-6-1)

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LV-6-1-1	Please refer to specific comments below. Regarding density calculations, please refer to response to comment LV8-15 and responses to the ESA technical study.
LV-6-1-2	Please refer to specific comments below, and noted references to responses to recent comments. Please refer to response to comment LV10-27 regarding the Cayucos Viewshed Ordinance, which was repealed by the County Board of Supervisors in 2010 and was not applicable to the project site.
LV-6-1-3	Please refer to response to comments LV9-60 and LV9-102 regarding the photo-simulations. Visual simulations submitted by the applicant's consultant, RRM (comment submittal LV-6-4) were reviewed by the County. Please refer to response to comment LV9-102.
LV-6-1-4	Please refer to response to comment LV9-102.
LV-6-1-5	The photos presented in the EIR are not manipulated, and provide a more accurate presentation of how the project would be viewed by the public, as seen from public viewing areas. The wide-view of the photo provides context of the development in relation to topography, vegetation, and other development in the area. The simulations of the structures are based on a potential worst-case scenario, and as shown in the Mitigated Photo-simulations, demonstrate that implementation of mitigation would reduce visual impacts, as noted in the EIR.
LV-6-1-6	Please refer to response to comments LV16-26 through LV16-29 and LV16-32 regarding the applicability of the Sensitive Resource Area (SRA) and Highway Corridor Design Standards designations, and characterization of the visual setting.
LV-6-1-7	Please refer to response to comment LV10-26 regarding Highway Corridor Design Standards. The project is an agricultural cluster; however, the development is located throughout the site, extending approximately 2.5 miles from west to east, resulting in varying degrees of visibility as seen from Highway 101 and local public roads. The project is analyzed as proposed.
LV-6-1-8	Based on the Project Description (EIR Chapter III), the project does not include height or size limitations that are less than allowed by the County Land Use Ordinance. The analysis assumed that future development would comply with the Highway Corridor Design Standards (25-foot height maximum). The County concurs that incorporation of the 25-foot height limit both within and outside of the Highway Corridor Design Standard overlay would reduce visual effects. As noted in the EIR, the development would be potentially inconsistent with the intent of the Standard guideline to retain land in open space in new land divisions that would preserve existing views (refer to Final EIR Section V.A. Aesthetics, AES Impact 5). The general standards do apply to both ministerial and discretionary projects. For discretionary projects, the project is evaluated to determine if the standards alone are adequate to mitigate visual impacts; if they are not, additional mitigation measures and/or conditions of approval may be required.
LV-6-1-9	As noted in Final EIR Section V.A. Aesthetic Resources, 2. Regulatory Setting, Open Space Policy 25 proposes the protection of scenic vistas, and includes five policies applicable to new development., including location of structures, roads and grading to minimize visual impact, location of structures below ridgelines and hilltops so that silhouetting does not occur, use of natural landforms and topography to screen development, or use of screening vegetation, use of colors that are taken from the natural landscape, and minimized view of utilities. The County decision makers will consider the balance of resources, and consistency with Open Space Policy 25 upon consideration of the project.
LV-6-1-10	The applicant's stated acceptance of visual impact mitigation measures is noted. The County's interpretation, assessment, and applicability of the Highway Corridor Design Standards are presented in the EIR for consideration by the County decision makers.

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LV-6-1-11	Please refer to responses to comments LV10-26 and LV10-27 regarding standards applicable to the project and Highway 101 corridor.
LV-6-1-12	Please refer to response to comment LV16-29. Past precedent when conducting visual analysis is limited due to specific conditions and context of a project site. An impact that may not be significant in one location may be significant in another due to the differences in the environmental setting and other factors.
LV-6-1-13	The County disagrees with the commenter that the views are "common" because the character of the site is dominated by the vineyards and undeveloped upper elevations of the hillsides and ridgelines to the east, which have high scenic value as evidenced by identified Highway Corridor Design Standard and SRA designations.
LV-6-1-14	Photo locations (KVAs) identified in the EIR do not show the most visible, or the least visible, locations, but rather a reasonable representation of project visibility as seen from public roadways. The EIR photo-simulations referenced in the comments below were prepared based on use of pylons, which were set at heights of 25 and 35 feet to provide a sound basis for the photo-simulations, and accurate depiction of residences prior to and following application of mitigation measures. The simulations show detailed structural elements and exterior colors. Specific comments regarding impact determinations and the related photo-simulations are addressed below.
LV-6-1-15	Please refer to response to comment LV-6-1-14 above. Regarding KVA-5, the photo was taken from the east side of Highway 101, and is not located on an elevated hillside. The southbound lanes of Highway 101 can be seen in the right edge of the photo. As shown in the photo, the topography between the short distance between the Highway and the photo location is nearly level. Upon comparison of photos, the RRM photo (RRM-5) appears to be taken from a similar location, and the photo-simulations appear to incorporate measures including height limitations and use of brown-exterior colors only for all structural elements. No additional improvements typically associated with residential development are shown in the applicant's photo-simulations. The change in visual character is clearly noticeable in the EIR's photo-simulations, even excluding the closer-in view.
LV-6-1-16	The photo location for KVA-1 is directly adjacent to the Highway 101 southbound lanes, and the corresponding photo-simulation (Figure V.A.-4) provides a reasonable representation of the structure on Lot 46, prior to inclusion of mitigation measures.
LV-6-1-17	The EIR photo for KVA-6 does show existing agricultural production development proximate to Highway 101, and other development in the hillsides. As shown in the photo, the upper elevations of the hillsides, as seen from Highway 101, are undeveloped. As shown in the photo-simulations, the project would introduce residential development in these upper elevations, portions of which are located within a Sensitive Resource Area designation for Newsome Ridge. The change in visual character is clearly noticeable in the EIR's photo-simulations (Figure V.A.-19), even excluding the closer-in view.
LV-6-1-18	The change in visual character is clearly noticeable in the EIR's photo-simulations (Figure V.A.-22), even excluding the closer-in view.
LV-6-1-19	Please refer to response to comment LV-6-1-14 above, and responses to specific comments below.
LV-6-1-20	Please refer to response to comment LV-6-1-15. Figure V.A.-10 shows the silhouetting of sub-cluster D as seen from KVA-3 (Highway 101 southbound lanes) and Figure V.A.-11 shows the silhouetting of a structure on Lot 101 as seen from KVA-4. AES Impact 5, which identifies impacts related to the development of Sub-cluster A (Lots 1 through 23) does not include silhouetting above the ridgeline as a contributing factor related to Sub-cluster A. The impact discussion states that development of Sub-cluster A would contribute to a degradation of rural visual character as seen from Highway 101, which is demonstrated in the photo-simulations in the EIR, and as shown in the

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	applicant's submitted photo-simulations. As shown in Figure V.A.-1, Sub-cluster A is within Sensitive Resource Area 47. The Applicant's Mitigated Project, which incorporates noted changes to the tract design, is assessed in EIR Chapter VI Alternatives Analysis.
LV-6-1-21	Please refer to response to comment LV-6-1-15.
LV-6-1-22	The applicant's Mitigated Plan is incorporated into Recirculated EIR and Final EIR Chapter VI Alternatives Analysis. The recommended edits are not incorporated into the noted EIR section because they do not pertain to the proposed project.
LV-6-1-23	The EIR Impact Assessment and Methodology section remains unchanged, because the analysis includes the methodology implemented by the County's consultant. The applicant's submitted analysis will be considered by the County decision makers, as a part of the record.
LV-6-1-24	It is a reasonable assumption that the future development of residential lots would include features that would maximize views from the residence; therefore, the recommended change is not incorporated into the EIR.
LV-6-1-25	The EIR analysis assumed that structures would be constructed consistent with the Land Use Ordinance, and the EIR section remains unchanged. The applicant's statement agreement to reduced heights on lots unspecified in the comment would reduce visual impacts where implemented. The statement that larger residences would potentially be more visible is a reasonable assumption.
LV-6-1-26	It is reasonable to assume that future landowners would want to retain views from their property. Structures located within the Highway Corridor Design Standard overlay would be required to provide 50% screening, as noted in the EIR, and mitigation measure AES/mm-6 includes this requirement for all structures. No changes to the EIR are necessary.
LV-6-1-27	The EIR analysis assumes that views from Highway 101 would be from moving vehicles, and the photo-simulations, by nature, provide a snap-shot of visibility from noted KVAs. The additional discussion provided by the applicant does not consider passengers of vehicles, who are more likely to be looking out the front or side window at the project site. No changes to the EIR are necessary.
LV-6-1-28	The recommended changes are not incorporated into the EIR because it does not provide independent, objective, assessment of visual impacts. The long-term impact is a correct characterization; as noted under AES/mm-1, mitigation is identified that would reduce the identified impact to less than significant.
LV-6-1-29	The visual impact analysis considers views from public areas, including roadways such as Highway 101. Based on the analysis, the project would result in a change in visual character, and mitigation is identified to address this impact.
LV-6-1-30	Rural visual character is evident during both day and night-time hours, due to the presence or absence of light, glare, and effects on the dark sky and dark hillsides and ridgelines. AES/mm-7 has been modified in the Final EIR as follows (new text is italicized): Prior to approval of the subdivision improvement plan, the applicant shall ~~modify the~~ *submit a final* lighting plan *that is consistent with the following measures* ~~as follows~~: a. Post lighting shall only be used at the ranch headquarters ~~and the equestrian facility~~, and shall be fully shielded from public roadways. b. All lighting required along roadways shall be shielded bollard lighting maximum four feet tall and only used to delineate intersections and critical driving decision points. c. Lighting shall be the minimum required by county ordinance for a private residential development. d. Lighting shall not shine light or glare upwards.
LV-6-1-31	Based on the analysis in the EIR, the impact determination for AES Impact 4 remains significant and unavoidable, unless a revised tentative tract map is submitted by the applicant. The

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	requirement for 50 percent vegetation screening and reduction in building heights on Lots 46 and 87-91 would not avoid the significant change in rural visual character due to the presence of residential development in currently undeveloped areas, particularly along Newsome Ridge (SRA 47). The regulatory setting discussion and mitigation measures identify height limits, as required by the LUO, and as identified to mitigate visual impacts. The applicant's noted project changes are reflected in the Applicant's Mitigated Plan, included in Recirculated and Final EIR Section VI Alternatives Analysis.
LV-6-1-32	The EIR correctly notes that Lots 1 through 12 and 16 through 23 (Sub-cluster A) are within the SRA-47 overlay. These lots are also located within the Highway Corridor Design Standard Overlay, as shown in the South County Rural Area Standards. The analysis considers and incorporates consistency with required standards, and provides a reasonable analysis of potential visual impacts. The noted changes presented in the Applicant's Mitigated Plan are addressed in Recirculated and Final EIR Chapter VI Alternatives Analysis.
LV-6-1-33	The impact analysis, as presented, identifies impacts that would result upon implementation of the project as proposed. The residual impacts, following incorporation of identified mitigation measures, are appropriately noted in the Residual Impacts discussion. Noted changes to the tentative tract map are addressed in Recirculated and Final EIR Section VI Alternatives Analysis.
LV-6-1-34	Impacts associated with the construction of Main Road 2, Road A, and the water tank are captured in AES Impact 4. Relocation or modifications to these elements is recommended to avoid significant visual impacts. The applicant has incorporated many identified tract map changes in the Applicant's Mitigated Plan, which is addressed in Recirculated and Final EIR Section VI Alternatives Analysis.
LV-6-1-35	Based on review of the applicant's plans for the recreation facility ranch headquarters, the appearance of the structure would not look like a working ranch, and would potentially be inconsistent with the rural character of Upper Los Berros Road. The EIR discussion remains unchanged.
LV-6-1-36	The Final EIR has been modified by removing the analysis of the equestrian facility, including removal of Draft EIR AES Impact 8 and associated Draft EIR mitigation measure AES/mm-20.
LV-6-1-37	Impacts associated with the development of Sub-cluster C are addressed under AES Impact 4. The Applicant's Mitigated Plan is addressed in Recirculated and Final EIR Section VI Alternatives Analysis.
LV-6-1-38	Proposed Lots 74 through 85 within Sub-cluster D are not located within SRA-47 or the Highway Corridor Design Standard Overlay. Draft EIR AES Impact 9 (Final EIR AES Impact 8) addresses the impact resulting from the proposed project; residual impacts following implementation of recommended mitigation measures is appropriately discussed under Residual Impacts. Identification of the 25-foot height limitation is recommended to avoid silhouetting of the structures, as seen from Highway 101. The applicant has incorporated many identified tract map changes in the Applicant's Mitigated Plan, which is addressed in Recirculated and Final EIR Section VI Alternatives Analysis.
LV-6-1-39	The noted intermediate ridgeline does contribute to the rural character of the area; therefore, this statement remains unchanged in the Final EIR. The applicant has incorporated many identified tract map changes in the Applicant's Mitigated Plan, which is addressed in Recirculated and Final EIR Section VI Alternatives Analysis.
LV-6-1-40	Lots 87 through 91 are located within both the SRA-47 and Highway Corridor Design Standards Overlays. Although these structures are located over a mile from Highway 101, the hillsides are currently undeveloped and development of noted lots would change the rural character of the hillsides and result in silhouetting above the ridgeline. The Applicant's Mitigated Plan is addressed in Recirculated and Final EIR Section VI Alternatives Analysis.

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LV-6-1-41	Figure references have been updated based on restructuring of the Final EIR. Otherwise, no other changes are incorporated into the Final EIR related to this comment.
LV-6-1-42	Draft EIR AES Impact 10 (Final EIR AES Impact 9) provides a reasonable characterization of the impact resulting from the construction of the wastewater treatment facility because the structure would increase noticeability of the project and would be inconsistent with existing rural character.
LV-6-1-43	Regardless of allowable use determinations, the construction of the dude ranch would have an adverse effect on the rural visual character of the Upper Los Canyon roadway corridor. Modifications to this section include references to the equestrian center, which has been removed from the applicant's Conditional Use Permit request.
LV-6-1-44	The EIR's description of cumulative changes to rural visual character is reasonable, because visible land between the southern boundary of the project site north to development associated with the city of Arroyo Grande is generally undeveloped and agricultural and rural in nature. The applicant has incorporated many identified tract map changes in the Applicant's Mitigated Plan, which is addressed in Recirculated and Final EIR Section VI Alternatives Analysis. The characterization of the vegetation planted along the Highway 101 corridor is reasonable.
LV-6-1-45	The EIR's description of cumulative changes to rural visual character from Upper Los Berros Road is reasonable, based on the existing visual setting in this area.
LV-6-1-46	The EIR assumes that the applicant would be required to comply with the Land Use Ordinance, including Highway Corridor Design Standards. Additional mitigation is identified, which would reduce noted aesthetic impacts; however, as noted, individual components of the project would be visible in varying degrees as seen from Highway, and as a whole would result in a cumulatively considerable change in visual character as seen from Highway 101.
LV-6-1-47	Please refer to responses to specific comments below. The measures identified by the applicant in the project description are considered in the EIR analysis.
LV-6-1-48	The EIR does not ignore County polices that promote agricultural cluster development as a means to preserve agricultural resources. Discretionary review of agricultural clusters is required, including an assessment of potential impacts to Farmland and land use compatibility. The policies do not promote the conversion of productive farmland into non-agricultural development, but rather require the protection of existing agricultural resources and production. Please refer to Recirculated EIR and Final EIR Section V.P. Water Resources regarding water supply. Please refer to specific comments below regarding agricultural buffers. The EIR notes that the tentative tract map is vested, and the 2003 Land Use Ordinance is applicable.
LV-6-1-49	The EIR analysis considers the applicant's mitigation measures, and determined that these measures would not reduce identified significant impacts to agricultural resources to less than significant. The applicant's statement will be considered by the County decision makers.
LV-6-1-50	The CEQA Guidelines and the County's Initial Study Checklist clearly identify the following threshold, included in the EIR: "Would the project convert Prime Farmland, Unique Farmland, Grazing Land, 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 EIR assesses potential impacts related to this threshold based on the baseline environmental setting, which includes mapped Farmland and productive vineyards.
LV-6-1-51	The noted mitigation measures identified by the commenter are incorporated into the project description. Please refer to responses to comments LV8-13 and LV9-17 regarding the proposal to plant additional vineyards to replace proposed removed vineyards. Compliance with the Agriculture Cluster Ordinance would preserve a majority of the project site as required; however, it would not protect the currently productive land to be converted to non-agricultural use.
LV-6-1-52	Please refer to responses to comments LV9-17 and LV10-12.
LV-6-1-53	Please refer to Final EIR Section V.B. Agricultural Resources, 5. Project-specific Impacts and

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	Mitigation Measures, 3) Water Usage, which has been updated based on Recirculated EIR and Final EIR Section V.P. Water Supply.
LV-6-1-54	The EIR's assessment of use of treated wastewater for crop irrigation was based on the applicant's proposal to apply the water within a defined area. Compliance with mitigation measure AG/mm-4 would address this potential impact.
LV-6-1-55	The proposed project would extend for approximately 2.5 miles through the project site, and as noted, would result in impacts to agricultural resources. The EIR correctly identifies the acreage of agricultural land that would be converted to non-agricultural use as a result of the project, and the analysis considers the baseline environmental setting, which includes productive vineyards. Please refer to response to comment LV-6-1-50 above regarding the applicable threshold of significance. The project's contribution to the cumulative loss of Farmland in the County is more appropriate under the cumulative impacts analysis.
LV-6-1-56	The ranch headquarters/homeowner's association facility does not include elements that are predominantly agricultural in nature. The other uses, including the wastewater treatment facility, storage ponds, and roads would be located within the identified agricultural easement area. Please refer to responses to comments LV8-13 and LV9-17 regarding the proposal to plant additional vineyards to replace proposed removed vineyards.
LV-6-1-57	Please refer to response to comment LV-6-1-51 above, and responses to comments LV8-13 and LV9-17 regarding the proposal to plant additional vineyards to replace proposed removed vineyards.
LV-6-1-58	Please refer to response to comment LV10-12 regarding the County Agricultural Commissioner's Office's position regarding the proposed agricultural buffers. Mitigation measure AG/mm-2 and AG/mm-3 have been modified as shown in the Final EIR based on subsequent comments and suggestions provided by the applicant. The mitigation does not include suggested modifications to agricultural practices, as this would place restrictions on the existing agricultural use and not the proposed development to address potential land use conflicts. Additional recommendations already included in the project description are not included; however, these may be considered as conditions of approval.
LV-6-1-59	Please refer to response to comment LV-1-53, above.
LV-6-1-60	Please refer to response to comment LV-1-54 above.
LV-6-1-61	The EIR's assessment of cumulative impacts provides a reasonable description of the project's cumulatively considerable adverse effect on agricultural resources. The applicant's proposed Homeowner's Association and conflict resolution measures include modifications to existing agricultural practices, rather than restrictions on the residential use.
LV-6-1-62	The Applicant's Mitigated Project, which incorporates noted changes to the tract design, is assessed in EIR Chapter VI Alternatives Analysis.
LV-6-1-63	Mitigation measure HM/mm-2 has been modified as follows: "At the time of application for subdivision improvement plans or grading permits, the applicant shall submit an access plan showing secondary access at Laetitia Vineyard Drive. Crash gates shall not be allowed. Proposed gates shall open automatically upon approach. *Potential access control measures could include, but not be limited to, a gate controlled by opticom transmitters and detectors, a gate that does not open to allow east-bound ingress of non-emergency vehicles, use of a "KNOX" box to permit emergency vehicle access, and signage*."
LV-6-1-64	The commenter's recommended mitigation measure HM/mm-4 is not included in the EIR; however, the Applicant's Mitigated Project, which incorporates noted changes to the tract design, is assessed in EIR Chapter VI Alternatives Analysis.
LV-6-1-65	Please refer to response to comment LV9-21 regarding secondary and emergency access requirements.

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LV-6-1-66	Final EIR PSU Impact 4 has been clarified to state (new text in italics): "The proposed project would increase the number of residents served by the CAL FIRE and other emergency services, which would result in an increased demand for emergency services personnel *and facilities. The project would require a new fire station to provide life safety response in the immediate area."* The determination of this impact is based on consultation with CalFire, as noted in the EIR. While incorporation of required fire safety measures would reduce the potential for structural damage as a result of a wildfire, the creation of 102 residential lots would require the construction of a new facility in the immediate area, which demonstrates that the project would have a cumulatively considerable effect on emergency response services. The dedication of land would not address any fire safety response impacts that would occur prior to construction and operation of a new facility, as clarified in the Residual Impact discussion under PSU Impact 4. Regarding suggested mitigation language, please refer to response to comment LV10-36, and new mitigation measure PSU/mm-7 in the Final EIR.
LV-6-1-67	The thresholds of significance related to Level of Service (LOS) were reviewed and approved by the County Public Works Department upon initiation of the EIR. The project would directly affect Caltrans facilities; therefore, consideration of Caltrans' targeted LOS in the EIR is appropriate. Please refer to response to comment LV10-16 regarding the additional trips affected identified roadways and Highway 101 facilities.
LV-6-1-68	Identified mitigation measures TR/mm-1 and TR/mm-2 were reviewed and approved by the County Public Works Department. The County decision makers may consider any credits to the applicant regarding noted improvements.
LV-6-1-69	Identification of mitigation measure TR/mm-3 is based on consultation with the County Public Works Department, and considers potential traffic safety concerns related to the increase in traffic at the Sheehy Road/North Thompson Road intersection. The applicable threshold of significance is as follows: "Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?"
LV-6-1-70	Mitigation measure TR/mm-4 is recommended to address a potential traffic safety concern due to the currently un-controlled intersection. The applicable threshold of significance is as follows: "Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?"
LV-6-1-71	Please refer to response to comment LV10-16 regarding the additional trips affected identified roadways and Highway 101 facilities.
LV-6-1-72	Please refer to response to comment LV19-4 regarding project effects on the Highway 101 Mainline.
LV-6-1-73	CEQA requires analysis of project traffic on roadways, which includes highways and associated ramp facilities. The scope of the traffic analysis depends on the project, and whether it would have an effect on noted roads and facilities. The project would directly affect Caltrans facilities; therefore, consideration of the ramp junctions is reasonable.
LV-6-1-74	Please refer to response to comment LV19-4 regarding project effects on the Highway 101 Mainline and ramp operations.
LV-6-1-75	The project would directly affect Caltrans facilities; therefore, consideration of Caltrans' targeted LOS in the EIR is appropriate. Please refer to response to comment LV19-5.
LV-6-1-76	Please refer to Final EIR Appendix G Transportation and Circulation, HCM Signalized Intersection Capacity Analysis, Mitigated Existing + Project worksheets for additional information.
LV-6-1-77	As shown in FEIR Table V.N.-11, the project would add 1,234 daily trips to Sheehy Road and North Dana Foothill Road, which currently do not meet County rural road standards based on average daily trips. The project would exacerbate this condition by increasing trips by approximately 84 percent on Sheehy Road and by 274 on Dana Foothill Road, which is the nexus between the project impacts and the mitigation measures. The EIR includes an assessment of the worst-case

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	scenario, which includes improvement of Upper Los Berros Road up to the Dude Ranch access road.
LV-6-1-78	Please refer to response to comment LV9-21 regarding emergency access.
LV-6-1-79	Please refer to response to comment LV19-11 regarding cumulative impact TR Impact 13 (Laetitia Vineyard Drive Access).
LV-6-1-80	Please refer to response to comments LV19-4, LV19-3, LV19-5, and LV19-12 regarding cumulative impact TR Impact 14 (Highway 101/Los Berros Road-North Thompson Avenue Interchange).
LV-6-1-81	Please refer to response to comments LV19-4, LV19-3, LV19-5, and LV19-12 regarding cumulative impact TR Impact 15 (Highway 101 and Highway 101/Los Berros Road-North Thompson Avenue Ramp Junctions).
LV-6-1-82	Please refer to Recirculated EIR (2013) and Final EIR Section V.P. Water Resources.
LV-6-1-83	Please refer to Final EIR Section V.C. Air Quality, which has been updated to incorporate CalEEMod air emissions and current mitigation measures identified by the SLOAPCD. Based on the updated analysis, off-site mitigation may be required if the applicant cannot demonstrate that implementation of standard and discretionary measures would not reduce emissions below identified thresholds.
LV-6-1-84	Please refer to response to comment LV-3 (see responses to Section 4 – Noise Technical Study). Noise measurements were taken from the edge of the County road right-of-way. As noted in the EIR, these levels exceed thresholds for acceptable noise levels (60 dB), as determined at the property line, which extends to the County road-right-of-way. As noted in the Final EIR Section V.I. (Noise), the Noise Element (1992) establishes separate standards for transportation noise, which is generated by automobiles, trucks, trains and airplanes and the applicable County standards (thresholds) for evaluating noise impacts from transportation noise are 60 dBA (Ldn) for outdoor activity areas and 45 dBA (Ldn) in interior spaces (refer to EIR Table V.I.-7). The project would generate additional transportation-related noise; however, this increase would not be perceptible to sensitive land uses (residences), based on review of FHWA guidelines (refer to the Final EIR).
LV-6-1-85	Please refer to response to comment LV-3 (see responses to Section 4 – Noise Technical Study). As noted by the commenter, the project is an agricultural cluster; however, the project introduces residences within an existing agricultural operation, and is not exempt from analyzing the effects of noise on sensitive receptors, pursuant to the identified thresholds of significance. The Noise Element (1992) identifies acceptable limits of noise exposure for sensitive land uses, and the Agriculture Element identifies suitable buffers to minimize potential land use conflicts such as exposure to noise and agricultural activities protected under the Right to Farm Ordinance. As noted in the EIR, the project does not appear to provide suitable buffers to avoid or reduce potential land use conflicts, and proposed residences would be exposed to noise levels exceeding identified thresholds. Therefore, the potential impacts remain significant.
LV-6-1-86	Please refer to response to comment LV-3 (see responses to Section 4 – Noise Technical Study).
LV-6-1-87	Please refer to response to comment LV-3 (see responses to Section 4 – Noise Technical Study). Both the Final EIR (Section V.I.5.a.2) and the ESA noise technical study note that transportation-related traffic generated by traffic on Highway 101 would not exceed thresholds for residential use on the project site. Section V.I.5.a.4 of the Final EIR and the ESA Noise Technical Study both note that operation of the winery would generate noise exceeding allowable thresholds for residential uses, resulting in a potentially significant impact. The ESA Noise Technical Study includes a recommended mitigation measure (Noise-3b), which consists of the construction of a sound wall next to the existing entrance road and parking area, or two sound walls located on the southern side of Lots 49 and 58. This recommendation has been added to the Final EIR (refer to NS/mm-2) to address noise generated within the winery. As noted in response to comment LV-6-1-85, the

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	proposed residences would be adversely affected by noise generated within the vineyards. At this time, limiting agricultural operations would not be consistent with the Right to Farm Ordinance.
LV-6-1-88	The noise analysis conducted for the EIR included measurements from proposed lots that may experience elevated noise levels during operation of the winery facility. Based on the nighttime noise threshold for residences (45 dBA), and measurements of daytime ambient noise levels outside of the harvest season (43 to 46 dbA as measured from Lots 49 and 58), it can be reasonably assumed that nighttime activity during the harvest season may exceed these noise levels. As noted in the commenter's tables excerpted from the ESA (2006) report, noise levels exceeded 45 dB during nighttime hours (prior to 7:00 a.m.) at Lots 46 and 58. Therefore, as noted above (response to LV-6-1-87), the applicant's (ESA) recommended mitigation measure to construct a noise barrier has been incorporated into the Final EIR (see measure NS/mm-2). Please refer to response to comment LV-6-1-85 above regarding noise generated throughout the vineyards.
LV-6-1-89	Please refer to Revised EIR (2013) and Final EIR Section V.E. Biological Resources, 5. Project-specific Impacts and Mitigation Measures, a. Project-wide, 2) Impacts to Coast Live Oak Woodland (page V.E.-36), which states that the project would result in the loss of 55 oak trees, and impacts to 114 oak trees including on-going vegetation management pursuant to CAL FIRE standards. The applicant's Oak Tree Inventory identifies 53 oak trees that would be removed or potentially removed, and 116 oak trees that would be impacted or potentially impacted, which is similar to the estimates identified in the EIR.
LV-6-1-90	The EIR assumes a worst-case scenario, which includes improvement of Upper Los Berros Road to meet County road standards. As noted by the commenter, mitigation would apply.
LV-6-1-91	Please refer to Recirculated EIR (2013) and Final EIR Sections V.E. Biological Resources and V.P. Water Resources.
LV-6-1-92	Please refer to Recirculated EIR (2013) and Final EIR Sections V.E. Biological Resources and V.P. Water Resources.
LV-6-1-93	Please refer to Recirculated EIR (2013) and Final EIR Chapter VI Alternatives Analysis.
LV-6-1-94	Contributors' names and qualifications are noted.

POLICY CONSISTENCY ANALYSIS
MITIGATED PLAN

LV-6-2

CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES		
Goals, Policies, Plans, Programs and Standards	**Proposed Action**	**Preliminary Determination**
Framework for Planning (Inland)		
Environment Goal 1: Maintain and protect a living environment that is safe, healthful, and pleasant for all residents by conserving nonrenewable resources and replenishing renewable resources.	~~Construction of the proposed project would require the use of non-renewable energy resources for construction, heating and cooling of buildings, transportation, and lighting. Implementation of the proposed project would also affect oak woodland onsite, including removal of oak trees to accommodate development, resulting in a significant and adverse impact. Class I. Mitigation measures are recommended, including revegetation and preservation of oak woodland habitat; however, the timeframe to achieve the maturity and quality of existing habitat is long-term.~~ The proposed project would minimize impacts to renewable and non-renewable resources, as follows: • **Oak Woodland -** The project would minimize the removal of oak trees, and potential impacts to oak woodland. Through sensitive location of home sites and road improvements, implementation of the proposed project would preserve existing onsite oak trees. Mitigation measures include revegetation, and minor site plan adjustments to building footprints and roadways to avoid, and to the extent feasible preserve, oaks and oak woodland habitat. • **Sustainable Site Practices -** The proposed project would integrate selective building locations and sustainable features that are sensitive to the landscape, which include: (i) using a previously developed site; (ii) maximizing use of existing circulation patterns; (iii) reducing light pollution; and (iv) using on-site sustainable crop production and vineyard practices. • **Water Efficiency -** The proposed project would use: (i) reclaimed water for irrigation to the extent feasible; (ii) resource-efficient landscaping; (iii) tankless and/or demand-controlled hot water systems; and (iv) water-conserving plumbing fixtures. • **Energy and Atmosphere -** The proposed project would use: (i) passive heating/cooling design strategies; (ii) radiant heat/cooling barriers; (iii) Energy Star Rated appliances and qualified windows throughout; high efficiency HVAC systems and lighting exceeding California energy standards by 20 percent. • **Transportation Mitigation and Air Quality -** The proposed project would reduce trips and impacts to air quality by: (i) providing home office technology systems; (ii) using quality insulation and by providing installation inspection to reduce the need for non-renewable resources; and (iii) using integrated and construction waste management systems to reduce truck trips. • **Indoor Environmental Quality –** The proposed project would use and would encourage future residents to use products that would enhance indoor environmental quality, including the use of carbon monoxide monitors and the implementation of other measures to improve indoor air quality. • **Low-Emitting Materials –** The proposed project would utilize low-emitting materials for, among other items, countertops, carpets, building insulation, flooring, and acoustical ceilings and/or wall panels. • **Daylight and Views –** The proposed project would minimize impacts to daytime and nighttime views in the area by implementing Mitigation Measures AES/mm-7, AES/mm-8, which according to the Draft EIR (p. V-299) would reduce impacts to a less than significant impact. • **Ventilation –** The proposed project would, as part of its measures to enhance the indoor environmental quality, and measures to use low-emitting materials, ensure natural and low-energy sources of ventilation for each residence. • **Social Sustainability –** The proposed project would use the following measures to enhance social	~~Potentially Inconsistent~~ Consistent

LV-6-2-1

1

CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination	
	sustainability at the project site: (i) maintain and enhance farm labor housing (existing); (ii) establish a recreation center for residents; and (iii) establish a community garden space at the site identified for the Homeowners Association facility.		LV-6-2-1 (cont'd)
Environmental Goal 2: Balance the capacity for growth allowed by the Land Use Element with the sustained availability of resources.	~~Implementation of the proposed project would result in significant and adverse, Class I, transportation and circulation impacts due to the inadequate capacity of affected roadways and highway facilities.~~ The proposed project would not result in significant impacts to potential resources. See response to Environmental Goal 1, above.	~~Potentially Inconsistent~~ Consistent	LV-6-2-2
Air Quality Goal 3: Preserve and protect the air quality of the county by seeking to attain and maintain state and federal ambient air quality standards.	The proposed project ~~is inconsistent~~ would be consistent with the Clean Air Plan, which identifies planning goals and policies to reduce emissions generated by development and traffic trips. ~~Implementation of the proposed project would create urban development outside of urban areas, requiring the generation of traffic trips to access services. The resulting impact would be significant and adverse, Class I.~~ Pollutant emissions would be less than significant.	~~Potentially Inconsistent~~ Consistent	LV-6-2-3
Air Quality Goal 4: Determine, and mitigate where feasible, the potential adverse air quality impacts of new development.	The proposed project would be ~~inconsistent~~ consistent with the Clean Air Plan, resulting in a less than significant Class II impact. Mitigation is recommended to the maximum extent feasible. Pollutant emissions would be less than significant.	~~Potentially Inconsistent~~ Consistent	LV-6-2-4
Air Quality Goal 5: Minimize the generation of air pollutants from projected growth by implementing land use policies and programs that promote and encourage the use of transportation alternatives to the single-passenger vehicle and minimize travel distance and trip generation.	The proposed project would ~~be inconsistent~~ consistent with the Clean Air Plan, ~~, and associated transportation control measures by developing an urban use within a rural area, generally requiring the use of vehicles to access urban services, resulting in a significant and adverse, Class I impact.~~ Pollutant emissions would be less than significant. The project would include connections to the internet that facilitate telecommuting. The proposed project is located on property designated as agricultural and rural land in the County General Plan. Agricultural Clustering is an allowable and preferable approach to implementation of permitted density. The project site is located within an area of the South County Area Plan (General Plan) that is identified as subject to Highway Corridor Standards. The Highway Corridor Standards encourage the use of clustering for allowed development. The proposed density of the Ag Cluster is consistent with LUO standards for Ag Clustering anticipated in General Plan implementation.	~~Potentially Inconsistent~~ Consistent	LV-6-2-5
Population Goal 6: Provide for a sustainable rate of orderly development within the planned capacities of resources and services and the county's and citizens' financial ability to provide them.	Implementation of the proposed project would ~~significantly affect transportation, recreation, and fire protection services. Recommended mitigation includes implementation of road improvements, and dedication of a trail corridor, and dedication of a building envelope for the construction of a fire station, which would partially off-set the project's effect on public resources and services. The timeframe for construction of recreational and fire safety improvements and facilities is unknown; the short term demand for these resources may exceed the planned capacity of these resources and services,~~ result in a maximum population of 254 persons~~, or approximately 17.4 percent of the population projected for the South County planning area from 2010 to 2020~~. However, the project would only increase the overall existing population by less than 0.1 percent. This increase is within the County's absorption capacity and build-out capacity; and, due to the availability of adequate water sources, is within the County's holding capacity. On-site recreation facilities are proposed as part of the project description. The project would allow a one-acre area for County fire use. See also responses to all County policies included in this table and impacts analyzed in the EIR.	~~Potentially Inconsistent~~ Consistent	LV-6-2-6
Distribution of Land Uses Goal 8: Maintain a distinction between urban and rural development by providing for rural uses outside of urban and village areas which are predominately agriculture, low-intensity recreation, residential and open space uses, which will preserve and enhance the pattern of identifiable communities.	The project includes the development of 101 residential lots within a currently rural area~~. Implementation of the project would result in significant impacts to aesthetic resources by introducing urban development within an agricultural area, which also serves as a green belt between the City of Arroyo Grande and the unincorporated community of Nipomo. While mitigation is recommended to specifically address aesthetic impacts, the proposed project would adversely affect the existing appearance of separate urban communities.~~ that comprises predominately agricultural and low-density residential uses located outside of the more urbanized communities of Nipomo and Arroyo Grande, which are located over two miles from the site. The proposed project would remain primarily agricultural with 93 percent open space (overall) and	~~Potentially Inconsistent~~ Consistent	LV-6-2-7

2

CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination	
	clustered low-density residential use, as allowed by the Agriculture & Open Space Element and the LUO as the applicable plans at the time the project application was deemed complete. Under the LUO, the County "encourages" such cluster developments on this particular property.		LV-6-2-7 (cont'd)
Distribution of Land Uses Goal 9: Identify important agricultural, natural, and other rural areas between cities and communities and work with landowners to maintain their rural character.	As discussed above, implementation of the proposed project would ~~introduce urban elements within a currently agricultural area,~~ conform to the Agriculture & Open Space Element and LUO, which includes policies that encourage agricultural clusters "to encourage the preservation of agricultural lands . . . for the continuing and enhanced production of food and fiber." Although the project would result in construction of residences in an agricultural area, as noted above, the Agriculture & Open Space Element and the LUO is the plan applicable to the proposed project. The proposed project would maintain the land for predominately agricultural use (93 percent overall open space); with 95 percent in agricultural zoned land and 90% in rural zoned land. Under the LUO, the County "encourages" such cluster developments on this particular property.	~~Potentially Inconsistent~~ Consistent	LV-6-2-8
Distribution of Land Uses Goal 10: Encourage the protection of agricultural land for the production of food, fiber, and other agricultural commodities.	The applicant proposes to place 1,792 acres of the 1,910-acre site under permanent agricultural open space easements and agricultural preserves. ~~; however,~~ Proposed development would require the removal of approximately 113 acres of vineyards and the permanent conversion of underlying soils to non-agricultural uses. ~~While~~ Approximately ~~440~~ 127.5 acres of replacement agriculture are proposed, a net gain of productive agricultural use. As a part of the Project Description, the project would enter all open space lots into an agricultural/open space easement and Williamson Act Contract, in perpetuity, which would protect the open space land for agricultural use in the future. The long-term success of the proposed replacement agriculture areas has been evaluated by the vineyard manager and identified as suitable replacement based upon the management of existing vineyard on the same property for over 20 years. ~~In addition, the lack of adequate buffers between the proposed residential use and existing vineyards would likely result in conflicts that would impair agricultural productivity.~~ Under the Land Use Ordinance (LUO), the County "encourages" such cluster developments on this particular property.	~~Potentially Inconsistent~~ Consistent	LV-6-2-9
Phasing of Urban Development Goal 11: Design and maintain a land use pattern and population capacity that is consistent with the capacities of existing public services and facilities, and their programmed expansion where funding has been identified.	~~Implementation of the proposed project would significantly affect transportation, recreation, and fire protection services. Recommended mitigation includes implementation of road improvements, and dedication of a trail corridor, and dedication of a building envelope for the construction of a fire station, which would partially off-set the project's effect on public resources and services. The timeframe for construction of recreational and fire safety improvements and facilities is unknown; the short term demand for these resources may exceed the planned capacity of these resources and services.~~ Although the project would affect public services and facilities, implementation of the proposed project with recommended mitigation measures would not significantly affect transportation, recreation, and/or fire protection services. Transportation impacts would be mitigated through participation in an adopted County transportation fee program and other off-site mitigation measures agreed to by the applicant. Recreation services for residents are proposed on-site (swim, tennis, gardening, and other activities) at the Homeowners Association facility. In consultation with the County, the developer will provide a site for a Cal Fire station. Public access is available to visitor to the Winery, Tasting room and picnic area at the existing Laetitia Winery.	~~Potentially Inconsistent~~ Consistent	LV-6-2-10
Residential Land Uses Goal 13. Locate urban residential densities within urban or village reserve lines near employment areas, while protecting residential areas from incompatible and undesirable uses.	According to LUO 22.22.150B1-3, the use of clustering in Agricultural or Rural lands may be considered only for *...sites within five miles of a URL.....The project site is approximately three miles from the Arroyo* Grande and Nipomo URLs. Implementation of the proposed project would locate residences within five miles of major employment areas. ~~Residents may be affected by adjacent agricultural operations (e.g., noise, dust, odors).~~ This commute would be within normal commute times for the area where clustered development within an agricultural area and conforms to county policies applicable to the project. The proposed density is consistent with the applicable version of the LUO criteria for Ag Clustering, in place at the time the application was deemed complete. In addition there is no accepted industry standard for community planning that defines parcels of one acre or larger located at an overall density of approximately 1 dwelling	~~Potentially Inconsistent~~ Consistent	LV-6-2-11

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CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES			
Goals, Policies, Plans, Programs and Standards	**Proposed Action**	**Preliminary Determination**	
Public Services and Utilities Goal 15. Provide additional public resources, services and facilities to serve existing communities in sufficient time to avoid overburdening existing resources, services and facilities.	Refer to response to Phasing of Urban Development Goal 11 above. This goal is not applicable to the proposed project because this project is proposed – not "existing." The proposed project would mitigate – by providing or paying for sufficient resources, services and facilities, to the extent that these resources, services and facilities could be significantly impacted by the project.	~~Potentially inconsistent~~ Consistent	LV-6-2-12
Public Services and Utilities Goal 16. Avoid the use of public resources, services and facilities beyond their renewable capacities, and monitor new development to ensure that its resource demands shall not exceed existing and planned capacities or service levels.	Refer to response to Phasing of Urban Development Goal 11 above, as well as Environment Goal 1.	~~Potentially inconsistent~~ Consistent	LV-6-2-13
Public Services and Utilities Goal 17. Finance the cost of additional services and facilities from those who benefit by providing for dedications, in-lieu fees, or exactions.	In-lieu and public facility fees would be required per adopted County fee programs, consistent with this policy.	Consistent	LV-6-2-14
Consistency with Title 22: Land Use Ordinance			
22.22.040 – Agriculture Category This Section contains three methods for determining minimum parcel size in the Agriculture land category. Each proposed parcel must be able to qualify for the requested minimum parcel size all tests within Subsections A. or B. The applicant will discloses as part of the application which Subsection is being used to determine the minimum parcel each of the proposed parcels. If the parcel agriculture preserve contract, Subsection C. applies. A. Size based upon existing use. Where a legal record is developed with agricultural uses at of application for land division, the minimum size new parcel shall be the largest area determined the following tests: 1. Use test. The minimum size for new parcels existing agricultural uses shall be based on the existing agricultural use, as follows. Where contains more than one agricultural use, each parcel shall satisfy the minimum size for its respective use. a. Crop production [table excerpt].	The project site supports approximately ~~487~~ 486.2 acres of irrigated crops; therefore the 20-acre minimum parcel size applies within the Agriculture land use category.	Consistent	LV-6-2-15
22.22.050 – Rural Lands Category	The project site is within 0-10 miles from the Arroyo Grande city limits and Nipomo URL; the project site is		LV-6-2-16

Agricultural Land Use	Minimum Parcel Size
Irrigated row crops, specialty crops, nurseries, orchards and vineyards	20 acres
Grazing	320 acres

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CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
22.22.050 – Rural Lands Category The minimum parcel size for new lots in the Rural Lands category is based upon site features including: remoteness, fire hazard and response time, access and slope. Minimum parcel size is determined by applying the following tests to the site features as described in Subsections A. through D. The allowable minimum size is the *largest* area obtained from any of the tests, except as provided for cluster divisions by Section 22.22.140. A. Remoteness test. The minimum parcel size shall be based upon the distance of the parcel proposed for division from the nearest urban or village reserve line. Such distance shall be measured on the shortest public road route between the reserve line and the site. Private roads shall be included in such measurements only when they provide the only access to the site from a public road. When a lot proposed for division is within the distances given from more than one reserve line, the smallest parcel size shall be used as the result of this test. [table excerpt]	The project site is within 0-10 miles from the Arroyo Grande city limits and Nipomo URL; the project site is within a High fire hazard zone, with a 15 minutes or less response time; the project site access is minimum 40-foot right-of-way compacted with gravel, which will be maintained privately (organized maintenance); and, the project site is outside of the GSA designation, and the average slope is less than 30 percent. The minimum proposed parcel size is 20 acres (for determination of density).	Consistent

Distance (Road Miles)		Min Parcel Size
From URL	From VRL	
0 – 10	N.A.	20 acres

B. Fire hazard/response time test. The minimum parcel size shall be based on the degree of fire hazard in the site vicinity, and the response time. Response time is the time necessary for a fire protection agency to receive the call, prepare personnel and fire equipment for response, dispatch appropriate equipment, and deliver the equipment and personnel to each proposed parcel from the nearest non-seasonal fire station. Fire hazard is defined by the Safety Element of the General Plan; response time is determined by the fire protection agency having jurisdiction. [table excerpt]

Response Time from URL	Min Parcel Size	
	Mod Hazard	High Hazard
15 min. or less	20 acres	20 acres
More than 15 min.	20 acres	160 acres

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LV-6-2-16 (cont'd)

CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES		
Goals, Policies, Plans, Programs and Standards	**Proposed Action**	**Preliminary Determination**
C. Access test. 1. General access test rules. The minimum parcel size is based upon the type of road access to the parcel proposed for division, provided that the proposed parcels will use the road considered in this test for access, either by way of individual or common driveways. Where access to a parcel is over roadways with differing quality of improvement, the minimum size is as required for the road with the least improvement. 2. Timing of improvements and right-of-way availability. If the improvements do not exist at the time of the subdivision application, the conditions of approval for the tentative map shall require the construction of access improvements which meet the minimum requirements specified by this Section. Additional right-of-way width may be required to allow for the construction of required improvements. The right-of-way required by the table in Subsection C.4 shall exist as either: (1) an offer to dedicate to the public or (2) as a private easement prior to acceptance of the tentative map application for processing. If the access is a private easement, it may be required to be offered for dedication to the public as a condition of approval of the tentative map. 3. Conditions of approval for improvements and maintenance. In the event that a land division application is approved, the extent of on-site and offsite road improvements required as a condition of approval, and acceptance of the new road for maintenance by the county may vary. This will depend on the parcel size proposed and the requirements of county standards and specifications in effect at the time the tentative map is approved. Paved roads will be required when: a. The access road is identified as a collector or arterial by the Circulation or Land Use Element; or b. The road will have the potential to serve 20 or more lots or the road will have the potential to experience a traffic volume of 100 or more average daily trips (ADT), based on the capability for future land divisions and development in the site vicinity as determined by the Land Use Element. In the event it is determined by staff that a road will serve 20 or more lots, or will experience 100 ADT or more, the basis for such a determination shall be explained in the staff report on the subdivision.		

LV-6-2-16 (cont'd)

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CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
4. Parcel size criteria. Minimum parcel size based on the access test shall be determined as shown in the following table (an existing road which is improved to higher standards than those specified in the table will also satisfy the following criteria). [table excerpt] **Minimum Parcel Size** / **Access Standards**: ROW: 40-foot; Surfacing: Std. gravel; Maint.: Organized (20 acres) D. Slope test. Site slope shall be measured as defined in Article 8 (Definitions – Slope). [table excerpt] **Avg. Slope** / **Minimum Parcel Size**: Outside GSA: 20 acres; Inside GSA: 80 acres (0 – 30 %)		
22.22.140 – Cluster Division At the option of the land division applicant, the minimum parcel sizes established by this Chapter for the Rural Lands, Recreation, Residential Rural, Residential Suburban and Residential Single-Family categories may be decreased as provided by this Section. A. Permit requirement. Conditional Use Permit approval in compliance with Section 22.62.060 through a public hearing held as set forth in Section 22.70.060, to occur at the same time as approval of a tentative map. Conditional Use Permit approval shall include conditions specifying a phasing schedule for the recordation of a final tract or parcel map, where applicable, the installation of required improvements and a date for termination of the entitlement in the event the use is not established within the specified schedule.	The project application includes a request for a Conditional Use Permit, and the applicant submitted a phasing schedule (refer to project file and Chapter III, Project Description of the EIR).	Consistent
22.22.140 – Cluster Division B. Determining the number of parcels that can be clustered. The number of buildable lots allowed in a cluster division shall be determined through the use of the parcel size tests in Sections 22.22.050 et seq. applicable to the land use categories in which the site is located; provided that where a minimum parcel size for new land divisions is set by planning area standard, the number of lots to be clustered	The applicant proposes ~~proposed~~ to exclude the 388.5-acre parcel proposed for the future dude ranch (not included in the Conditional Use Permit application). The applicant submitted the following density calculation specific to the Rural Lands portion of the project site. *The Rural Lands portion is a total of 1082.28 ac's minus 388.50 ac dude ranch parcel = 693.78 @ < 30% slope + 20 du/ac = 34.7 x 2 = 69.4 ac (allowable area for development based on slope only).* ~~While two primary dwellings are allowed on each standard Rural Lands parcel, the cluster division ordinance states that the number of buildable lots shall be determined through the use of the parcel size tests, not the number of allowable dwellings. Therefore, the actual number of buildable lots should be 34.7 using the~~	~~Potentially inconsistent~~ Consistent

LV-6-2-16 (cont'd)

LV-6-2-17

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CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination	
shall be determined by dividing the total site area by the minimum parcel size specified in the planning area standard. The actual size of the clustered lots shall then be determined by Subsection D.	~~above calculation method.~~ The applicant has demonstrated that the Rural Lands portion of the project passes the various parcel size tests as a part of the applicable portions of Sections 22.22.050 of the Land Use Ordinance. According to Remoteness, Fire Hazard/Response Time, Access, Slope and Open Space tests, the property's applicable minimum parcel size is 20 acres. According to Title 22, Section 22.22.150B F, "The use of clustering in the Agriculture and Rural Lands categories may be considered only for ownerships that are in agricultural use at the time of application, have a minimum area and location as follows....." The project site is currently in vineyard production and is within three miles of both the Arroyo Grande and Nipomo URL lines. Section 22.22.150I1, states that "The number of parcels allowed in an agricultural cluster division shall be equivalent to the number of dwellings normally allowed in the Agriculture land use category in compliance with Sections 22.22.040," which is two.... Therefore, the incentive to cluster in Rural lands is similar to the incentive to cluster in the Agricultural category, when the land is in agricultural use.		LV-6-2-17 (cont'd)
22.22.140 – Cluster Division C. Density increase bonus. The number of residential lots created by cluster division in the Residential Single-Family and Suburban categories within urban and village reserve lines may be increased from that resulting from application of the minimum parcel size standards of this Chapter by determining the allowed number of lots on the basis of gross density rather than net density [excerpt].	The project site is not within the Residential Single-Family or Residential Suburban land use categories, nor within an urban or village reserve line; therefore, this policy does not apply.	N/A	LV-6-2-18
22.22.140 – Cluster Division D. Lot size and open area requirements. The minimum size of lots created through cluster division shall be as specified in the following table [table excerpt]: LUC | Area of Buildable Lots: Min(2) | Max | OS Min Area (2) A minimum lot size less than 2-½ acres may be granted only when community water is provided.	The applicant proposes approximately one-acre buildable lots, and proposes a community water system.	Consistent	
22.22.140 – Cluster Division E. Design standards. 1. Open space parcel required. A cluster division shall include at least one open space parcel. Such parcel may be used for one of the allowable residential units, provided that the building site does not exceed 6,000 square feet and is defined on the recorded map. Otherwise, the open space parcel shall not be developed with structural uses other than agriculture accessory buildings. The open	~~The applicant proposes to construct the following uses within the Rural Lands designated portion of the project site, within the proposed open space parcels (not including the dude ranch parcel): ranch headquarters and equestrian facility. The ranch headquarters would include private recreational facilities including: a 1,800 square foot outdoor swimming pool; 80 square foot outdoor spa; 7,200 square foot tennis court and viewing area; and, a 3,600 square foot pool house including a gym, restrooms, and pool equipment storage. The ranch headquarters would include: 2,000 square foot clubhouse including a kitchen, restrooms, and changing rooms; 3,000 square foot homeowner's association building including an office, storage area, game room, meeting room, and an outdoor patio with a fire pit and barbeque; main entry gate and a 150 square foot guard station, 250 square foot mail gazebo, 26 parking spaces, three American Disability Act (ADA) parking spaces, patio areas, exterior lighting, lawn, meadow grass and landscaping, and two overflow parking areas. The proposed equestrian facility would be approximately ten acres in size and~~	~~Potentially Inconsistent~~ Consistent	LV-6-2-19

CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination	
space parcel may be used for any of the following: Crop production or range land; historic, archaeological, or wildlife preserves, water storage or recharge; leach field or spray disposal area; scenic areas; protection from hazardous areas; public outdoor recreation; or other similar open space use.	~~would include the following elements: 28,000 square foot corral/arena with approximately 3,200 square feet of built-in slope seating; 2,500 square foot equestrian center facilities building including hay and feed storage , three truck garage, office, restrooms, and two caretaker residences; 28,800 square feet of paddocks including 20 barn stalls, a tack room, and a wash rack; 5,000 square foot exercise ring; fourteen pull-through truck-trailer parking spaces; horse pasture; two equestrian trailheads; exterior lighting; perimeter fencing and an entry feature. The equestrian facility would be for private use of landowners, residents, and guests lodging at the dude ranch (future proposal).~~ ~~These proposed uses are not listed within the list documented in the ordinance language, and do not appear to be consistent with the intent of the ordinance language.~~ The proposed Homeowner's Facility (recreation) was counted as part of the development area in determining allowable density. The applicant now proposes to remove the originally proposed equestrian facility within the proposed Open Space parcel from the project as a mitigation measure to reduce any potential impacts to Upper Los Berros Creek. This will also result in the retention of existing vineyards of approximately 10 acres and a reduction in proposed water use by the project. Open Space Calculation: The Rural Lands portion (minus the Dude Ranch Parcel) is a total of 693.78 acres. Approximately 90 percent of the acreage is to remain in OS, the remaining 10 percent allowable for development. Ten percent of 693.78 acres equals 69.4 acres. 62 lots @ 1 ac = 62.0 acres HOA Facility = 2.0 acres Roads acreage = 3.0 acres Total = 67 acres The proposed recreational uses are consistent with AGP 31 and OSP 27, which both encourage recreational uses on privately-owned lands that are compatible with on- and off-site agriculture and with scenic and sensitive resources. These policies do not draw a distinction between public and private recreational facilities.		LV-6-2-19 (cont'd)
22.22.140 – Cluster Division 2. Guarantee of open space. The required open space parcel shall be maintained as open space as long as the clustered lots exist, or such other period designated through Conditional Use Permit approval. Such period shall be guaranteed by open space easement, or dedication of fee or partial fee title to a public or quasi-public agency.	The applicant proposes to place the open space parcels under an open space easement, consistent with this requirement.	Consistent	LV-6-2-20
22.22.140 – Cluster Division E. Design standards. 3. Site design. a. Site disturbance shall be minimized by clustering, road location along contours, and building site selection.	~~The applicant proposes to construct 101 new residences, ranch headquarters, equestrian facility, and associated amenities within an area historically characterized by the vineyards, orchards, and winery. The existing character is primarily rural. The South County (Inland) Land Use Element states that the "large agricultural areas , , , , Nipomo and Arroyo Grande reflect a rural character that the community values." As discussed in Section V.K. (Aesthetic Resources), a portion of the project site is within a Sensitive Resource Area (SRA) designation for scenic resources, and a portion of the project site is within the Highway 101 Corridor Design Standard areas.~~	~~Potentially Inconsistent~~ Consistent	LV-6-2-21

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b. Access to off-site roads shall be controlled, with parcels having access from interior roads wherever feasible. c. Development shall be designed to be consistent with the character of the immediate surrounding areas as designated in the Land Use Element.	a. Site disturbance shall be minimized by clustering, road location along contours, and building site selection. The project was designed to locate the clusters along existing ag roadways. New roadways are located along contour lines where practicable to minimize grading. Home sites were located to avoid existing agricultural production areas as much as practicable, and to utilize areas of the site that were not in existing ag production uses when possible and consistent with other development constraints. b. Access to off-site roads shall be controlled, with parcels having access from interior roads wherever feasible. The project was designed to locate the clusters using access from existing ag roadways. Most of the roadways use existing ag roadway alignments. Off-site access is limited to three existing locations. The South County (Inland) Land Use Element encourages clustering stating "Residential land divisions are encouraged to be clustered in compliance with Section 22.22.150....". c. Development shall be designed to be consistent with the character of the immediate surrounding areas as designated in the Land Use Element. As identified in Section V.K. (Aesthetic Resources), the project would be visible from viewpoints in the surrounding area and from public roadways. Several components of the proposed project were determined to be ~~highly~~ visible ~~as seen~~ from the Highway 101 travel corridor. ~~Implementation of these project elements would result in significant changes to the existing rural character, and would increase the overall noticeability of the project as a whole. Project elements and associated earthwork include: Residential Sub-clusters C and E; Main Road 2; Roads A, B, E, and F; and, the watertank. While development is generally located adjacent to existing agricultural roads, substantial amounts of earthwork would be necessary to develop proposed roadways, and prepare each individual lot for development. The proposed design would result in five sub-clusters located throughout the project site, extending approximately 2.3 miles from west to east. The proposed project would result in a significant and unavoidable impact due to change in visual character (refer to Section V.K., Aesthetic Resources).~~ Implementation of the Highway 101 Design Standards (LUO 22.112.040.3) will mitigate potential visual impacts associated with the project. The applicant will restrict the height, provide vegetative screening, and avoid ridgetop silhouetting of all proposed homes and structures within the applicable area. Through the use of the visual analysis and the implementation of these standards, the visual impact associated with the project can be mitigated to less than significant. The character of the existing surrounding areas can be described with the use of both mapping and visual analysis. The site is currently adjacent to conventionally subdivided areas with parcel sizes ranging from five to ten acres that are not clustered to provide open space. Visually, the project overall provides 93 percent open space with several clusters distributed on the site in order to retain the overall rural character of the site. Many of the proposed home sites are located in excess of one mile from the primary viewpoint – US 101. From US 101, the distance to the proposed home sites and topography and the speed of traffic on US 101 (posted at 65 mph) limit visual impacts.		LV-6-2-21 (cont'd)
22.22.150 – Agricultural Lands Clustering It is the policy of the Board to encourage the preservation of agricultural lands in the county for the continuing and enhanced production of food and fiber through the use of a variety of policy and regulatory techniques. One technique, provided by this Section, is the clustering of allowable dwelling units on relatively small parcels in agricultural areas	The area proposed for the cluster is over 1,500 acres in size, located approximately two miles south of Arroyo Grande, and two miles north of Nipomo, is currently under agricultural production, and meets the minimum site area/maximum distance from URL standards.	Consistent	LV-6-2-22

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instead of the dispersal of the units on larger parcels. It is also the policy of the Board to encourage the use of clustering by allowing the number of clustered parcels to equal the number of dwelling units normally permitted on a standard agricultural land division. A. Affected areas of the county. Use of the provisions of this Section may occur only within the distances set forth in Subsection B from the Arroyo Grande...Nipomo Urban Reserve Lines... B. Lands eligible for clustering [excerpt]. The use of clustering in the Agriculture or Rural Lands categories may be considered only for ownerships that are in agricultural use at the time of application, have a minimum area and location as follows, and also satisfy the provisions of Subsection C. 1. 1. Minimum Site Area / Maximum Dist from URL 160 acres / 1 mile 320 acres / 2 miles 640 acres / 3 miles 1,280 acres / 4 miles 2,560 acres / 5 miles 2. For sites that overlay the distances set forth above, the larger parcel size requirement shall apply.		
22.22.150 – Agricultural Lands Clustering C. Eligibility of lands under Agricultural Preserve Contract [excerpt] D. Permit requirement. Conditional Use Permit approval in compliance with Section 22.62.060, shall occur at the same time as approval of a tentative map. Conditional Use Permit approval shall include conditions specifying a phasing schedule for recordation of a final tract..., the installation of required improvements and a date for termination of the entitlement in the event the use is not established within the specified schedule. E. Application content. [excerpt] F. Environmental Review. [excerpt]	The project site is not currently under an Agricultural Preserve Contract. The applicant has applied for a Conditional Use Permit, consistent with the requirements of this ordinance. An EIR has been prepared consistent with this ordinance standard.	Consistent
22.22.150 – Agricultural Lands Clustering	~~As discussed in Section V.C. (Agricultural Resources) of the EIR, implementation of the proposed project~~	~~Potentially~~

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G. Required Findings. Approval of a clustered residential development in the Agriculture land use category shall not occur unless the Review Authority makes all findings required by Section 22.62.060.C.4 and also finds that: 1. The proposed project will result in the continuation, enhancement, and long-term preservation of agricultural operations consisting of the production of food and fiber on the subject site and in the surrounding area. 2. The proposed project has been designed to: a. Locate proposed development to avoid and buffer all prime agricultural soils on the site, other agricultural production areas on the site, as well as agricultural operations on adjoining properties; b. Minimize, to the maximum extent feasible, the need for construction of new roads by clustering new development close to existing roads; c. Avoid placement of roads or structures on any environmentally sensitive habitat areas; d. Minimize impacts of non-agricultural structures and roads on public views from public roads and public recreation areas; e. Cluster proposed residential structures to the maximum extent feasible so as to not interfere with agricultural production and to also be consistent with the goal of maintaining the rural character of the area; f. Minimize risks to life and property due to geologic, flood and fire hazard and soil erosion. 3. The proposed project will not result in any significantly adverse social impacts affecting on-site off-site agricultural operations, including but not limited to trespass, vandalism, and complaints about agricultural practices. 4. The water resources and all necessary services adequate to serve the proposed development, including residential uses as well as existing and proposed agricultural operations on the subject site and in the site vicinity. 5. The proposed clustered development and the conditions, covenants and restrictions governing the Homeowners Association and/or individual lots are adequate to ensure permanent maintenance of the	~~would result in significant and unavoidable impacts, including the loss of productive Farmland, conversion of existing crops to residential and associated land uses, and inadequate buffers between land uses resulting in a potential for conflicts and nuisance complaints, eventually likely affecting the overall production capacity of the vineyard. As discussed in Section V.C. (Biological Resources) and V.H. (Transportation and Circulation), implementation of the project would require road crossings over identified drainages, and would require road improvements to Upper Los Berros Road, immediately adjacent to Los Berros Creek. As identified in Section V.K. (Aesthetic Resources), the project would be visible from many viewpoints in the surrounding area and from important public roadways. Several components of the proposed project were determined to be highly visible as seen from the Highway 101 travel corridor. Implementation of these project elements would result in significangt changes to the existing rural character, and would increase the overall noticeability of the project as a whole. The proposed design would result in five sub clusters located throughout the project site, extending approximately 2.3 miles from west to east. The proposed project would result in a significant and unavoidable impact due to change in visual character (refer to Section V.K., Aesthetic Resources). As discussed in Section V.H. (Transportation and Circulation) and Section V.N. (Hazards and Hazardous materials), the project site is within a high fire hazard area, and the proposed design would be in consistent [sic] with CAL FIRE maximum dead-end road lengths. Based on the EIR analysis, it appears that all of the identified findings cannot be met.~~ 1. The proposed project would result in the continuation, enhancement, and long-term preservation of agricultural operations consisting of the production of food and fiber on the subject site and in the surrounding area. The project would result in the replanting of all agricultural production area lost to the placement of residential lots adhering to a goal of "no net loss." These agricultural replacement areas have been identified by the vineyard manager to be lands viable for the future production of agricultural crops based on over 20 years of experience with the existing agricultural operations. Planting crops in these areas would result in the continuation, enhancement and long-term preservation of agricultural production of the project property. 2a. The proposed project will locate proposed development to avoid and buffer all prime agricultural soils on the site, other agricultural production areas on the site, as well as agricultural operations on adjoining properties. There are no prime soils on the project site. The project is designed to avoid existing crop production as much as practicable (taking into account other applicable constraints). Agriculture viability on adjacent parcels is protected by distance from proposed home sites, intervening geography and by continuation of access across the Laetitia site to adjoining properties and existing Ag operations (orchards) to the North. 2b. Most of the proposed roadways use the alignment of existing agricultural roads. 2c. To the extent practicable, the proposed roads are located on existing road alignments and use the locations of existing creek crossings, as the route for proposed crossings. In cases where existing crossings were not practical, locations were sought out that resulted in the potential for the fewest environmental impacts. Placement of structures has avoided sensitive habitat to the maximum extent possible when considering all constraints. 2d. The project site is not distinctly visible from any nearby public recreation areas. Public views are available from public roads. Mitigation measures include the use of screening vegetation, and the relocation of some sites to prevent silhouetting. 2e. The proposed home site cluster locations were selected to minimize effects upon existing agricultural operations and in response to other applicable constraints on the site (slope, wind, geography, etc.). Overall approximately 93 percent of the site (including the Rural Lands portion of the site) is retained as open space.	~~Inconsistent~~ Consistent

LV-6-2-23 (cont'd)

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open space.	through remediation where hazards were identified in the geologic report. Home sites and other proposed facilities are located outside of known flood hazard areas. The applicant has proposed two means of ingress and egress to the proposed site and has proposed to control access (with a 24-hour guard) where suggested by CAL FIRE. Roads are designed (and/or redesigned) to meet CAL FIRE requirements presented in the DEIR. Soil erosion is not an identified issue on the site requiring special mitigation outside of normal best management practices to protect drainages. 3. The proposed project retains existing access arrangements to provide access to adjoining property to the north. Home sites are located away from adjacent properties. The Laetitia site fenced along its perimeter to prevent trespass. 4. The proposed project would have sufficient water resources by incorporating mitigation measures that require preparation of a Water Master Plan, revised plans for the use of tertiary treated effluent, the incorporation of measures that would conserve water, and the payment of a required supplemental water development fee. 5. The open space lots proposed as part of the project would be subject a permanent open space easement in favor of the County, and subject to a Williamson Act contract. As identified in Section V.K., (Aesthetic Resources), the project would be visible from the Highway 101 travel corridor. Implementation of the Highway 101 Design Standards (LUO 22.112.040.3) will mitigate potential visual impacts associated with the project. The applicant will restrict building heights, provide vegetative screening, and avoid ridgetop silhouetting of all proposed homes and structures within the applicable area. Through the visual analysis and the implementation of the Highway 101 Design Standards, the project elements would significantly reduce any changes to the existing rural character, and the overall visibility of the project as a whole. As discussed in Section V.H. (Transportation and Circulation) and Section V.N. (Hazards and Hazardous Materials), the project site is within a high fire hazard area. In cooperation with Cal Fire land would be donated to provide space for a new Cal Fire Station if desireable. In addition, all roadways would conform to standards required by Cal Fire, to the extent feasible.		LV-6-2-23 (cont'd)
22.22.150 – Agricultural Lands Clustering H. Access. Clustered developments in compliance with this Section shall be allowed only on ownerships with access to an existing paved, county or state maintained road.	The proposed development would be accessed by Upper Los Berros Road, a County-maintained road, and from US 101.	Consistent	LV-6-2-24
22.22.150 – Agricultural Lands Clustering I. Allowed number of parcels and residential density: 1. Number of parcels. The number of parcels allowed in an agricultural cluster division shall be equivalent to the number of dwellings normally allowed in the Agriculture land use category in compliance with Sections 22.22.040 (Parcel Size - Agriculture Category) and 22.30.420.A (Residential Uses in the Agriculture Category); except that where Section 22.22.040 would allow 20 acre parcels on the basis of SCS Class I soils, the number of parcels shall be based on a ratio of one per 40 acres. 2. Number of dwellings. Residential density within a	The applicant provided the following calculations: *A. Size based upon existing use:* *1. Use Test/Crop Production* *Criteria: Agriculture land use* *Response: 486.2 acres in irrigated row crops* *Applicable minimum parcel size per use:* *Irrigated Row Crops: ~~487.7~~ 486.2 total acres* *~~24.9~~ 36.6 ac. removed for home sites and buffer areas* *~~462.8~~ 449.6 ac. remaining*	~~Potentially Inconsistent~~ Consistent	LV-6-2-25

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cluster project shall be limited to a ratio of one dwelling unit per clustered parcel, except that farm support housing may be authorized through the approval of the overall project Conditional Use Permit, or subsequent Minor Use Permit approval, in compliance with the standards of Section 22.30.480.B.2 through B.8, in addition to the units allowed by this Subsection	~~+33.8~~ 40 ac. potential ag. replacement area in Ag Zone ~~496.6~~ 489.6 ac. total ag. area after home sites @ 20 acres/unit = ~~24.8~~ 24.48 x 2 = ~~49~~ 48.96 The applicant ~~incorrectly~~ added ~~33.8~~ 40 acres of potential agriculture replacement areas to the density calculation. The applicant included ~~inclusion of~~ this acreage ~~should not be included~~ in the density calculation because the long-term success and productivity of these replacement areas ~~in unknown, while the permanent loss of currently productive areas is certain. The proposed homesites, and proposed buffer areas, would remain out of production for the life of the project,~~ has been verified by the vineyard manager to be lands viable for the future production of agricultural corps based upon over 20 years of experience in the operation of the existing agricultural operations.		LV-6-2-25 (cont'd)
22.22.150 – Agricultural Lands Clustering J. Agricultural land/open space preservation. 1. Requirements for preservation. Clustered developments in compliance with this Section shall provide for the long-term preservation of portions of the site proposed to meet the open space requirements of Subsection J.5. 2. Areas included in open space. The open space area provided may include all areas in agricultural production, but shall not include any portion of the proposed clustered residential parcels 3. Structural uses allowed in defined open space areas. The area proposed for agricultural land and/or open space preservation shall not be developed with structural uses other than: a. A ranch/farm headquarters including two of the residential units allowed in compliance with Subsection F, residential accessory structures and farm support housing, which may be approved or modified after the initial Conditional Use Permit approval through Minor Use Permit, provided that the building site does not exceed 2.5 acres. b. Areas set aside for the preservation of historic buildings identified by the Land Use Element, to be delineated on the recorded map. c. Agricultural accessory structures or agricultural processing uses essential to the continuing agricultural production of food and fiber in the immediately surrounding area, which may be approved or modified after the initial Conditional Use Permit approval through Minor Use Permit, which shall not occupy an aggregate area of the site larger than five acres.	As described in Chapter III (Project Description) of the EIR, the applicant proposes to establish open space parcels and open space easements on the project site, consistent with these ordinance requirements. 1. The proposed project description includes permanent agricultural open space easements and Williamson act contracts covering open space areas consistent with LUO requirements. 2. No residential parcels are included within the open space parcels. 3. The applicant ~~proposes~~ to construct a wastewater treatment facility, ~~and~~ Three ponds for the management of domestic and winery wastewater are proposed to be located within one of the proposed open space lots within the Agriculture land use category (refer to Chapter III, Project Description). The applicant proposes to recycle treated wastewater for use within the vineyards or other common areas; therefore, the construction of the ponds and effluent disposal areas appears to be consistent with this policy. The construction of the wastewater treatment facility is ~~may not be~~ consistent with this policy, because it is ~~a structural use specific to the treatment of domestic wastewater generated by the proposed residential uses,~~ not located within an open space lot and was not counted as part of the open space area in the applicants' density calculations. The wastewater treatment facility will serve the vineyards and would be considered an agricultural accessory structure and a residential accessory use. a. The proposed project's ranch/farm headquarters would not exceed 2.5 acres and is consistent with this policy. b. The proposed project would be required to implement HR/mm-1, HR/mm-2, HR/mm-3, and HR/mm-4, and would therefore preserve historic buildings on the project site. c. The proposed project would work with the County to identify agricultural accessory structures or agricultural processing uses essential to the continuing agricultural production of food and fiber at the project site. 4. All open space areas would conform to the uses prescribed. The project will no longer include an equestrian facility. 5. The proposed project would result in permanent open-space easements granted to the County and Williamson Act contracts to permanently preserve most of the site for agricultural purposes.	~~Potentially Inconsistent~~ Consistent	LV-6-2-26

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4. Nonstructural uses allowed in defined open space areas. The following nonstructural uses may be allowed in the open space areas: crop production and grazing; animal raising and keeping; specialized animal facilities; nursery specialties (nonstructural); range land or wildlife preserves; water storage or recharge; leach field or spray disposal area; scenic area protection or buffers from hazardous areas; public outdoor recreation uses on non-prime lands; or other similar open space uses. 5. Guarantee of open space. The required open space areas shall be maintained as open space as long as the clustered lots exist. This shall be guaranteed by either of the following methods: a. A recorded, permanent open-space easement granted to the county and inclusion in the Williamson Act Agricultural Preserve Program. b. Dedication of fee or partial fee title, free and clear of any liens, to the county and a third party such as the Trust for Public Lands.			LV-6-2-26 (cont'd)
22.22.150 – Agricultural Lands Clustering K. Site design and development standards. The design and development of clustered dwelling units in the Agriculture land use category shall be consistent with the following standards: 1. Lot size and open area requirements. The minimum size of clustered residential building sites created as separate parcels in compliance with this Section, and the area of the site required for open space preservation shall be as follows [table excerpt]: Area of Buildable Lots: Min(2) 10,000 Sq. Ft.; Max 2.5 Acres; Open Space Parcel Min. Area 95 % (2) A minimum lot size less than 2-1/2 acres may be granted only when community water is provided. A minimum lot size less than one acre may be granted…where community sewer is provided. 2. Ownership and maintenance of roads. Unless otherwise required by the Review Authority, all interior roads and utilities shall be privately-owned and maintained and the applicant shall demonstrate through conditions, covenants and restrictions or	K.1 The applicant proposes ~~one-acre,~~ clustered, residential ~~lots~~ home sites consistent with this ordinance. The applicant proposes 95 percent open space, which is consistent with this standard; ~~however determination of allowable uses within the open space area is necessary to guarantee adequate area for open space. It appears that due to the size of the wastewater treatment facility (approximately 10,000 square feet), the project would meet the requirement to preserve at least 41.4 acres of open space as follows (calculations provided by the applicant shown in italics):~~ *5 % of 828.38 = 41.4 ac* *40 lots @ one acre per lot = 40~~.5~~ ac* *Roads acreage = ~~1.2~~ 0.3 ac* *Wastewater treatment facility = ~~0.23~~ 0.6 ac* *Sum = 41.4 acres* K.2 The applicant proposes to establish a homeowners association responsible for road maintenance consistent with this requirement. ~~ordinance~~. K.3 The proposed project includes the establishment of a homeowners' association with required membership by all home-buyers and successive home buyers. The homeowners association would be responsible for the permanent maintenance of the open space areas held in common by the homeowners. K.4.a There are no Class I or Class II soils on the subject site and as a result no residential structures would be located on Class I or Class II soils. K.4.b. All residential home sites and access drives are located within the subject site. K.4.c. ~~As discussed above (refer to 22.22.150 C., Required Findings), implementation of the proposed project would result in significant and unavoidable impacts to agricultural resources, aesthetic resources,~~	~~Potentially Inconsistent~~ Consistent	LV-6-2-27

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through conditions, covenants and restrictions or other means that the project residents shall maintain all private roads and utilities for the life of the project. 3. Homeowners association. A homeowners association shall be formed and membership shall be mandatory for each home buyer and successive buyer. The homeowners association shall be responsible for the permanent maintenance of the open space areas held in common by the homeowners. An assessment system or other form of subsidy shall be required to ensure compliance with this provision. 4. Site layout criteria. a. No structural development shall occur on soils with a U.S. Soil Conservation Service classification of I or II, except that agricultural accessory structures and agricultural processing uses may be allowed on sites up to 2.5 acres in size subject to Minor Use Permit approval, where the applicant can demonstrate that no other suitable area is available for such uses and that the proposed uses are directly related to maintaining and enhancing on-site agricultural operations. b. Residential building sites and access drives shall be located within the boundaries of the overall ownership with sufficient separation from exterior property lines that the Review Authority can find that the clustered development will not result in adverse impacts on off-site agricultural operations in the site vicinity. c. Roads and building sites shall be located to minimize site disturbance and visibility from public roads. d. Driveway access intersections with off-site roads shall be minimized.	~~K.4.c. As discussed above (refer to 22.22.150.C. Required Findings), implementation of the proposed project would result in significant and unavoidable impacts to agricultural resources, aesthetic resources, which is inconsistent with this ordinance.~~ The proposed project would minimize disturbance and visibility from public roads, and would not result in adverse impacts on off-site agricultural operations in the site vicinity by relocating some development site, and through the use of standards required by the Highway 101 Corridor Standards. K.4.d. There are no residential home site driveways that directly exit the project site.		LV-6-2-27 (cont'd)
22.112.020 – Areawide Standards, A. General areawide standards. 2. Groundwater recharge areas. New development shall be located to preserve existing natural drainage areas and aquifer recharge areas and shall incorporate natural drainage systems in new developments to aid in groundwater recharge.	The project includes the use of natural drainages to manage stormwater, which would aid in groundwater recharge.	Consistent	LV-6-2-28
C. Circulation planning. 1. Public right-of-way dedications. Applications for land divisions or Conditional Use Permits shall	The proposed project does not include the creation of new public roads. The applicant does not own land adjacent to Los Berro Road west of US 101. The Laetitia property line in this vicinity is the approximate center-line of Los Berros Creek thus they cannot accommodate the request for a trail easement parallel to	Consistent	

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provide an offer of dedication for public streets, bikeways, and pathways where necessary to mitigate the impacts of the project and to implement the Circulation Element and the Parks and Recreation Element.	Los Berros Road.		LV-6-2-28 (cont'd)
C. Circulation planning. 3. Traffic noise mitigation. Noise-sensitive land uses that are proposed near collector, arterial streets, and highways shall be reviewed for potential noise impacts and mitigated, if needed, in compliance with the Noise Element.	The proposed project includes residences (noise sensitive use) adjacent to Highway 101. Based on the noise analysis conducted for this EIR, proposed residences would not be exposed to unacceptable noise levels.	Consistent	
C. Circulation planning. 4. Transit-oriented standards. Minor Use Permit, Conditional Use Permit and land division applications shall provide a design and site development that is consistent with the following standards, where applicable for implementing the Circulation Element of the General Plan and the Regional Transportation Plan. a. Where determined appropriate by the Regional Transit Agency, subdivisions or developments of 20 or more housing units shall provide pedestrian access to a bus stop along the closest major arterial or collector and fund their share of one shelter or bus stop per ½ mile of that roadway. c. Transit facilities shall be integrated into new development and be multi-modal (accessible by bike, walking, and car) whenever possible, with spacing to provide easy access without unduly impacting route times. d. On-site services are encouraged as appropriate within projects, including child care, personal and bank services, cafes, pharmacy and convenience stores, depending on the size of the project.	The proposed project does not include pedestrian access to a bus stop, integration of transit facilities, or on-site services. 4.a and 4.c Transit services are not currently available to the site. If and when transit services are provided to the site, the project may accommodate a bus stop or other transit facility as needed at the location of the homeowners' association facility. 4.d The project site is designated Agricultural and as such, businesses such as child care, banks, cafes, pharmacies, and convenience stores are prohibited uses.	Consistent	LV-6-2-29
D. Open space preservation – Cluster division incentive. This standard applies to land where important physical, biological, or historic resources are identified both on-site and on adjacent properties to encourage cluster land divisions that will leave the resources in open space areas. Clustered land divisions may utilize an open space parcel area that is smaller than otherwise required by Chapter 22.22 where an important biological habitat, such as an oak woodland or the Nipomo Creek corridor, or land near a historic site such as the Dana Adobe, is identified through the application's review process.	The proposed project is a cluster development. The project site is within two land use categories, Agriculture and Rural Lands. Based on the applicant's calculations, 95 percent of the land under the Agriculture designation and 90 percent of the land under the Rural Lands designation would be preserved under open space/agricultural easements, with the intent of preserving agricultural resources in perpetuity. The proposed open space areas comply with applicable county guidelines in regard to size and intent. The applicant is not seeking reduction of open space parcel sizes or areas smaller than policy standards. The project as proposed would result in "no net loss" of agricultural area due to the placement of residential lots. All agricultural replacement areas have been identified by the vineyard manager to be lands viable for the future production of agricultural crops. Planting crops in these areas would result in the continuation, enhancement and long-term preservation of agricultural production of the project property.	~~Potentially inconsistent~~ Consistent	LV-6-2-30

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The size of the open space area may be determined by a visual, biological, or other applicable analysis of the area in question. The analysis shall identify the area that is necessary to maintain open space to preserve the features of the applicable resource. *Guideline: Retain land in open space in new land divisions that will preserve oak woodlands, riparian and other important biological habitats, and historic place surroundings.*	~~Based on consultation with the County Agriculture Department, thee calculations incorrectly take into consideration proposed new agricultural areas (which may or may not have been successfully productive), and do not take into consideration productive areas lost due to proposed buffer zones. Based on staff's calculations, the project would not be consistent with this LUO Chapter 22.22.~~ The project would create open space/agricultural easements on the property, and development of the project would result in ~~the removal and impacts~~ less than significant impacts to biological habitats including oak woodland, individual oak trees, riparian habitat; ~~impacts to significant~~ archaeological and historical resources; and, less than significant impacts to visual resources.		LV-6-2-30 (cont'd)
E. Arroyo Grande Planning Impact Area. The following standards apply to land shown within the planning impact area of the City of Arroyo Grande...that has been identified as an area of critical concern. 1. Application referral. Discretionary permits, land division, and General Plan amendment applications shall be referred to the City of Arroyo Grande for review and comment.	The proposed project was referred to the City of Arroyo Grande.	Consistent	LV-6-2-31
E. Arroyo Grande Planning Impact Area. 2. Development impacts. Discretionary projects with potential impacts, including cumulative ones that are associated with impacts to water quantity and quality, drainage, erosion and downstream sedimentation, traffic and circulation shall be addressed as critical subjects for additional review as part of the environmental review process.	The EIR includes an analysis of cumulative impacts.	Consistent	
E. Arroyo Grande Planning Impact Area. 3. Application content – New land divisions. Applications for new land division shall comply with the applicable submittal requirements and development standards in the Real Property Division Ordinance (Title 21 of the County Code) with respect to water supply, drainage and grading, sewage disposal, road connections to city roads, and efficient neighborhood and areawide circulation.	The applicant complied with submittal requirements identified in this policy; however, based on the location of the parcel, connection to city roads is not feasible. The proposed project would be a private development, ~~and would not benefit areawide circulation~~ that would benefit area-wide circulation through: a. Funding of off-site transportation improvements via payment of County transportation impacts fees; b. Improvements at the Dana Foothill/ Sheehy intersection; c. Control of access (prevention of use) by project residents at the Winery entrance to US 101; d. Improvement to Upper Los Berros road from the existing bridge to the project entrance on Los Berros Road	~~Potentially inconsistent~~ Consistent	LV-6-2-32
22.112.040 – Rural Area Standards A. Areawide standards. 1.a. Areawide circulation linkages. All land division and Conditional Use Permit applications shall be integrated into areawide circulation and utility easements, providing for future extensions into adjacent undeveloped properties wherever feasible or where known areawide rights-of-way are planned.	The proposed project would be a private development, and would not include future extensions into adjacent properties. The proposed project would generate traffic trips on local roadways, exacerbating existing deficient conditions. Mitigation measures, including road and control improvements to Upper Los Berros Road, Sheehy Road, and Dana Foothill Road are recommended.	Consistent	LV-6-2-33
b. Driveways – New land divisions. New land divisions shall include, where possible, design	The proposed project includes two connections to Upper Los Berros Road. These main roads would connect	Consistent	

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provision for combining driveways and private access roads serving proposed parcels from collector or arterial roads wherever terrain and adequate sight distance on the public road allow.	to interior minor roads, and residential driveways within each proposed residential cluster.		LV-6-2-33 (cont'd)
c. Equestrian, pedestrian and bike paths – Conditional Use Permits and New Land Divisions. Safe site-sensitive equestrian, pedestrian and bicycle circulation facilities shall be provided in projects subject to Conditional Use Permits and new land divisions where feasible either within the street rightof- way or in separated locations...subject to the County Parks and Recreation Element. Unless determined to be infeasible or to result in significant effects on the environment, density may be calculated in such new land divisions on the basis of gross site acreage when such facilities are provided, instead of net site acreage as otherwise required by this Title.	The applicant proposes to ~~construct a~~ omit the originally proposed private equestrian facility as an element of the project (Mitigated Plan).	Consistent	LV-6-2-34
d. Road Design and Construction - New Land Divisions. Road alignments proposed in new land division applications shall be designed and constructed to minimize terrain disturbance consistent with safety and construction cost. Altered slopes shall be replanted with indigenous plants or protected by other appropriate erosion control measures.	The applicant proposes to improve existing agricultural roads to provide access to the proposed residential sub-clusters. Pursuant to County Ordinance, and recommended mitigation measures, disturbed areas would be revegetated to encourage slope stability.	Consistent	LV-6-2-35
3. Highway 101 corridor design standards. a. Purpose. The purpose of the following Highway 101 corridor design standards is to provide public views of: • varied topography including ridgelines and rock features; • significant stands of trees and wildflowers; and • historic buildings and pastoral settings. These standards are intended to expedite the permit process for projects which maintain scenic views and the rural character along Highway 101, while providing opportunities to use other design solutions through a discretionary review process to achieve scenic goals. Only residential structures, residential accessory building, residential access roads, specified agricultural accessory buildings, and signs are governed by these standards. All other uses and structures, such as agricultural roads and nursery	As discussed in the Aesthetics section of the EIR, the western and northern portions of the project site are subject to the Highway Corridor Design Standards, including portions of sub-clusters A, C, and E. The visual analysis prepared the EIR assumed compliance with specific standards, including height limitations, building features, and architecture. Proposed structures would be setback 100 feet from Highway 101. Based on the visual analysis, potentially significant visual impacts would occur, including silhouetting above the ridgeline, creation of visible road cuts, and degradation of visual character. Mitigation measures, including elimination and/or relocation of lots that do not comply with identified standards, and design standards are recommended to ensure compliance with these standards. Implementation of proposed visual mitigation measures would not result in significant secondary impacts to biological resources.	Consistent	

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specialties are not subject to the standards. d. (3) Highway setback. Where possible, residential buildings, residential accessory structures, and agricultural accessory structures described in Subsection A.3.c shall be set back 100 feet from the Highway 101 right of way as shown in Figure 112-11. If there is no feasible development area outside this setback, the project shall be located on the rear half of the property and shall provide a landscaping screen to provide 80 percent coverage at plant maturity, to be verified by a landscape architect, landscape contractor, certified nurseryman or other qualified individual approved by the Director. [Added 1997, Ord. 2800] (4) Ridgetop development. Structures shall be located so they are not silhouetted against the sky as viewed from Highway 101, as illustrated in Figure 112-12. [Added 1997, Ord. 2800] (5) Slope limitation. Grading for structures and roads shall occur on slopes that are 20 percent or less. (7) Landscaping. A landscaping plan is required that will ensure at least 50 percent screening of the structure at plant maturity as shown in Figure 112-15. Landscaping shall include mitigation planting or seeding for graded cut and fill areas in compliance with Chapter 22.16. (8) Biological habitats. Development shall be designed and located to minimize adverse impacts to important biological resources in conforming to these standards. If there is a conflict between biological resources and these standards, protecting the biological resources takes precedence. [Added 1997, Ord. 2800] e. Project design and processing - The visual analysis shall be utilized to determine compliance with the intent of Subsection A.3.d and the following: (1) Locate development, including access roads, in the least visible portion of the site consistent with the protection of other resources, as viewed from Highway 101, unless mitigated to insignificant levels. Use existing vegetation and topographic features to screen development from view as much as possible. (2) Minimize grading for both structures and roads that would create cut and fill slopes visible from Highway 101. (3) Minimize building height and mass by using low-		

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LV-6-2-35 (cont'd)

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profile design where applicable. Minimize the visual impacts of buildings by using colors that blend with surrounding natural colors and/or screen the building from view. (4) Provide landscaping to screen and buffer both road and building development with native or drought-resistant plants, including the extensive use of trees and large-growing shrubs. (5) Use of minimal signage is encouraged. Locate signs that are subject to a discretionary land use permit so that they minimize interference with important public views from Highway 101, such as those listed in the preamble to this Section.			LV-6-2-35 (cont'd)
f. Residential land divisions. (1) Clustering encouraged. Residential land divisions are encouraged to be clustered in compliance with Section 22.22.140, unless standard subdivision design can include clustered residential building sites that will be in equal conformity with Subsection A.3.e. Application review shall determine whether the proposed parcels or building sites are designed so that residential buildings, accessory buildings, and roads will comply with Subsection A.3.e, in addition to other applicable standards. Guideline: Retain land in open space in new land divisions that will preserve existing views of land subject to the Highway 101 corridor design standards.	The applicant is requesting approval of a major agricultural cluster. The project site is located approximately two miles south of the City of Arroyo Grande, and two miles north of the unincorporated community of Nipomo. 102 residential lots, each one-acre in size, and four open space easements, 477.89, 723, 205.63, and 380.33 acres each are proposed. One dwelling is proposed on each residential lot. The open space lots would be placed under open space easements/agricultural preserves, and would support agricultural-related vineyards, orchards, the existing winery and associated facilities, ~~wastewater treatment ponds, , equestrian facility~~, and undeveloped open space. The project site is located within two land use categories: Agriculture and Rural Lands. Based on the applicant's calculations, allowable residential density would be ~~49~~ 46 dwellings within the Agriculture land use category, and 62 dwellings on the Rural Lands land use category, for a total of ~~444~~ 108 dwellings. The applicant is proposing 102 dwellings (including the existing residence). The applicant determined that open space parcels would consist of 95 percent of the land within the Agricultural land use category, and 90 percent of the land within the Rural Lands land use category. ~~Based on consultation with the County Agriculture Department, these calculations incorrectly take into consideration proposed new agricultural areas (which may or may not be successfully productive), and do not take into consideration productive areas lost due to proposed buffer zones. Based on staff's calculations, the project is not consistent with this policy. In addition, the proposed "ranch headquarters" may not meet LUO Section 22.22.150.J.3., which allows a ranch/farm headquarters, because the "ranch headquarters" is the homeowner's association facility, and includes private recreational uses and assembly areas. The wastewater treatment facility structure also does not comply with the list of allowable uses.~~ The proposed ranch headquarters (2 acres) is accounted for within the 10 percent developable space calculation for cluster developments within rural land category. The wastewater treatment facility (0.6 acres) is accounted for within the 5 percent allowable development calculation (41.4 acres) for cluster developments within the agricultural land category. Thus, it is not subject to this LUO standard and does not pose a potential inconsistency. Land adjacent to Highway 101, in the western portion of the parcel, would be preserved as open space, with the exception of the wastewater treatment facility and existing winery/tasting room facilities. Residential development is proposed in the northern portion of the project site, within an area subject to Highway Corridor Design Standards. ~~As discussed above, mitigation measures are recommended to address potentially significant visual impacts; however, residual impacts would be significant, adverse, and unavoidable.~~ The portion of the project within the Highway 101 corridor is subject to standards set forth in LUO 22.112.040 (A)(3)(d) and the project has been deemed consistent with those standards. Highway Corridor standards also encourage clustered development.	~~Potentially In~~ Consistent	LV-6-2-36
B. Agriculture (AG)	The western portion of the project site is within the Nipomo Valley, as designated in the South County Area	~~Potentially Inc~~	LV-6-2-37

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Goals, Policies, Plans, Programs and Standards	**Proposed Action**	**Preliminary Determination**	
1. Nipomo and Santa Maria (Oso Flaco) Valleys. a. Limitation on use. Land uses are limited to the following within Agriculture land use category in the Nipomo and Santa Maria (Oso Flaco) Valleys, subject to the land use permit requirements of Section 22.06.030: Ag processing Agricultural accessory structures Animal Facilities Animal keeping Communications facilities Crop production and grazing Farm support quarters Home occupations Mining and concrete batch plants (within the area along the Santa Maria River shown in Figure 112-19 which corresponds to the EX1 or subsequently designated EX combining designation) Mobile homes Nursery specialties (Conditional Use Permit required) Outdoor retail sales Pipelines and power transmission lines Residential accessory uses Roadside stands Single-family dwellings Temporary dwellings	Plan. Proposed single family residences are consistent with this policy. ~~The applicant is also proposing proposing a wastewater treatment plant, which is not identified as an allowable use.~~ The proposed wastewater treatment plant would treat wastewater from both the home sites and the winery operations. The wastewater treatment facility would assist in the management of waste water associated with the agricultural and residential uses on the property. Agricultural accessory structures and residential accessory structures are both permitted uses under this LUO. The proposed wastewater treatment facility fits within both categories.	Consistent	LV-6-2-37 (cont'd)
H. Rural Lands (RL). The following standards apply within the Rural Lands land use category. 1. Upper Los Berros Canyon and Temettate Ridge - Limitation on use. All uses identified by Section 22.06.030 as allowable, permitted, or conditional within the RL land use category may be authorized subject to the land use permit requirements of that Section in the area of Upper Los Berros Canyon and Temettate Ridge (see Figure 112- 43) except: farm equipment and supplies; off-road vehicle courses; recycling and scrap; correctional institutions; waste disposal sites; airfields and landing strips	The eastern portion of the project site is within the Rural Lands land use category. Proposed uses include a residences and ranch headquarters ~~are homeowners association and private recreational facilities. These uses are not identified in the list of allowable uses,~~ within the ten percent allowable developable land area. The proposed equestrian facility has been deleted from the project description (Mitigated Plan).	~~Potentially Inconsistent~~ Consistent	LV-6-2-38
Consistency with Land Use Element South County (Inland)			
Primary Goal 4: Promote the rural character and heritage of South County with a strong sense of identity and place	~~Implementation of the proposed project would introduce urban elements within an existing rural area, which serves as a greenbelt between the City of Arroyo Grande and Unincorporated community of Nipomo.~~ The project is an "agricultural cluster" within an area in which the South County Area Plan specifically "encourages" residential cluster projects with the intent of preserving the rural character of the area. (22.112.040.A.3.f.(1)). The proposed project is an allowable use - an Agricultural Cluster project on a site designated Agriculture in the General Plan as such it cannot reasonably be determined to be "urban" development. As a part of the project, each of the open space lots would be entered into permanent agricultural/open space easements and a Williamson Act Contract that would retain continuity with the	~~Potentially Inconsistent~~ Consistent	LV-6-2-39

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	agricultural heritage of South County.		
5. Promote a social, educational, recreational, cultural, and historical quality of life for its citizens in a manner that is affordable to its residents	The proposed project consists of a private development, and ~~does not~~ includes affordable housing or other elements that would be available to the public. There are two existing farm labor units located on the site and occupied by ranch labor. In addition the site contains an existing winery that is open to the public for tasting tours and picnics. The project proposes to retain and restore many of the existing historic structures located at the Campodonico Ranch headquarters and integrate them into the homeowners association facilities for adaptive re-use and/or educational purposes. The homeowners association facility provides on site recreation opportunities for project residents (swim, tennis, gardening, etc).	~~Potentially Inconsistent~~ Consistent	LV-6-2-40
6. Promote the long-term sustainability of natural resources as growth occurs with sensitivity to the natural and built environment	The applicant proposes to place 1,792 acres of the 1,910- acre site under open space easements and agricultural preserves, including productive agricultural areas, oak woodland, coastal scrub, and grassland habitats. ~~However, proposed development would require the removal of 113 acres of vineyards and the permanent conversion of underlying soils to non-agricultural uses. While approximately 140 acres of replacement vineyards are proposed, the long-term success of these replacement areas is unknown. In addition, the lack of adequate buffers between the proposed residential use and existing vineyards would likely result in conflicts that would impair agricultural productivity.~~ The resources within these open space and agricultural areas would benefit from the proposed project. The "Mitigated Plan" would substantially reduce the number of coast live oak trees affected by the proposed project by adjusting housing footprints and lot lines as needed. The conversion of approximately 113 acres of existing vineyards is temporary. The applicant has identified approximately 127.5 acres of land suitable for replacement agricultural uses. The existing farm manager at the ranch has evaluated these sites and determined they are viable as replacement area. The applicants' objective is "no net loss" of agriculture. The loss of 32.5 acres identified as "important Farmland" is a small percentage of San Luis Obispo County's Important Farmlands. The mapping of farmlands by the Department of Conservation does not denote any special class of farmlands different from those farmlands that have not been mapped in the State. It only identifies the agricultural lands as in types of agriculture; there is no CEQA significance to the physical environment by such maps. In addition, secondary impacts to natural resources would occur as a result in necessary road improvements	~~Potentially Inconsistent~~ Consistent	LV-6-2-41
Economic Expansion Goal 7. Strengthen the continuation of agriculture as part of the economic base of the South County area	The applicant proposes to place 1,792 acres of the 1,910-acre site under open space easements and agricultural preserves; however, proposed development would require the removal of approximately 113 acres and replacement of approximately 127.5 acres of vineyards and the permanent conversion of underlying soils ~~to~~ on approximately 113 acres to non-agricultural uses. ~~While approximately 140 acres of replacement vineyards are proposed, t~~The long-term success of these replacement areas is, according to the vineyard manager, not in question. Based on the standards used for other agricultural clusters, and the lack of documentation showing otherwise, the project would result in few or no conflicts between residential use and exiting vineyard operations that would impair agricultural productivity. ~~unknown. In addition, the lack of adequate buffers between the proposed residential use and existing vineyards would likely result in conflicts that would impair agricultural productivity~~	~~Potentially Inconsistent~~ Consistent	LV-6-2-42
Community Planning Goal 1. Retain the open, low-density character around and between population centers.	Implementation of the proposed project would modify the existing visual character by introducing residential clusters within an existing agricultural area, visible from Highway 101, between the City of Arroyo Grande and community of Nipomo. However, the General Plan South County Element encourages Agricultural Clusters at this specific site and Agricultural Clustering is encouraged in the AG zone as an alternative to conventional subdivision.	~~Potentially Inconsistent~~ Consistent	LV-6-2-43
2. Plan rural areas for agriculture, low-density	Implementation of the proposed project would result in the creation of 102 clustered residential lots, and the	~~Potentially~~	LV-6-2-44

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residential and recreational development.	construction of 101 residences and associated facilities (e.g., ranch headquarters including private recreational facilities, wastewater treatment plant, and infrastructure). The proposed project density is consistent with the LUO methodology for calculation of density for Agricultural Clusters. In addition, the proposed project is consistent with required provisions for open space areas per the LUO (Ag – 95 percent and RL – 90 percent) for agriculture or open space uses. The homeowners association facility is a recreation use. The equestrian center is no longer part of the proposed project.	~~Inconsistent~~ Consistent	LV-6-2-44 (cont'd)
3. Promote a network of open spaces, trail systems, and parks that connect important community features, by using incentive-driven methods of acquisition consistent with the County Trails Plan.	Based on consultation with the County Parks Division, mitigation is recommended to establish a trail easement within the ~~Upper~~ Los Berros Road right-of-way and/or on the project site, consistent with the Parks and Recreation Element.	Consistent	LV-6-2-45
Quality of Life Goal 2. Maintain the rural open countryside of the Nipomo Mesa, the Nipomo valley and the foothills, as a contrast to the development density and activity within the urban and village areas.	~~Implementation of the proposed project would modify the existing rural character by introducing residential clusters within an existing agricultural area, visible from Highway 101, between the City of Arroyo Grande and community of Nipomo.~~ Agricultural clusters are encouraged in this area of the South County for the very reason of preserving rural character. As noted above, the General Plan South County Element encourages Agricultural Clustering at this specific site, and Agricultural Clustering is encouraged in the AG zone as an alternative to conventional subdivision. The project density and activity would provide a contrast to density and activity in urban and villages areas nearby because of its extremely low density, and because the majority of the site would remain in agricultural production or as open space.	~~Potentially Inconsistent~~ Consistent	LV-6-2-46
Environment 1. Promote the protection of natural resources and encourage the following in new development proposals: a. Retention of sensitive vegetation. b. Conservation of water. c. Reduction of significant air pollutants d. Blending of new structures into the surrounding environment and minimal visual impacts in areas considered to be scenic. e. Protection of cultural and historic resources. f. Separation of new residential development from adjacent commercial agricultural and industrial operations. 2. Review and balance economic and environmental impacts in making future planning decisions	1. The applicant proposes to place 1,792 acres of the 1,910- acre site under open space easements and agricultural preserves, including productive agricultural areas, oak woodland, coastal scrub, and grassland habitats. The resources within these open space and agricultural preserve areas would benefit from the proposed project. ~~; however, the project as a whole would not promote the protection of natural resources or agricultural resources. Based on the idea of oak woodland that would be affected by implementation of the project, significant and adverse impacts would occur. Mitigation measures are recommended to minimize the project's effect on oak woodland; however, restoration efforts would not be fully realized in the short term. Mitigation measures are also recommended to reduce estimated air pollutant emissions and to avoid and protect identified significant cultural resources. The proposed residential areas would be located throughout the vineyard, resulting in significant and adverse impacts to agricultural resources as a whole.~~ The Mitigated Plan would: ensure that sensitive vegetation is not affected; conserve water; reduce visual impacts; and protect cultural and historical resources. The proposed project would not result in) significant air pollutants, and would have less than significant impacts on archaeological resources. In addition, the project would result in no impacts to surrounding agricultural and/or industrial operations as a result of new residential development. 2. Laetitia winery facilities are an important aspect of the economy of the South County. The Winery is visited by thousands of County residents and tourists each year. The Agricultural Cluster project is a vital component of long-term financial and estate planning for the long-term future of agricultural operations at the project site. The project is consistent or generally consistent with of the General Plan, and the LUO, and would make possible the continued importance of the project site to the economy of the South County area.	~~Potentially Inconsistent~~ Consistent	LV-6-2-47
Public Services and Facilities Goal 2. Projects resulting from general plan amendments and urban expansion shall fund their share of public resources, services, and facilities to ensure that they will be	The applicant is required to contribute to public fee programs.	Consistent	LV-6-2-48

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provided			LV-6-2-48 (cont'd)
3. Evaluate the financial capability of service providers to accommodate additional growth by reviewing capital improvement plans before urban expansion or major projects are approved	Implementation of the proposed project would ~~adversely~~ not significantly affect roadways and intersections within the study area. Mitigation measures are recommended, including implementation of road and intersection improvements to County roadways. The proposed project would not substantially ~~adversely~~ affect the Highway 101 corridor and associated ramps at the Los Berros Road/North Thompson Road/Highway 101 interchange. The applicant would contribute to the South County Fee Program and make other select improvements thereby reducing impacts, and would make changes to existing roadways as required, once the nexus between the requested improvements and the project is firmly established in consultation with the County. ~~; however, until improvements are implemented, significant and adverse impacts would occur.~~	~~Potentially Inconsistent~~ Consistent	LV-6-2-49
Consistency with Agriculture and Open Space Element			
AGP6: Visitor Serving and Retail Commercial Use and Facilities. a. Allow limited visitor serving and incidental retail use and facilities in agricultural areas that are beneficial to the agricultural industry and farm operators and are compatible with long-term agricultural use of the land. Such uses shall be clearly incidental and secondary to the primary agricultural use of the site and shall comply with the performance standards in the LUO. b. Locate the visitor serving and incidental retail use off of productive agricultural lands unless there are no other feasible locations. Locate new structures where land use compatibility, circulation, and infrastructure capacity exist or can be developed compatible with agricultural uses	~~This standard would apply to future development of the dude ranch, which is proposed outside of areas currently under agricultural production. Based on the EIR analysis, affected roadways are currently deficient. Mitigation is recommended to improve Upper Los Berros Road, Sheehy Road, and Dana Foothill Road consistent with County road standards. The proposed dude ranch may be inconsistent with surrounding land uses, due to the generation of noise and increased populations within a rural area.~~ a. No development proposal has been submitted for the dude ranch. The dude ranch is an allowable use in the RL designation under the adopted LUO. It is the only structural use proposed on the separate 388-acre portion of the potential dude ranch site. It is proposed to be located on 7.5 acres or two percent of the possible site. The proposed number of rooms is significantly less than what the LUO may allow. The dude ranch could be subject to future individual project supplemental environmental review and separate permit processing and review processes to ensure consistency with performance standards of the LUO. It is supportive of the growing agro-tourism economy of the County, which is clearly identified by the County Wide Economic report and the Economic Vitality Corporation as an emerging economic direction for San Luis Obispo County. b. All other lands on this portion of the project are steep or have other constraints that limit site choices. Circulation and infrastructure can be developed consistent with the design provided in the project description. The site is currently served by a public wine tasting facility located immediately north of the site.	~~Potentially Inconsistent~~ Consistent	LV-6-2-50
AGP11: Agricultural Water Supplies. a. Maintain water resources for production agriculture, both in quality and quantity, so as to prevent the loss of agriculture due to competition for water with urban and suburban development. b. Do not approve proposed general plan amendments or rezonings that result in increased residential density or urban expansion if the subsequent development would adversely affect: (1) water supplies and quality, or (2) groundwater recharge capability needed for agricultural use	Based on the water analysis submitted by the applicant and reviewed during preparation of the EIR, water supplies are adequate to serve the existing agricultural use, proposed agricultural use, and proposed development. Water conservation measures proposed by the applicant, and recommended as mitigation measures in the EIR would reduce the anticipated demand for domestic water supply. During prolonged drought conditions, however, the applicant proposes to implement additional measures including limiting irrigation of agricultural crops and common area landscaping.	~~Potentially Inconsistent~~ Consistent	LV-6-2-51
AGP17: Agricultural Buffers. a. Protect land designated Agriculture and other lands in production agriculture by using natural or	The County Agricultural Commissioner recommends a 500-foot buffer between proposed residential development and productive vineyards unless other factors noted in the Guidelines require a larger or smaller buffer. Implementation of the proposed project would result in some residential parcels located less than 200 feet with most at much greater distances from existing and proposed productive vineyard areas. In	~~Potentially Inconsistent~~ Consistent	LV-6-2-52

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man-made buffers where adjacent to nonagricultural land uses in accordance with the agricultural buffer policies adopted by the Board of Supervisors	addition, the residential sub-clusters and associated residential roads would be located throughout vineyards, ~~resulting in inadequate separation between the two uses. As discussed in Section V.G. (Agricultural Resources), implementation of inadequate buffers would result in land use conflicts that would ultimately adversely affect the long-term management and productivity of vineyard, resulting in a significant and adverse, Class I impacts.~~ These proposed buffers are consistent with buffers and setbacks required for other agricultural clusters in San Luis Obispo County.		LV-6-2-52 (cont'd)
AGP18: Location of Improvements. a. Locate new buildings, access roads, and structures so as to protect agricultural land.	The applicant proposes to remove approximately 113 acres of productive vineyards to accommodate residential development and establish proposed buffer zones. The applicant also proposes to replace this productive vineyard with approximately 127.5 acres of productive vineyard. The long-term success of the proposed replacement agriculture areas has been evaluated by the vineyard manager and identified as suitable replacement based upon the management of existing vineyard on the same property for over 20 years. The replacement agriculture area would ensure sufficient area to account for individual conditions with each identified field to assure "no net loss" upon project implementation. ~~As discussed in Section V.G. (Agricultural Resources), the loss of crops and permanent conversion of productive soils would result in a significant and adverse, Class I, impact.~~ Implementation of the proposed project would not result in a loss of productive farmland.	~~Potentially Inconsistent~~ Consistent	LV-6-2-53
AGP22: Major Agricultural Cluster Projects (not available in Coastal Zone) a. Properties that are partly or entirely within five miles of the urban and village reserve lines designated in the LUO and that meet the minimum area criteria can apply for a major agriculture cluster. b. The maximum number of parcels allowed in a major agricultural cluster project shall be equivalent to the number of primary dwellings normally allowed on the parcels that would result from a conventional land division in the Agriculture land use category based on the minimum parcel size criteria specified in Figure 2-2. (Major agricultural cluster projects may include a reduction in the number of parcels down to 26% of the maximum potential allowance if proposed by the applicant in order to mitigate potential impacts of the project.) c. All resulting agricultural parcels must meet the minimum parcel size criteria of Figure 2-2 and must be covered by a permanent agricultural open space easement. d. All resulting residential parcels are entitled to one dwelling per parcel. e. Whether or not an EIR must be prepared will be determined by the CEQA "initial study." f. Consistent with the provisions of the existing agricultural cluster ordinance in the LUO, areas of the site intended for agricultural production must be permanently protected by a recorded open space easement and be placed in a Land Conservation Act	The applicant is requesting approval of a major agricultural cluster. The project site is located approximately two miles south of the City of Arroyo Grande, and two miles north of the unincorporated community of Nipomo. 102 residential lots, each one acre in size, and four open space easements, 477.89, 723, 205.63, and 380.33 acres each are proposed. One dwelling is proposed on each residential lot. The open space lots would be placed under open space easements/agricultural preserves, and would support vineyards, orchards, the existing winery and associated facilities, ~~wastewater treatment facilities, ranch headquarters/homeowners association facility, equestrian facility,~~ and undeveloped open space. The project site is located within two land use categories: Agriculture and Rural Lands. Based on the applicant's calculations, allowable residential density based on existing agricultural uses would be 49 dwellings within the Agriculture land use category, assuming a 20-acre minimum parcel size. The applicant proposes 40 one-acre residential parcels within the Agriculture land use category. AGP22 does not provide guidance regarding cluster divisions on land use categories other than Agriculture. The proposed ranch headquarters are accounted for within the ten percent developable space calculation for cluster developments within rural land category. The equestrian facility has, been removed as an element of the proposed project in the Mitigated Plan. Referenced Figure 2-2 in the Agriculture and Open Space Element requires a 40-acre minimum parcel size for irrigated soils supporting crops including vineyards. This minimum parcel size policy is inconsistent with the applicable Land Use Ordinance (January 2003) requirement for 20-acre minimum parcel size. As noted above, the density calculations provided by the applicant use the 20-acre minimum parcel size, ~~which is inconsistent with the Agriculture and Open Space Element Figure 2-2, and results in a higher density than AGP22 allows (essentially double).~~ In addition, the applicant's calculations ~~correctly~~ take into consideration proposed new agricultural areas ~~(which may or may not be successfully productive),~~ and ~~do not~~ take into consideration productive areas lost due to proposed buffer zones. The project would result in permanently protected agricultural production and a Williams Act contract.	~~Potentially Inconsistent~~ Consistent	LV-6-2-54

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(Williamson Act) contract.			LV-6-2-54 (cont'd)
AGP24: Conversion of Agricultural Land. a. Discourage the conversion of agricultural lands to nonagricultural uses through the following actions: 1. Work in cooperation with the incorporated cities, service districts, school districts, the County Department of Agriculture, the Agricultural Liaison Board, Farm Bureau, and affected community advisory groups to establish urban service and urban reserve lines and village reserve lines that will protect agricultural land and will stabilize agriculture at the urban fringe. 2. Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations. 3. Avoid land redesignation (rezoning) that would create new rural residential development outside the urban and village reserve lines. 4. Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines.	As discussed in Section V.G. (Agricultural Resources), implementation of the proposed project would result in the removal of approximately 113 acres of productive vineyard. In addition, the project would result in the conversion of approximately 12.5 acres of Farmland of Statewide Importance, 3.0 acres of Farmland of Local Importance, 153 acres of Unique Farmland, and 61.9 acres of Grazing Land. The applicant proposes to plant approximately ~~140~~ 127.5 acres of replacement vineyards on the project site~~; however, this would only partially~~ which would offset the significant and adverse effects. The long-term maintenance and sustainability of these proposed replacement areas is ~~not certain~~ reasonably foreseeable~~, while the conversion of agricultural lands to a residential use is irreversible for the life of the project, resulting in a significant and adverse, Class I, impact~~ resulting in a less than significant Class II impact. The proposed project would not require an amendment to the General Plan or a rezoning. The project would accommodate a specific request from Cal Fire for land that can be used for a new fire station in the vicinity of the HOA facility.	~~Potentially inconsistent~~ Consistent	LV-6-2-55
AGP25: Unique or Sensitive Habitat. a. Encourage private landowners to protect and preserve unique or sensitive habitat. b. For new development requiring a discretionary permit and for proposed land divisions, protect unique or sensitive habitat affected by the proposal through the following measures: 1. Site the proposed development so as to avoid significant impacts on the habitat or significant impacts on the agricultural operations. Provide for adjustments in project design where alternatives are infeasible, more environmentally damaging, or have a significant negative impact on agriculture. 2. When significant impacts are identified, the landowner shall implement county-approved mitigation measures consistent with the existing requirements of CEQA.	Implementation of the proposed project would not result in ~~the removal of~~ significant impacts to sensitive biological habitats including oak woodland, riparian habitat, and wetland habitat. Mitigation measures are recommended to reduce the effects of the development on identified sensitive habitats and oak woodlands affected by the project to a less than significant level. These measures include minor adjustments to the site plan to avoid most oak trees, the reduction of water demand, and the implementation of measures to protect Los Berros Creek during construction and operation of the project. The equestrian center would be removed as part of the Mitigated Plan.	~~Potentially inconsistent~~ Consistent	LV-6-2-56
AGP26: Streams and Riparian Corridors. The following policies apply to watercourses shown by a solid or broken blue line ("blue line" streams) on the latest U.S. Geological Survey (USGS)	The proposed project design would result in improvements to road crossings over tributaries to Los Berros Creek. In addition, recommended road improvements to Upper Los Berros Road would affect riparian habitat associated with Los Berros Creek. Mitigation measures are recommended, including best management practices to minimize the potential for pollutant discharge into waterways, implementation of a creek restoration plan, and construction and restoration monitoring. The applicant will be required to obtain	Consistent	LV-6-2-57

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CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES

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quadrangle maps and their associated riparian vegetation. As noted earlier in this section, the county's LCP shall take precedence over these policies where the LCP addresses these issues. a. Encourage private landowners to protect and preserve stream corridors in their natural state and to restore stream corridors that have been degraded. Provide information and incentives to eliminate overgrazing in stream corridors. Encourage off-stream livestock watering sources. b. For new development requiring a discretionary permit and for land divisions, protect streams and riparian habitat affected by the proposal through the following measures: 1. Consistent with the requirements of the Regional Water Quality Control Board's Basin Plan, establish a grading and building setback of 30 feet from the top of the steam bank. Locate buildings and structures outside the setback. Do not remove riparian vegetation within 30 feet of the top of the stream bank. Provide for adjustments when the applicant demonstrates that such setbacks would have a significant negative impact on the agricultural viability of the site, or where alternatives are infeasible or more environmentally damaging, and the adjustments are acceptable to the Regional Board. 2. Require appropriate erosion control measures during and following construction. 3. Consistent with state and federal requirements, allow steam alterations for water supply and flood control projects, road maintenance, maintenance of existing channels, or improvement of fish and wildlife habitat if there are no practical alternatives. 4. Consistent with state and federal requirements, assure that stream diversion structures protect habitats. 5. When significant impacts to stream or riparian resources are identified, the landowner shall implement county-approved mitigation measures consistent with the existing requirements of CEQA.	regulatory permits and authorizations from the California Department of Fish and Game, Regional Water Quality Control Board, and U.S. Fish and Wildlife Service.		LV-6-2-57 (cont'd)
AGP30: Scenic Resources. a. Designation of a scenic corridor through the public hearing process as described under OSP24, and its subsequent management as described in OSP25, shall not interfere with agricultural uses on private	~~As discussed in Section V.K. (Aesthetics), the western and northern portions of the project site are located within a Sensitive Resource Area designation, including portions of sub-clusters A, C, and E. Based on the visual analysis, potentially significant visual impacts would occur, including silhouetting above the ridgeline, the creation of visible road cuts, and degradation of visual character. Mitigation measures and design standards are recommended to encourage compliance with these standards; however, residual impacts~~	~~Potentially Inconsistent~~ Consistent	LV-6-2-58

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CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES			
Goals, Policies, Plans, Programs and Standards	**Proposed Action**	**Preliminary Determination**	
lands. b. In designated scenic corridors, new development requiring a discretionary permit and land divisions shall address the protection of scenic vistas as follows: 1. Balance the protection of the scenic resources with the protection of agricultural resources and facilities. 2. When selecting locations for structures, access roads, or grading, the preferred locations will minimize visibility from the scenic corridor and be compatible with agricultural operations. 3. Use natural landforms and vegetation to screen development whenever possible. 4. In prominent locations, encourage structures that blend with the natural landscape or are traditional for agriculture.	~~would be significant, adverse, and unavoidable. In addition, as discussed in the EIR, implementation of mitigation measures to minimize adverse visual impacts would result in additional impacts to agricultural resources, including decreased buffer distances and additional removal of vineyards.~~ The proposed project is not identified as a Scenic Resource Area, but is subject to the Highway Corridor Standards of the South County Plan, which includes standards for development. OSP 24 and OSP25 refer to the establishment of SRAs along public roads and highways through a public hearing process. Adherence to the applicable Highway Corridor Standards would result in Class II impacts.		LV-6-2-58 (cont'd)
AGP31: Recreational Use of Agricultural Lands. a. Encourage recreational uses on privately-owned lands on a case-by-case basis where such uses are compatible with on- and offsite agriculture and with scenic and environmentally sensitive resources.	The proposed project includes private recreational opportunities, including a recreation center within the ranch headquarters, equestrian facility, and equestrian trails. The use of proposed trails, are included in REC/mm-1 as a mitigation measure. Appropriately sited recreational uses in discrete areas would minimize potential conflicts between recreational use and agricultural operations to a ~~and existing agricultural roads for private recreational use would conflict with the vineyard operation, resulting in a~~ less than significant, ~~adverse,~~ Class II impact. In addition, the equestrian center is no longer part of the proposed project.	~~Potentially Inconsistent~~ Consistent	LV-6-2-59
AGP33: Archaeological and Cultural Sites. a. When reviewing discretionary development, protect sensitive archaeological and cultural sites by avoiding disturbance where feasible. b. If sensitive sites cannot be avoided, mitigate the impact of development to the maximum extent feasible.	Potentially significant archaeological and historical sites are identified on the project site (refer to Sections V.E. and V.F.). Mitigation measures are recommended including: preservation of historically significant structures and soil capping, as well as removal of all archaeological resources from the project site, and the adjustment of some lots and building envelopes. In the Mitigated Plan, the Applicant has agreed to make minor changes to the siting of Lots 13, 14, 68, and 69 and lots 74 to 85 to avoid significant and unavoidable impacts to archaeological resources, and to otherwise implement the mitigation measures required by the Draft EIR, including monitoring during ground disturbing activities. ~~; however, unless an alternative project is implemented including elimination of lots within highly sensitive areas and relocation of lots and/or building envelopes, effluent disposal area(s), and proposed new replacement vineyards~~ to avoid archaeological sites, ~~significant, adverse, and unavoidable impacts to cultural resources would occur.~~	~~Potentially Inconsistent~~ Consistent	LV-6-2-60
AGP34: Historical Resources. a. When initiated by landowners, protect the character of significant historical features and settings by implementing the recommendation for historical resources found in the Historic Element of the Environment Plan.	Mitigation is recommended to reduce potential impacts to the identified historic ranch complex.	Consistent	LV-6-2-61
Consistency with Noise Element			
Policy 3.3.2. New development of noise-sensitive land uses shall not be permitted in areas exposed to	As discussed in Section V.J. (Noise), proposed residential development would be located outside of the 60	Consistent	

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CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES			
Goals, Policies, Plans, Programs and Standards	**Proposed Action**	**Preliminary Determination**	
existing or projected future levels of noise from transportation noise sources which exceed 60kB L or CNEL (70 L or CNEL for outdoor sports and recreation) unless the project design includes effective mitigation measures to reduce noise in outdoor activity areas and interior spaces or below the levels specified for the given land use in Table 3-1.	decibel noise contour for Highway 101.		LV-6-2-61 (cont'd)
Policy 3.3.3. Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in Table 3-1 within the outdoor activity areas and interior spaces of existing noise sensitive land uses.	As discussed in Section V.J. (Noise), development of the proposed project would create ~~significant amounts~~ of new vehicle traffic traveling on North Thompson Road, which could exacerbate the current exceedance of the 60 dBA outdoor noise threshold as defined by the Noise Element. Project-generated vehicle traffic traveling on North Thompson Road would result in a less than significant ~~significant and adverse~~, Class II noise impact. The increase in traffic above ambient noise levels would be approximately 1.2 dBA, which is not perceptible to the human ear; in addition project measures to reduce trips as well as the potential error margin of modeling techniques makes this minor increase less than significant.	~~Potentially Inconsistent~~ Consistent	LV-6-2-62
Policy 3.3.4. New Development of noise-sensitive land uses shall not be permitted where the noise level due to existing stationary noise sources will exceed the noise level standards of Table 3-2 unless effective nose mitigation measures have been incorporated into the design of the development to reduce noise exposure to or below the levels specified in Table 3-2.	As discussed in Section V.J. (Noise), development of the proposed project w-could expose residential parcels of subcluster C (Lots 46 through 65) to stationary noise levels associated with activities resulting from operations at the processing facility during harvest season estimated to exceed the hourly nighttime Leq threshold of 45 dBA and the hourly daytime 50 dBA Leq thresholds, resulting in a ~~direct long-term~~ temporary noise impact for the three-week harvest season. In addition, proposed residential parcels throughout the project site would be exposed to equipment noise levels associated with vineyard operations estimated to exceed the hourly nighttime Leq threshold of 45 dBA and the hourly daytime 50 dBA Leq thresholds, resulting in a temporary noise impact during the harvest season. "Quiet" technology is available to reduce the noise of farm equipment, including weed whackers. Feasible mitigation measures include continued measures to handpick grapes; the limiting of noisy operations between 10 PM and 7 AM ; enforcement of the Noise Ordinance; and CC&Rs that acknowledge that the resident is part of a working vineyard. In addition, the developer has agreed to build a wall near the winery facility that would block sound travelling to Lots 46 and 65. Actual testing of farm equipment indicates that impacts would be less than significant with mitigation.	~~Potentially Inconsistent~~ Consistent	LV-6-2-63
Policy 3.3.5 Noise created by new proposed stationary noise sources or existing stationary noise sources which undergo modifications that may increase noise levels shall be mitigated as follows and shall be the responsibility of the developer of the stationary noise source: b) Noise levels shall be reduced to or below the noise level standards in Table 3-2 where the stationary noise source will expose an existing noise sensitive land use to noise levels which exceed the standards in Table 3- 2.	Operation of the proposed ~~equestrian facility and~~ dude ranch could include special events. Amplified music or voices could potentially expose existing adjacent and proposed residential uses to stationary noise levels exceeding the hourly nighttime Leq threshold of 45 dBA and the hourly daytime 50 dBA Leq thresholds, resulting in a direct longterm noise impact. Mitigation is recommended, including prohibition of amplified sound. The equestrian center is deleted from the project in the Mitigated Plan.	Consistent	LV-6-2-64
Consistency with Safety Element			
S-30 Site homes near one another to the extent practicable to reduce the need for multiple response teams during fires. Require that the subdivision design be reviewed by fire safety personnel. Require the clustering of lots or buildings in high and very high fire hazard areas as appropriate. New	The project site is located within a high fire hazard area. The estimated response time to the western property boundary is ten minutes. Residences are proposed within the eastern portion of the project site; response time to these proposed areas would exceed ten minutes. A majority of the surrounding area is under agricultural production; however, vegetative fuel management would be required within oak woodland, scrub, and grassland adjacent to parcels near natural areas.	Consistent	

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CONSISTENCY WITH SAN LUIS OBISPO COUNTY PLANS AND POLICIES		
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developments in high and very high fire hazard areas should maintain open areas large enough to allow for control burns and other vegetation management programs.		

LV-6-2-64 (cont'd)

Responses to John Janneck's Comments: Policy Consistency Table (LV-6-2)

Comment No.	Comment
LV-6-2-1	The County acknowledges that the applicant has submitted a Mitigated Project Alternative, which would reduce the intensity of some identified environmental impacts including impacts to oak woodland, as noted in Final EIR Chapter VI Alternatives Analysis. Mitigation measures related to aesthetics, energy and water conservation, and oak woodland and native vegetation restoration, would apply to the Mitigated Project Alternative, and would reduce the project's effect on nonrenewable and renewable resources. The County decision makers will consider the Mitigated Project Alternative and its consistency with the County's Framework for Planning.
LV-6-2-2	The Mitigated Project Alternative would generate the same numbers of trips as the proposed project, and would impact the capacity of roadways and highway facilities. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's Framework for Planning.
LV-6-2-3	Similar to the proposed project, the Mitigated Project Alternative would create urban development (a private residential community) outside of urban areas, which may be inconsistent with the Clean Air Plan. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's Framework for Planning.
LV-6-2-4	Implementation of mitigation would be required to reduce potential air quality impacts to less than significant; however, as noted above, the project and Mitigated Project Alternative may not be consistent with the Clean Air Plan. Mitigation is identified that would reduce the project's impact on air quality; however, the projects are not consistent with Clean Air Act policies that encourage this level of development within urban areas in order to reduce traffic trips and vehicle-miles-traveled. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's Framework for Planning.
LV-6-2-5	The proposed project and Mitigated Project Alternative are assumed to include connections to the internet; however, this alone would not address the number of trips that would be generated in order for residents to access schools, shopping areas, and other places of business and employment. The site is not readily accessible to transit routes, and it is not reasonable that persons would walk from the residential development to services available in Arroyo Grande and Nipomo. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's Framework for Planning.
LV-6-2-6	The struck-out text remains relevant to both the project and the Mitigated Project Alternative because both project designs would result in the identified impacts. Neither alternative specifically identifies a site for a new fire station. Construction of that station would be implemented by CAL FIRE; therefore, it is uncertain if the station would be in service prior to completion of proposed residences. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's Framework for Planning.
LV-6-2-7	The struck-out text remains relevant to both the project and the Mitigated Project Alternative because the construction of 101 new residences, wastewater treatment facility, and homeowners association/ranch headquarters would not maintain the existing greenbelt between the community of Nipomo and city of Arroyo Grande. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project

Comment No.	Comment
	Alternative and its consistency with the County's Framework for Planning.
LV-6-2-8	Implementation of the project, and the Mitigated Project Alternative, would change the existing rural and agricultural character of the site by introducing 101 new residences visible from Highway 101 and surrounding local roadways. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's Framework for Planning.
LV-6-2-9	As identified in the EIR, while the project and Mitigated Project Alternative includes agricultural/open space easements are required by the LUO, both projects would require the permanent conversion of land currently under agricultural production. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's Framework for Planning.
LV-6-2-10	Both the project and Mitigated Project Alternative would result in significant impacts to existing public services and facilities. Therefore, at this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's Framework for Planning.
LV-6-2-11	The project was identified as "potentially inconsistent" with Goal 13 because it would not locate the development near employment areas, and based on the design of the project and Mitigated Project Alternative, potential land use incompatibilities my occur. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's Framework for Planning.
LV-6-2-12	As noted above (response to comment LV-6-2-10), the project would result in significant effects to existing public services, and identified mitigation including Highway 101 ramp improvements and construction of a fire station may not occur prior to occupation of proposed residences. Therefore, the project may overburden existing resources. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's Framework for Planning.
LV-6-2-13	Please see above (response to LV-6-2-10 and LV-6-2-12).
LV-6-2-14	The recommended language has been added to the Public Services and Utilities Goal 17 consistency analysis.
LV-6-2-15	The recommended clarification has been added to the consistency analysis for LUO Section 22.22.040.
LV-6-2-16	Comment noted; no changes were identified by the commenter.
LV-6-2-17	Based on County Staff's interpretation of the LUO, the project would not qualify for a residential density bonus for qualifying lots under the Rural Lands land use category standards. The struck-out text remains relevant, and will be considered by the County decision makers.
LV-6-2-18	Comment noted; no changes were identified by the commenter.
LV-6-2-19	The policy analysis (22.22.140 – Cluster Division) has been modified to strike-out reference to the equestrian center, which has been removed by the applicant from the project description. The ranch headquarters is identified in the Applicant's Mitigated Project Alternative within development Lot 108, not within Open Space Lot 44. Therefore, the Mitigated Project Alternative appears to be consistent with the land uses allowable in the Rural Lands open space parcel, and consistent with LUO Section 22.22.140.E.
LV-6-2-20	Comment noted; no changes were identified by the commenter.
LV-6-2-21	The Applicant's Mitigated Project incorporates many of the mitigation measures identified in the EIR specific to redesign of the tract and placement of lots. These changes would encourage consistency with cluster division design standards; however, overall, the project would result in a

Comment No.	Comment
	change in visual character. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's LUO.
LV-6-2-22	Comment noted; no changes were identified by the commenter.
LV-6-2-23	The Applicant's Mitigated Project Alternative would further mitigate potential impacts to visual resources and would include internal roads generally meeting CAL FIRE standards; however, other potential inconsistencies with LUO Section 22.22.150 remain. These potential inconsistencies include placement of residential lots and roads within areas currently under agricultural production, potential land use incompatibilities due to reduced buffers, placement of buffers on land currently under agricultural production, and placement of roads and structures within environmentally sensitive habitat areas including oak woodland and riparian/wetland habitat. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's LUO.
LV-6-2-24	Comment noted; no changes were identified by the commenter.
LV-6-2-25	Based on County Staff's interpretation of the LUO Section 22.22.150, the applicant incorrectly applied proposed vineyard replacement areas in the calculations used to determine the number of allowed units. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's LUO.
LV-6-2-26	The policy consistency table for the proposed project has been revised to remove references to and discussion regarding the equestrian facility, as this component is no longer included in the proposed project. The Applicant's Mitigated Project Alternative includes Lot 108, which is proposed to contain the ranch/HOA headquarters. Therefore, the headquarter facilities would no longer be located within Open Space Lot 44, and the proposed Alternative appears to be consistent with LUO Section 22.22.150.J.
LV-6-2-27	As noted in the EIR, the project and the Applicant's Mitigated Project Alternative would require the permanent conversion of farmland currently under production, and the County Agriculture Commissioner's Office has expressed concern that then open space calculations do not include identified buffer areas, which would no longer support crop production. In addition, the proposed tract map could be further modified to minimize visibility from public roads. However, the Applicant's Mitigated Project Alternative appears to be generally consistent with the specific site design and development standards identified in LUO Section 22.22.150.K.
LV-6-2-28	Comment noted; no changes were identified by the commenter.
LV-6-2-29	The Applicant's Mitigated Project Alternative does not include transit facilities or access to a bus stop, and is therefore potentially inconsistent with this ordinance section. The County decision-makers may determine that these standards are not applicable to the project, due to the project's location. The policy analysis for the project has been modified to acknowledge that the on-site services identified in the LUO are not allowed on-site due to the underlying land use designations.
LV-6-2-30	Based on County Staff's interpretation of the LUO, the applicant incorrectly applied proposed vineyard replacement areas in the calculations used to determine the number of allowed units. The Applicant's Mitigated Project Alternative does mitigate potentially significant impacts to archaeological resources, reduces impacts to oak woodland, and reduces impacts to visual resources through implementation of tract design-related mitigation identified in the EIR. At this time, due to the potentially incorrect incorporation of proposed replacement vineyard acreage into the open space calculation, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's LUO.

Comment No.	Comment
LV-6-2-31	Comment noted; no changes were identified by the commenter.
LV-6-2-32	The EIR policy analysis has been supplemented to identify the off-site mitigation measures that would be required, which would improve the condition of affected roadways and provide some benefit to areawide circulation. Both the project and the Applicant's Mitigated Project Alternative appear to be consistent with this standard, and this preliminary determination has been modified in the Final EIR.
LV-6-2-33	Comment noted; no changes were identified by the commenter.
LV-6-2-34	The policy consistency table has been modified by removing references to the equestrian facility, which is no longer proposed as part of the project.
LV-6-2-35	Comment noted; no changes were identified by the commenter.
LV-6-2-36	As noted in the EIR policy consistency table, the applicant's calculations incorrectly take into consideration proposed new agricultural areas to determine consistency with open space and development area acreage. The County Agriculture Commissioner's Office is also concerned that the calculations exclude land within proposed buffer areas that would no longer support crop production. The Applicant's Mitigated Project Alternative includes two new parcels to accommodate the wastewater treatment facility and ranch/HOA headquarters, which removes these uses from the proposed open space lots, consistent with the LUO. The Mitigated Project Alternative would be located in areas subject to Highway 101 corridor design standards, and would affect existing views as seen from Highway 101, even after implementation of visual mitigation measures. Therefore, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's LUO.
LV-6-2-37	The County decision makers will consider the commenter's statement that the proposed wastewater treatment facility is compatible with the identified land use limitations. At this time, it does not appear to fit within the designated land uses, and may therefore be potentially inconsistent with this LUO standard. County decision makers will consider the Mitigated Project Alternative and its consistency with the County's LUO.
LV-6-2-38	The uses identified in the Applicant's Mitigated Plan are not specifically allowed in the Rural Lands land use category, as identified in the applicable standard, therefore the policy consistency determination appears to be "Potentially Inconsistent". The County decision makers will consider this ordinance language as compared to the language identified in the cluster ordinances, which do allow for a ranch headquarters, and determine if the components included in the ranch/HOA headquarters are consistent with the LUO.
LV-6-2-39	The Applicant's Mitigated Project Alternative would affect the rural character and heritage of South County by introducing urban elements within an area that has historically only supported wine-grape production and processing. Therefore, it appears this policy consistency determination would be "Potentially Inconsistent". County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan.
LV-6-2-40	The project site's existing uses appear to be compatible with this Land Use Element Goal. However, as noted in the EIR, the project does not include affordable housing or other components that would be open or available to non-residents. The development would provide amenities that are anticipated to be affordable for project residents, through payment of dues to the HOA. The County decision makers may consider if this policy is intended for the population of South County as a whole, or if this policy can be applied to the project residents only. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan.

Comment No.	Comment
LV-6-2-41	As noted in Final EIR Chapter VI Alternatives Analysis, the Applicant's Mitigated Project Alternative would result in less impacts to oak woodland; however, impacts to oak woodland along Upper Los Berros Road would remain, due to required road improvements. In addition, this alternative would require the permanent conversion of productive farmland. Therefore, at this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan.
LV-6-2-42	The applicant's proposal to plant replacement vineyards onsite would not fully mitigate for the loss of currently productive farmland. In addition, based on consultation with the County Agriculture Commissioner's Office, the proposed buffers may not be adequate to prevent land use incompatibilities, and may result in changes to the agricultural operation in order to accommodate the proposed residences. Therefore, at this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan.
LV-6-2-43	Agricultural clustering is encouraged as an alternative to a conventional subdivision; however, this does not exempt the project or project alternatives from project-specific evaluation. The Applicant's Mitigated Project would reduce project-related visual impacts; however, the development would result in a change in agricultural visual character currently present on the project site. Therefore, at this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan.
LV-6-2-44	The Applicant's Mitigated Project may not be consistent with this policy, because it would result in the construction of 101 residences and associated facilities, which may hinder the County's goal to maintain the rural character of the area. Therefore, at this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan.
LV-6-2-45	Comment noted; no changes are identified by the commenter.
LV-6-2-46	The Applicant's Mitigated Project may not be consistent with this policy, because it would result in the construction of 101 residences and associated facilities, which may affect the "rural open countryside" character of the area. Therefore, at this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan.
LV-6-2-47	The Applicant's Mitigated Project Alternative incorporates mitigation measures identified in the EIR to minimize visual impacts, minimize effects to oak woodland, and avoid significant archaeological sites and historic structures. Water conservation and air quality/greenhouse gas mitigation measures would be incorporated into the project through the MMRP. As proposed, the Alternative could be further refined to reduce visual impacts. New residential development would be located proximate to and throughout the existing vineyard, and the project design may not include adequate buffers to prevent land use incompatibility issues related to noise, dust, and odors. The County decision makers will consider the balance of economic and environmental impacts when reviewing the project and the Applicant's Project Alternative.
LV-6-2-48	Comment noted; no changes are identified by the commenter.
LV-6-2-49	As noted in the EIR, adverse impacts to Highway 101 transportation facilities would occur until improvements are implemented. Due to the cost and the County's lack of permitting jurisdiction within Caltrans right-of-way, not all improvements may be feasible to implement. Therefore, at this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan.

Comment No.	Comment
LV-6-2-50	As noted in the EIR, operation of a dude ranch in the proposed location may result in land use incompatibilities. The EIR notes that the applicant is not currently requesting approval of the dude ranch at this time. Based on potential land use incompatibilities, this use may be inconsistent with Policy AGP6; however, upon receipt of a land use permit application, the County will consider if the dude ranch would be beneficial to the agricultural industry.
LV-6-2-51	The Applicant's Mitigated Project may be potentially inconsistent with this policy because the applicant's identified water conservation measures for the project include reducing irrigation within the vineyard. This measure may be implemented at the discretion of the vineyard operator; however, it may not be appropriate to implement this measure in order to provide additional water for the residential development.
LV-6-2-52	Based on consultation with the County Agricultural Commissioner's Office, the proposed buffers may not be adequate to prevent potential land use incompatibilities, which may in turn reduce agricultural production on the project site. Therefore, at this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan
LV-6-2-53	The Applicant's Mitigated Project would locate development on currently productive Farmland, and therefore appears potentially inconsistent with this policy to protect agricultural land. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan
LV-6-2-54	As previously noted, the Applicant's Mitigated Project no longer includes construction of the wastewater treatment facilities and ranch/HOA headquarters within identified open space parcels. However, the applicant's calculations incorrectly take into consideration proposed new agricultural areas (which may or may not be successfully productive), and do not take into consideration productive areas lost due to proposed buffer zones. Therefore, at this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan.
LV-6-2-55	The Applicant's Mitigated Project appears to be inconsistent with the policy to discourage conversion of agricultural lands, because the project includes residential and facility development within currently productive agricultural areas. Therefore, at this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan
LV-6-2-56	The Applicant's Mitigated Project would result in a significant reduction in impacts to oak woodland as compared to the originally proposed project, and may be found consistent with this policy by the County decision makers.
LV-6-2-57	Comment noted; no changes are identified by the commenter.
LV-6-2-58	The Applicant's Mitigated Project incorporates many of the identified mitigation measures proposed to mitigate potential impacts to scenic resources. Further modification of the tract design would promote consistency with this policy.
LV-6-2-59	Components of the Applicant's Mitigated Project that may be inconsistent with this policy include the use of existing agricultural roads for recreational purposes, which may result in incompatibilities with the existing agricultural operation. Therefore, at this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan
LV-6-2-60	The Applicant's Mitigated Project Alternative has been designed to avoid significant archaeological sites as recommended in the EIR, and mitigation is identified for the further protection of resources. Therefore, the County decision makers may find the Alternative consistent with this policy.
LV-6-2-61	Comment noted; no changes are identified by the commenter.

Comment No.	Comment
LV-6-2-62	As noted in the EIR, the project would result in additional transportation noise, which would contribute to and increase the current noise levels along local roadways. Therefore, at this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan
LV-6-2-63	The Applicant's Mitigated Project Alternative includes the construction of a noise attenuation wall near the existing winery, which would mitigate potential noise impacts from this stationary source. However, the proposed residential development would be subject to noise levels potentially exceeding identified nighttime thresholds, and is therefore potentially inconsistent with this policy. At this time, the preliminary determination remains "Potentially Inconsistent", and the County decision makers will consider the Mitigated Project Alternative and its consistency with the County's General Plan.
LV-6-2-64	Comment noted; no changes are identified by the commenter.

LETTER FROM JOSEPH KASPEROVICH, PROFESSOR
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
SAN LUIS OBISPO

LV-6-3

KASPEROVICH

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Laetitia Project Photographs for RRM Design
9/305/08

Methodology

LV-6-3-1

Camera	Canon 5D
Image Sensor Type	High-sensitivity, High-resolution, Single-plate CMOS Sensor (24mm x 36mm CMOS) (Approx. 13.3 megapixels)
Aspect Ratio	3:2 (Horizontal: Vertical)
Lens	50mm f1.8 lens with 43.3° angle of view

horizontally, \ alpha_h = 2\ arctan \; h/2f \ approx 39.6°
vertically, \ alpha_v = 2\ arctan \; v/2f approx 27.0°
diagonally, \ alpha_d = 2\ arctan \; d/2f \ approx 46.7°

*For this format the 50mm lens is considered the "normal" angle of view.

Tripod – Gitzo Studex - Really Right Stuff BH-55 PCL Panorama Ballhead

First set of legs fully extended. Camera lens height set at 49"+/- to approximate average driver height. Camera back leveled with multi axis bubble level.

LV-6-3

KASPEROVICH
Architectural Photography
P.O. Box 14409, San Luis Obispo, CA 93406
805.544.8209 / Kasperovich@yahoo.com

Choice of Equipment:
For a 35 mm camera with a diagonal of 43 mm, the most commonly used "normal" lens is 50 mm, but focal lengths between about 40 and 58 mm are also considered normal. Oskar Barnack, the creator of the Leica camera is credited with the selection of the 50 mm focal length as "normal" It was chosen as a compromise between the theoretical value and good sharpness, due to lens technology at the time. Most 35mm camera manufacturers adopted the 50mm lens as "normal" for their equipment.

LV-6-3-2

The "focal length" of a lens is determined by the distance between the optical center of the lens and the place where it focuses its image. For conventional cameras, the place where the image is formed is the film plane. For digital cameras, it is the imaging sensor.

The angle of view depends on the aspect ratio as well; a "normal" lens on 35mm camera does not have the same view as a "normal" lens other formats.

A "normal" lens produces a field of view that is similar to human vision. The diagonal of the image plane is typically used as the reference for field of view determination. A "normal" lens has a focal length that is approximately equal to the diagonal measurement of the image plane. When the focal length is equal to the diagonal measurement it produces a diagonal field of view of approximately 53° which is similar to human vision.

For 35mm film (24mm by 36mm), the diagonal measurement is 43.27mm. A 50mm lens is close to this measurement so it is considered a "normal" lens.

The 50mm lens on a camera with a 24mm x 36mm image capture area (as with the Canon 5D) produces a perspective that most accurately represents the perspective of the human eye. Many other fields of specialized photography use this lens formula to replicate perspective -- forensic, aerial (of panes in flight) medical among others come to mind.

For the purpose of accurate representation of the views required for this project the 50mm lens was selected. My goal was to create images as accurate as possible in their rendition of the perspective from vehicles passing by this project.

Rational:
I have chosen this method of documentation not only because it is the industry standard but because it should put to rest any arguments that the opto-mechanical aspects of the photography has "skewed" the results. Use of almost all other digital cameras (which typically have a smaller capture area) will introduce distortion. Use of wide angle or telephoto lenses distort perspective. Panoramic photography, unless done properly introduces aberrations and distortion. Also the field of view is not true to our experience.

Josef A. Kasperovich
PO Box 14409, San Luis Obispo, California 93406
805.544.8209

Experience

LV-6-3-3

Self Employed: 1982 to present
Architectural Photography – Photography of interiors and exteriors of structures for architects, interior designers, and developers. Progress photographs of large buildings under construction or renovation. Historic structure documentation for HABS and other archival purposes.

Partial client list

National:
- Solomon Brothers Investments, New York;
- Mitchell/Giurgola Architects, New York;
- Lockheed - Martin Corporation
- American Plywood Association, Tacoma, WA;
- Libby Glass Company, Toledo, OH;
- Merrill Lynch, Hubbard Inc., NY;
- Combined Properties Inc., Washington, D.C.;
- Lindgren RF Enclosures, Glendale Heights, IL;
- Bankers Trust, New York, NY;
- Architectural Engineering Products, Dallas, TX;

State:
- Kaplan / McLaughlin / Diaz, San Francisco, CA;
- Indivest Inc., Los Angeles;
- Grupe Development, Stockton;
- Sandy & Babcock Architects, San Francisco;
- Bissell Architects, Newport Beach, CA;
- State of California, Parks Department;
- Thompson Architectural Group, Fresno, CA;
- California State University, Construction Management Department;
- Jain Malkin, Inc., La Jolla, CA;
- Chambers/Lorenz Design Associates, Fresno, CA;
- Hathaway/Papais Associates, Sonora, CA;
- John Ferguson & Associates Architects, Marina Del Rey, CA;

Local:
- RRM Design Group, San Luis Obispo, CA;
- Jim Maul and Associates, Morro Bay, CA;
- BFGC Architects, San Luis Obispo, CA;
- Bruce Douglas Fraser Architectural Offices, San Luis Obispo, CA;
- Interior Planning Resource, San Luis Obispo, CA;
- Maino Construction Company, San Luis Obispo, CA;
- A.J. Dianni Construction, Santa Maria, CA;
- Sycamore Mineral Springs, Avila Beach, CA;
- Western Inns, Pismo Beach, CA;
- Nunno Corporation, Paso Robles, CA;

LV-6-3-3 (cont'd)

- Photographs published in national publications and periodicals mostly with architectural, shelter or art and design emphasis. (Architectural Record; Progressive Architecture; California AIA Journal; Architecture; Interior Design; Timber Homes; Fine Home Building; Fine Woodworking; among others.)

- Awards received for photography of numerous projects (Pacific Coast Builders Conference - Gold Nugget Awards; Graphic Designers Award for brochure, CCCCAIA Awards; among others).

- California Polytechnic State University, San Luis Obispo; College of Architecture and Environmental Design: Winter 1995 - present
  Position held: Part time faculty for ARCH 340 & ARCH 337

- California Polytechnic State University, San Luis Obispo; College of Architecture and Environmental Design: February 1996 - present
  Position held: Media Specialist /Architectural Photography
  Operate photography studio and laboratory for students and faculty of the college. Assist with various assignments for the college. Instructor of Architectural Photography.

- L. R. Baggs Company: October 1991 to March 1993
  Position held: Promotion and Marketing.
  Design, Promotion and Marketing – Design of product packaging, advertisements and promotion materials; design and implement national/international advertising campaigns.
  Responsibilities: Establish and maintain international distribution of products; design booth and prepare for trade shows (NAMM, Anaheim, CA and Musik Messe, Frankfurt, Germany); design printed materials for products - fact sheets, brochures, etc.; design and place advertising in national publications; design graphics for product encasement and packaging; provide photography of products, etc. for advertising; establish and maintain relationships with endorsers (musicians such as Michael Doucet, James Taylor, Eric Johnson, Kathy Mattea, among others); design and acquire printed materials and sign program for overall appearance of company; participate in planning for company direction; design, prepare and distribute newsletter, develop and maintain mail list; responsible for international sales/relations with distributors.

LV-6-3-3 (cont'd)

Special Projects

- Videography and photography during launch of first commercial space vehicle from Vandenberg Air Force Base for Lockheed Martin Corporation. Documentation of effects from launch on wildlife populations in close proximity to launch pad.
- Photography and videography for the San Luis Obispo International Film Festival.
- Photography and Graphic Design of a Compact Disc "SLO Unplugged" to benefit the homeless in San Luis Obispo county.
- Organization of lecture series for noted presenters (i.e., Dr. Lee Salk and Wilson Riles, California State Superintendent of Schools).
- Organized a nationally supported workshop and produced a video to encourage employer sponsored child care options.

Workshops Presented/Assisted

- Ansel Adams Workshops, Yosemite Valley, CA; Assistant Instructor for Zone System Workshops and Architectural Photography workshop with Julius Schulman - 1986 & 1987
- Architectural Photography class, College of Architecture and Environmental Design, Architecture Department; California Polytechnic State University, San Luis Obispo

Education

- San Luis Obispo Senior High: Graduated 1972.
  Areas of interest: Psychology/Sociology; Natural Resource Management; Video Communications; Music
- Cuesta College; Allan Hancock College; LaVerne College; California Polytechnic State University; University of California Santa Barbara.
  Areas of interest: Photography; Psychology/Sociology; Video Communications
- Ansel Adams Workshops, Yosemite Valley, CA - Workshops 1984, 1985, 1986
- Santa Fe Photography Workshop, Santa Fe, NM - Professional Architectural Photographers Workshop with Peter Arron of ESTO

Affiliations

- Member of Friends of Photography, 1983 to 1991.
- Member of American Society of Magazine Photographers, 1983 to 1992.

- Commissioner for the City of San Luis Obispo Promotional Coordinating Committee, 1986 to 1989. Served as chair, 1988 and 1989.
- Commissioner for the City of San Luis Obispo Human Relation Commission, 1979 to 1986. Served as chair, 1984 to 1986.
- Served on the County Regional Occupational Program Advisory Committee, 1981 to 1984. Served as chair 1982 to 1984.
- Affiliate member of the American Institute of Architects, 1983 to 1990.

LV-6-3-3 (cont'd)

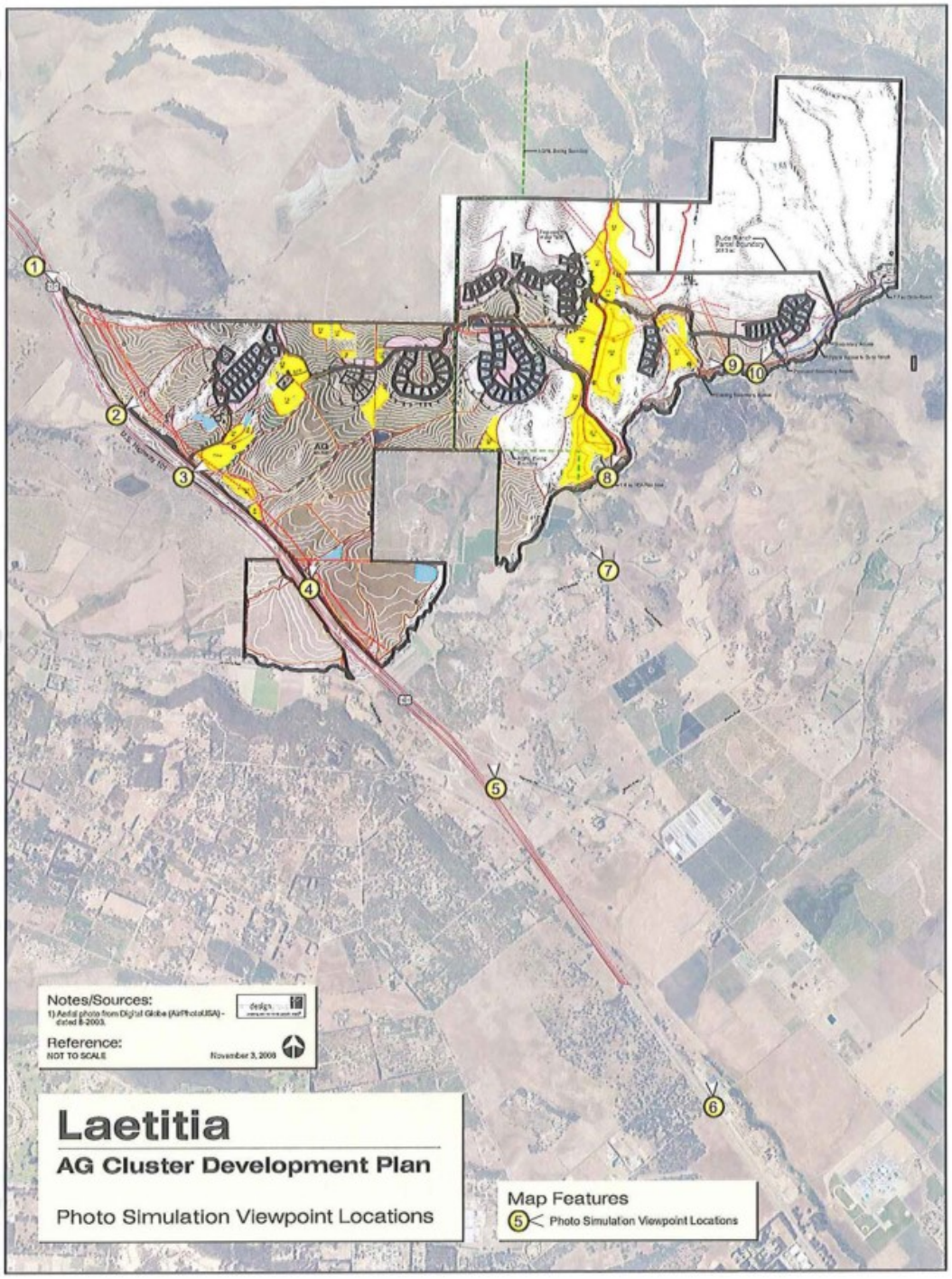
Responses to John Janneck's Comments: Letter from Photography Professor (LV-6-3)

Comment No.	Comment
LV-6-3-1	The commenter's methodology is noted.
LV-6-3-2	The camera used to obtain photographs of the project site from identified Key Viewing Areas (KVAs) was a Canon EOS body with a 50 millimeter lens. These photos were used as the base for the photo-simulations. A 200 millimeter lens was used for identified zoomed in photographs.
LV-6-3-3	The commenter's client list, experience, and education are noted.

RRM VISUAL SIMULATIONS (1 through 10)

LV-6-4

LV-6-4-1


Notes/Sources:
Reference:
NOT TO SCALE
November 3, 2009
Laetitia
AG Cluster Development Plan
Photo Simulation Viewpoint Locations
Map Features
Photo Simulation Viewpoint Locations

LV-6-4-1 (cont'd)

Visual Simulation

RRM-1: Existing View

View from Highway 101 Southbound *(Reference view KVA-1, DEIR page V-317)*

Notes:
*Approximate view duration at 65 mph - 8 sec.
*Refer to Key Map for viewpoint location and direction.

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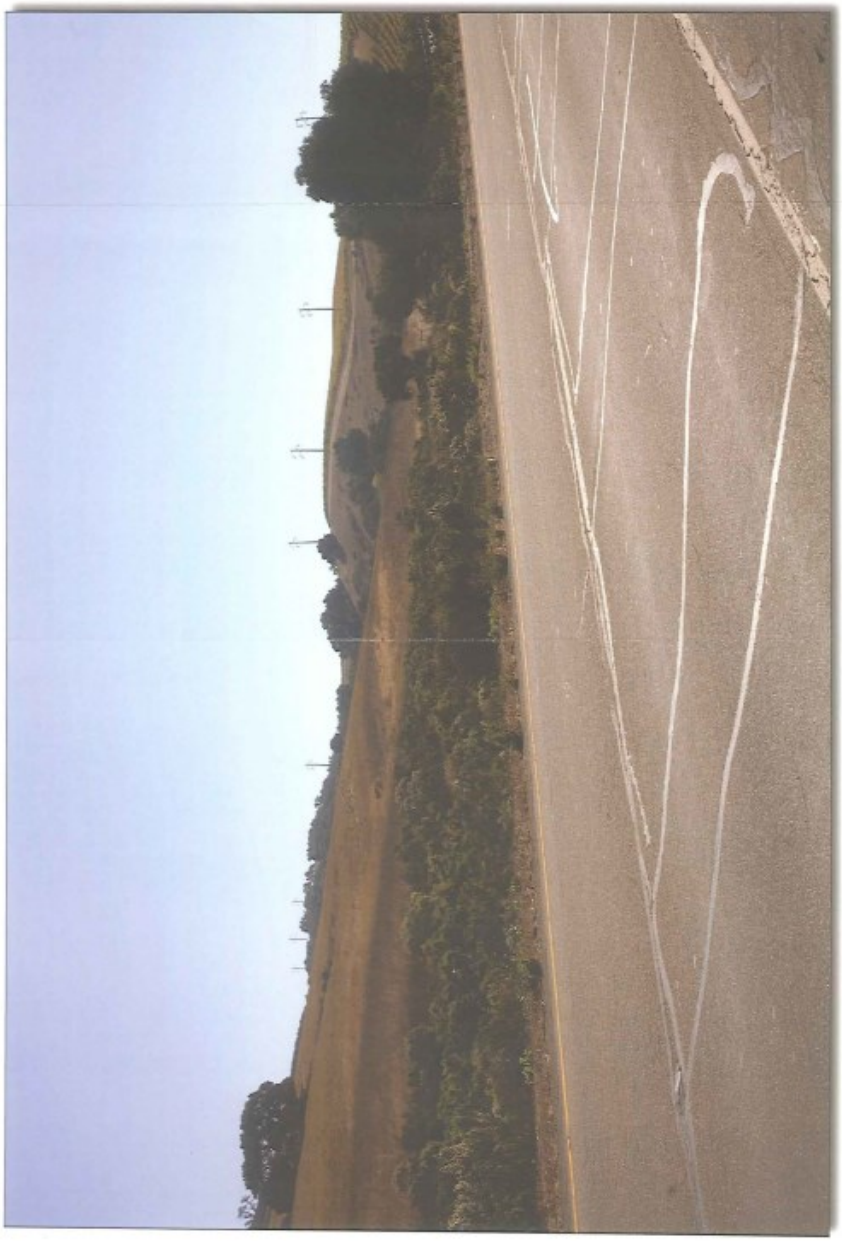
LV-6-4-1 (cont'd)



Visual Simulation

RRM-1: **Proposed** View

View from Highway 101 Southbound *(Reference view KVA-1, DEIR page V-317)*

Notes:
*Approximate view duration at 65 mph - 8 sec.
*Refer to Key Map for viewpoint location and direction.
*Lot number indicated with distance from camera location in feet.

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LV-6-4-1 (cont'd)

Visual Simulation

RRM-2: Existing View

View from Highway 101 Southbound *(Reference view KVA-2, DEIR page V-323)*

Notes:
*Approximate view duration at 65 mph - 2 sec.
*Refer to Key Map for viewpoint location and direction.

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LV-6-4-1 (cont'd)

Notes:
*Approximate view duration at 65 mph - 2 sec.
*Refer to Key Map for viewpoint location and direction.
*Lot number indicated with distance from camera location in feet.

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Visual Simulation

RRM-2: **Proposed** View

View from Highway 101 South bound *(Reference view KVA-2, DEIR page V-323)*

LV-6-4-1 (cont'd)

Notes:
*Approximate view duration at 65 mph - 7 sec.
*Refer to Key Map for viewpoint location and direction.

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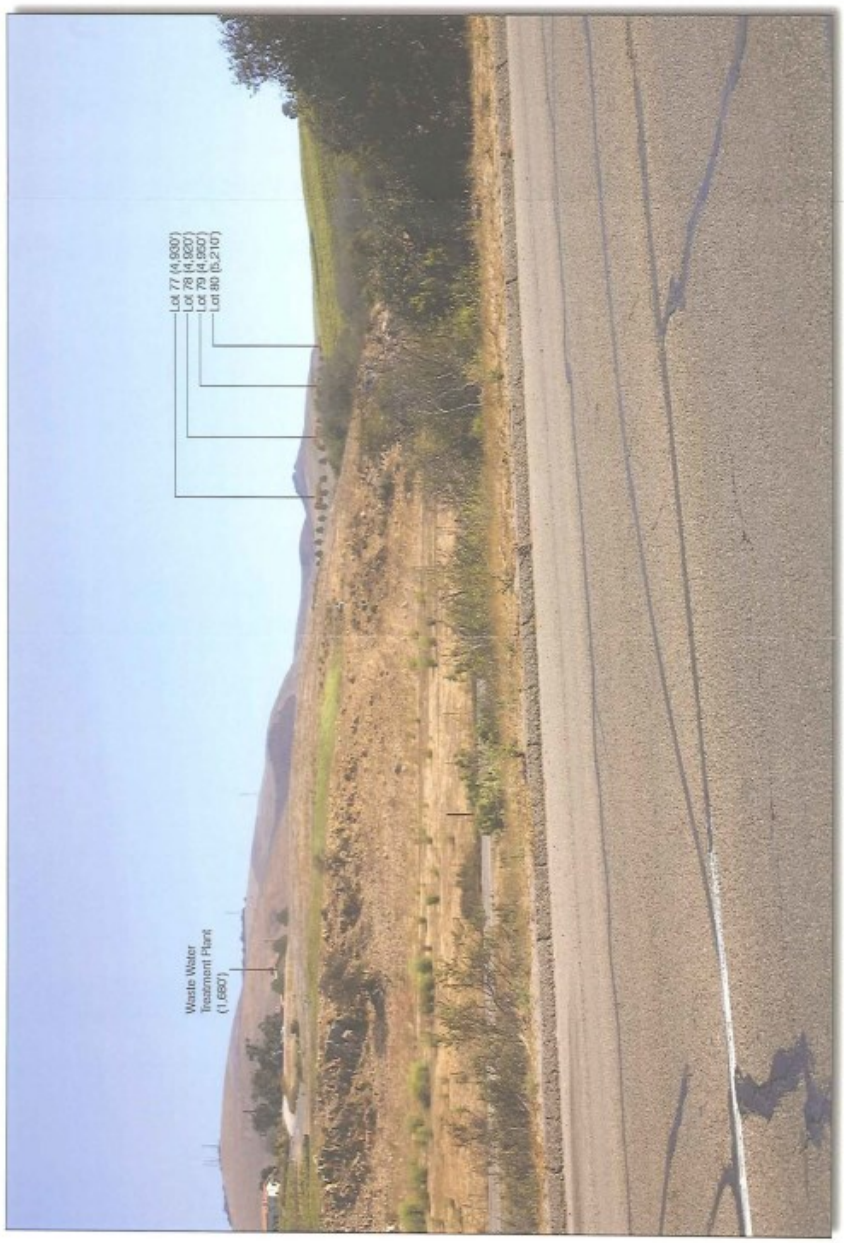
Visual Simulation

RRM-3: **Existing** View

View from Highway 101 Southbound *(Reference view KVA-3, DEIR page V-329)*

LV-6-4-1 (cont'd)



Visual Simulation

RRM-3: **Proposed** View

View from Highway 101 Southbound *(Reference view KVA-3, DEIR page V-329)*

Notes:
*Approximate view duration at 65 mph - 7 sec.
*Refer to Key Map for viewpoint location and direction.
*Last number indicated with distance from camera location in feet.

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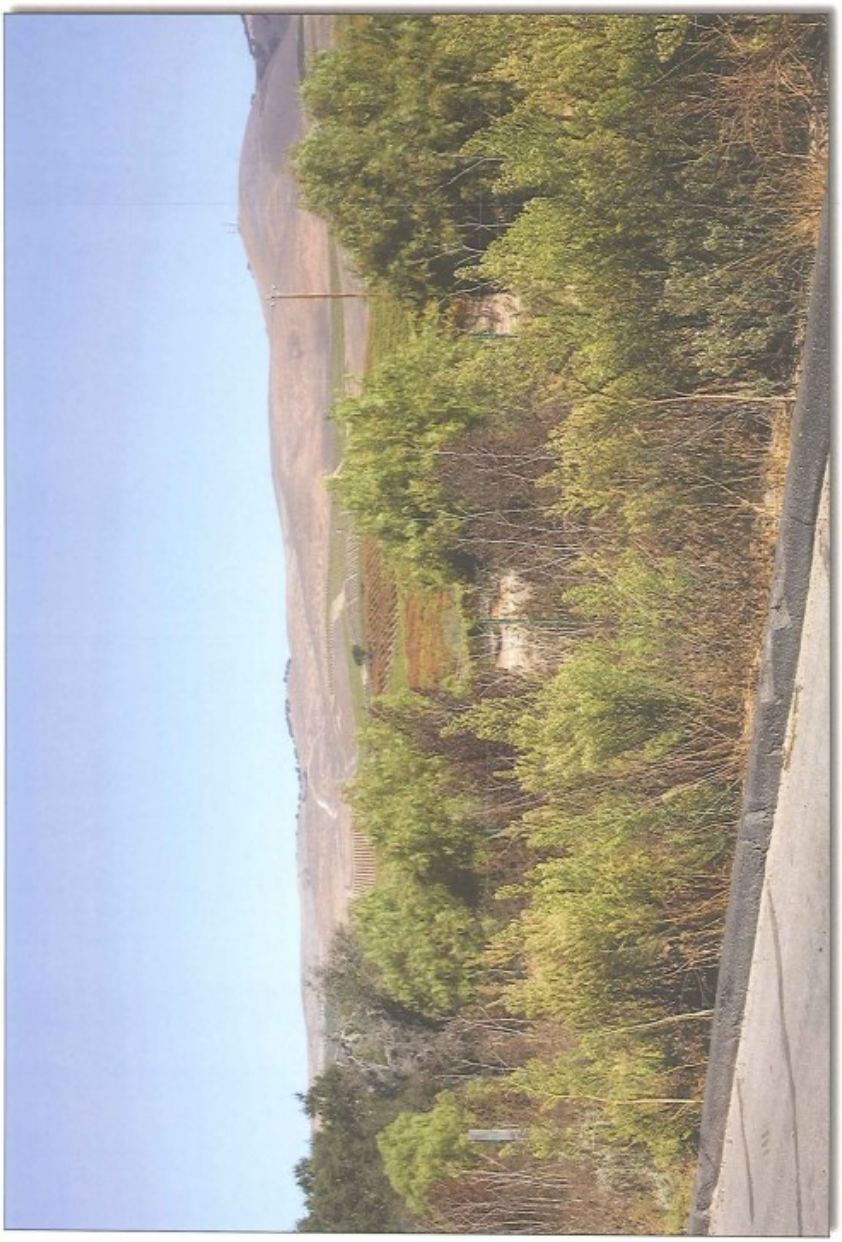
LV-6-4-1 (cont'd)



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Visual Simulation

RRM-4: **Existing** View

View from Highway 101 Northbound *(Reference view KVA-4, DEIR page V-335)*

Notes:
*Approximate view duration at 65 mph - 6 sec.
*Refer to Key Map for viewpoint location and direction.

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LV-6-4-1 (cont'd)

Notes:
*Approximate view duration at 65 mph - 6 sec.
*Refer to Key Map for viewpoint location and direction.
*Lot number indicated with distance from camera location in feet.

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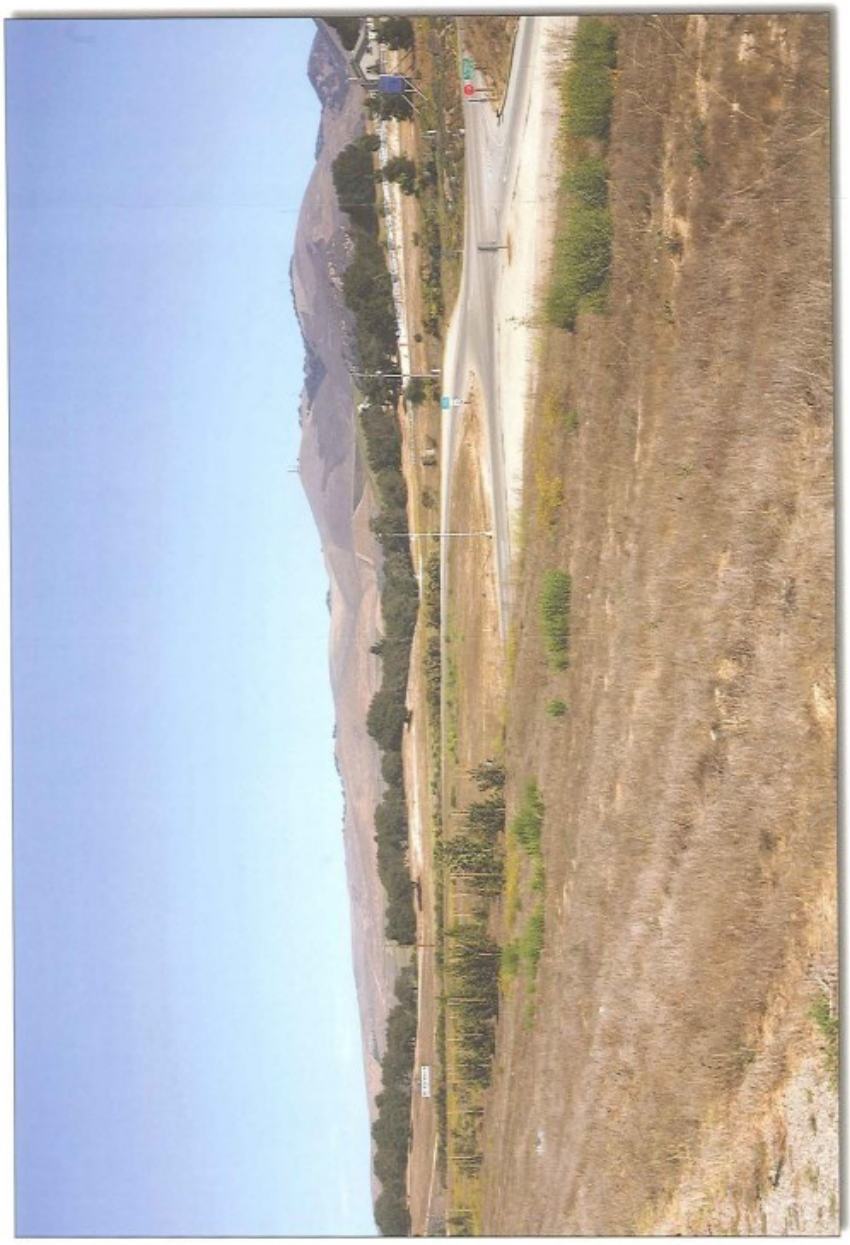
Visual Simulation

RRM-4: **Proposed** View

View from Highway 101 Northbound *(Reference view KVA-4, DEIR page V-335)*

LV-6-4-1 (cont'd)



Notes:
*Approximate view duration at 65 mph - 8 sec.
*Refer to Key Map for viewpoint location and direction.

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Visual Simulation

RRM-5: **Existing** View

View from Highway 101 Northbound *(Reference view KVA-5, DEIR page V-341)*

LV-6-4-1 (cont'd)

Lot 87 (10,290')
Lot 88 (10,340')
Lot 89 (10,410')
Lot 7,8 (8,820', 8,630')
Lot 90 (10,530')
Lot 3 (8,850')
Lot 10 (8,170')
Lot 98 (10,550')
Lot 101 (11,110')
Lot 102 (10,220')
Lot 100 (10,880')
Water Tank (11,250')
Lot 99 (10,690')
Lot 68M (8,400')
Lot 48M (8,370')
Lot 75 (8,780')
Lot 74 (8,370')
Lot 73 (8,850')
Notes:
*Approximate view duration at 65 mph - 8 sec.
*Refer to Key Map for viewpoint location and direction.
*Lot number indicated with distance from camera location in feet.
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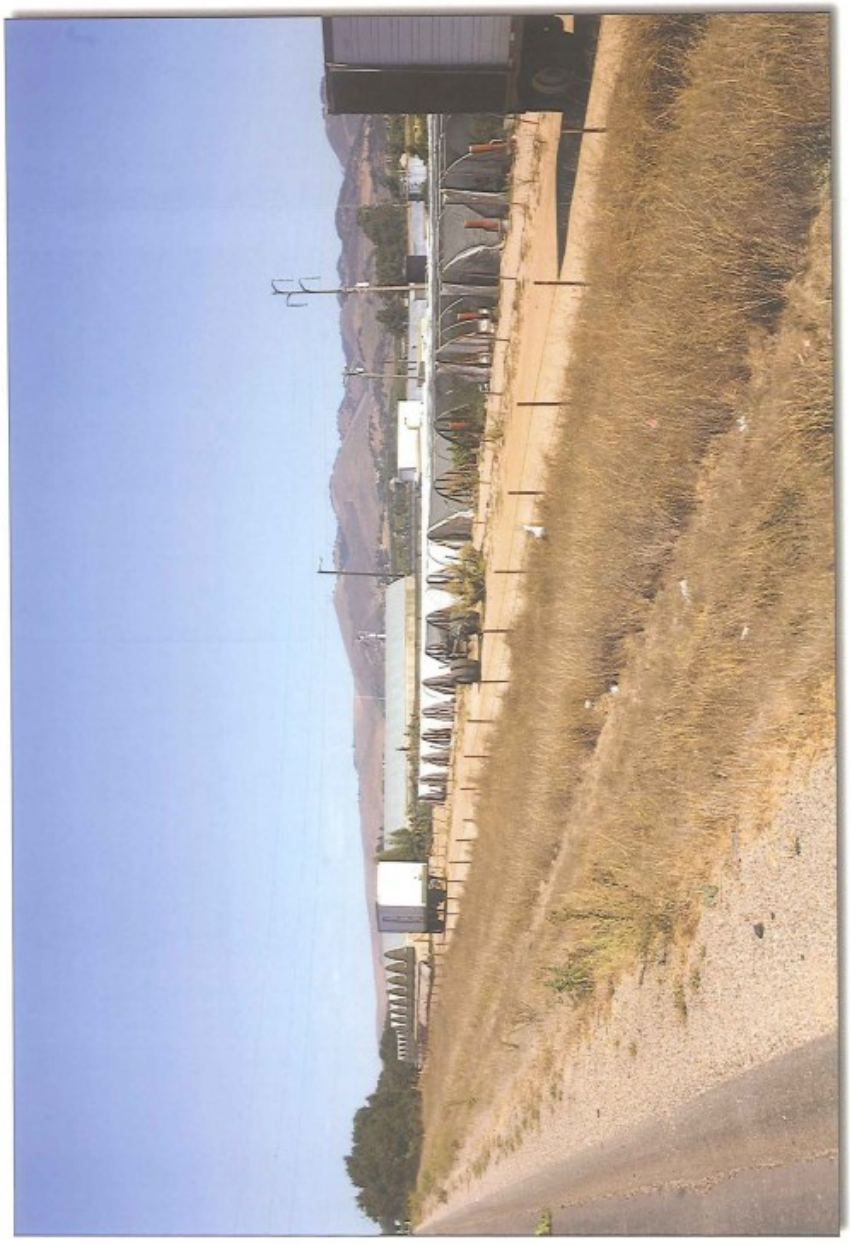
VINEYARD & WINERY
Visual Simulation
RRM-5: Proposed View
View from Highway 101 Northbound (Reference view KVA-5, DEIR page V-341)

LV-6-4-1 (cont'd)



Notes:
*Approximate view duration at 65 mph - 6 sec.
*Refer to Key Map for viewpoint location and direction.

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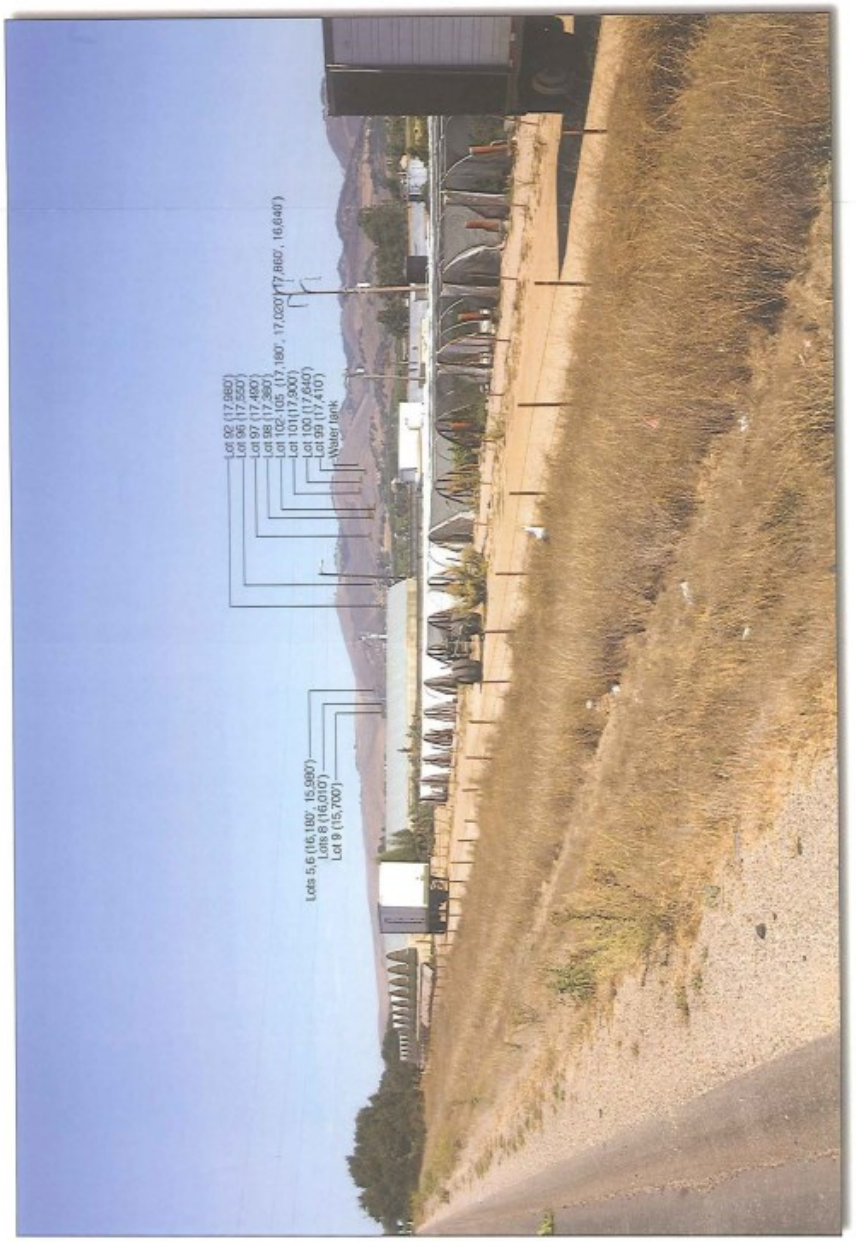
Visual Simulation

RRM-6: **Existing** View

View from Highway 101 Northbound *(Reference view KVA-6, DEIR page V-347)*

LV-6-4-1 (cont'd)



Notes:
*Approximate view duration at 65 mph - 6 sec.
*Refer to Key Map for viewpoint location and direction.
*Lot number indicated with distance from camera location in feet.

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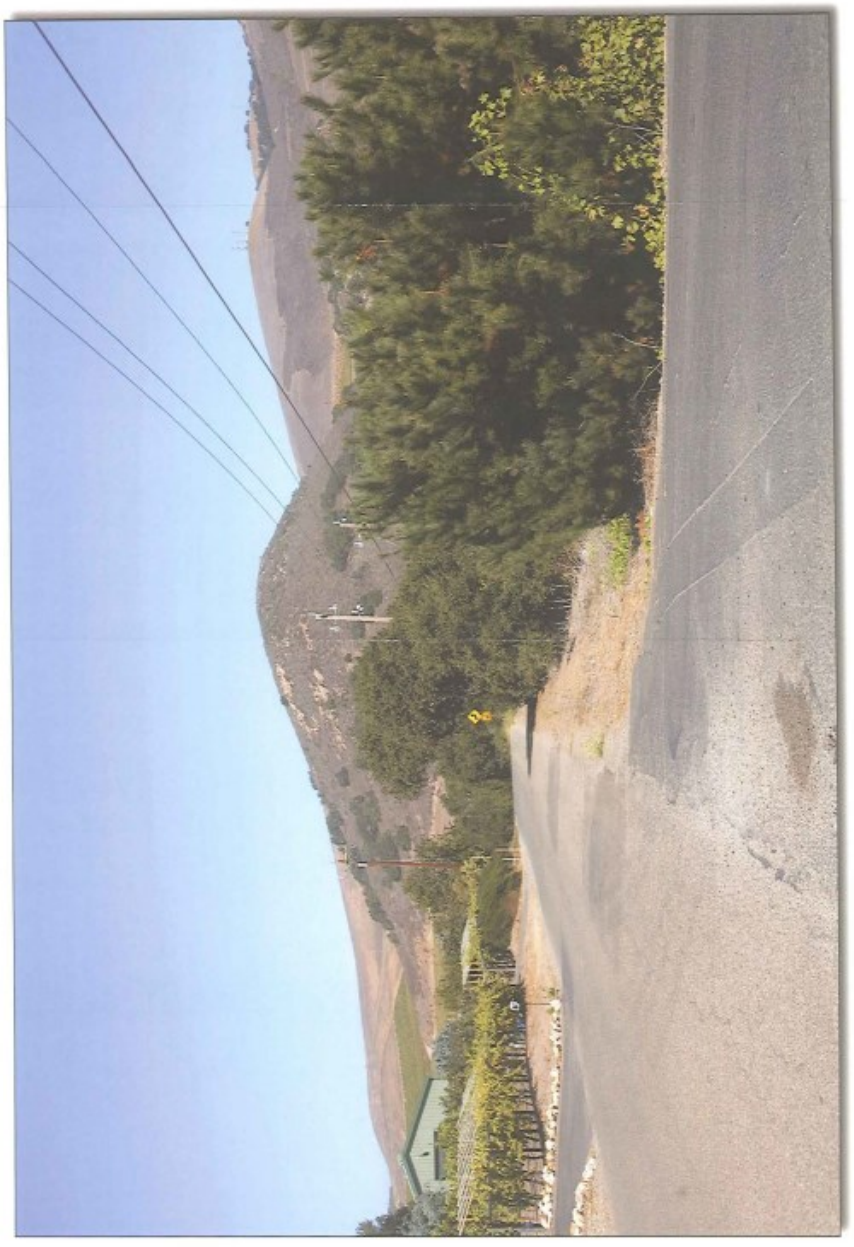
Visual Simulation

RRM-6: **Proposed** View

View from Highway 101 Northbound *(Reference view KVA-6, DEIR page V-347)*

LV-6-4-1 (cont'd)



Notes:
*Approximate view duration at 25 mph - 17 sec.
*Refer to Key Map for viewpoint location and direction.

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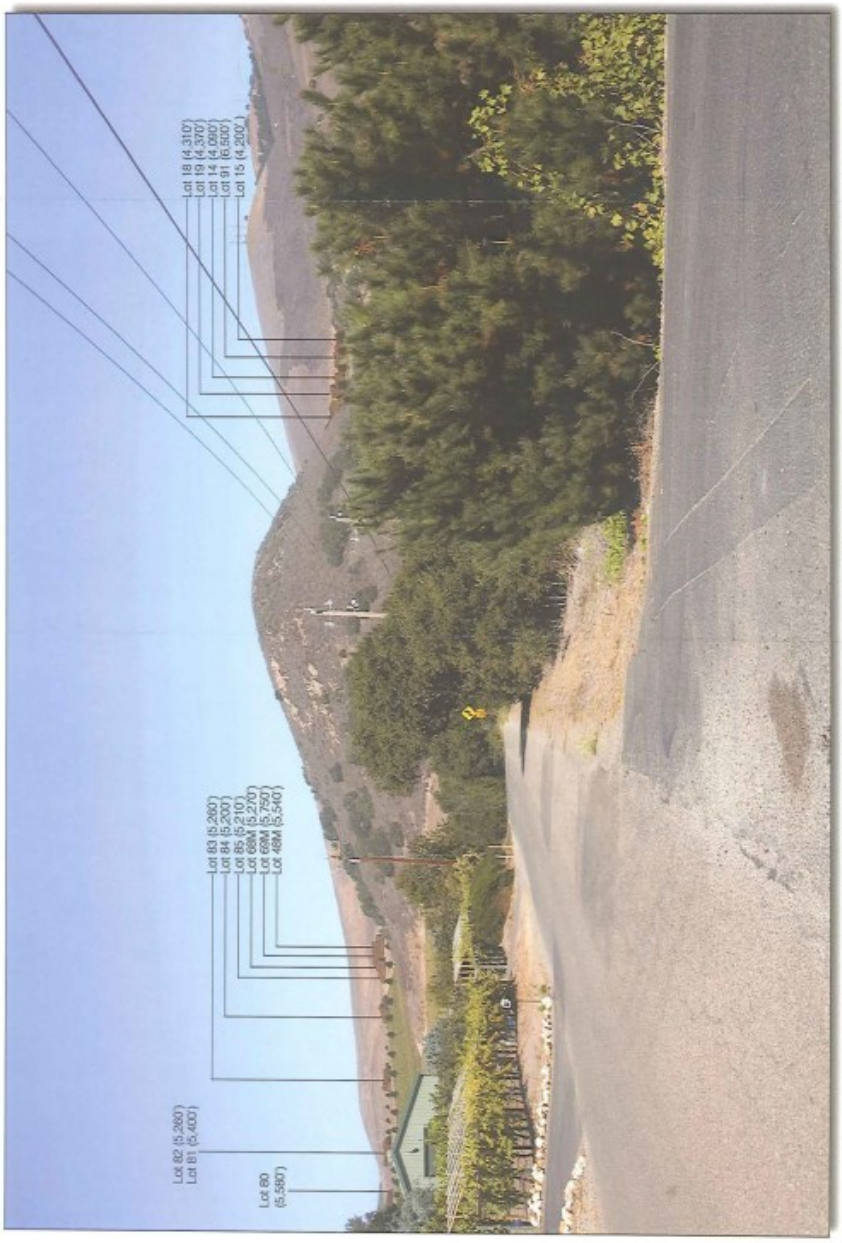
Visual Simulation

RRM-7: **Existing** View

View from Dana Foothill Road Northbound *(Reference view KVA-7, DEIR page V-353)*

LV-6-4-1 (cont'd)


Lot 82 (5,260')
Lot 81 (5,400')
Lot 80 (5,580')
Lot 83 (5,260')
Lot 84 (5,200')
Lot 85 (5,270')
Lot 69M (5,270')
Lot 68M (5,750')
Lot 48M (5,540')
Lot 18 (4,310')
Lot 19 (4,370')
Lot 14 (4,680')
Lot 91 (5,300')
Lot 15 (4,200')
Visual Simulation
RRM-7: Proposed View
View from Dana Foothill Road Northbound (Reference view KVA-7, DEIR page V-353)
Notes:
*Approximate view duration at 25 mph - 17 sec.
*Refer to Key Map for viewpoint location and direction.
*Lot number indicated with distance from camera location in feet.
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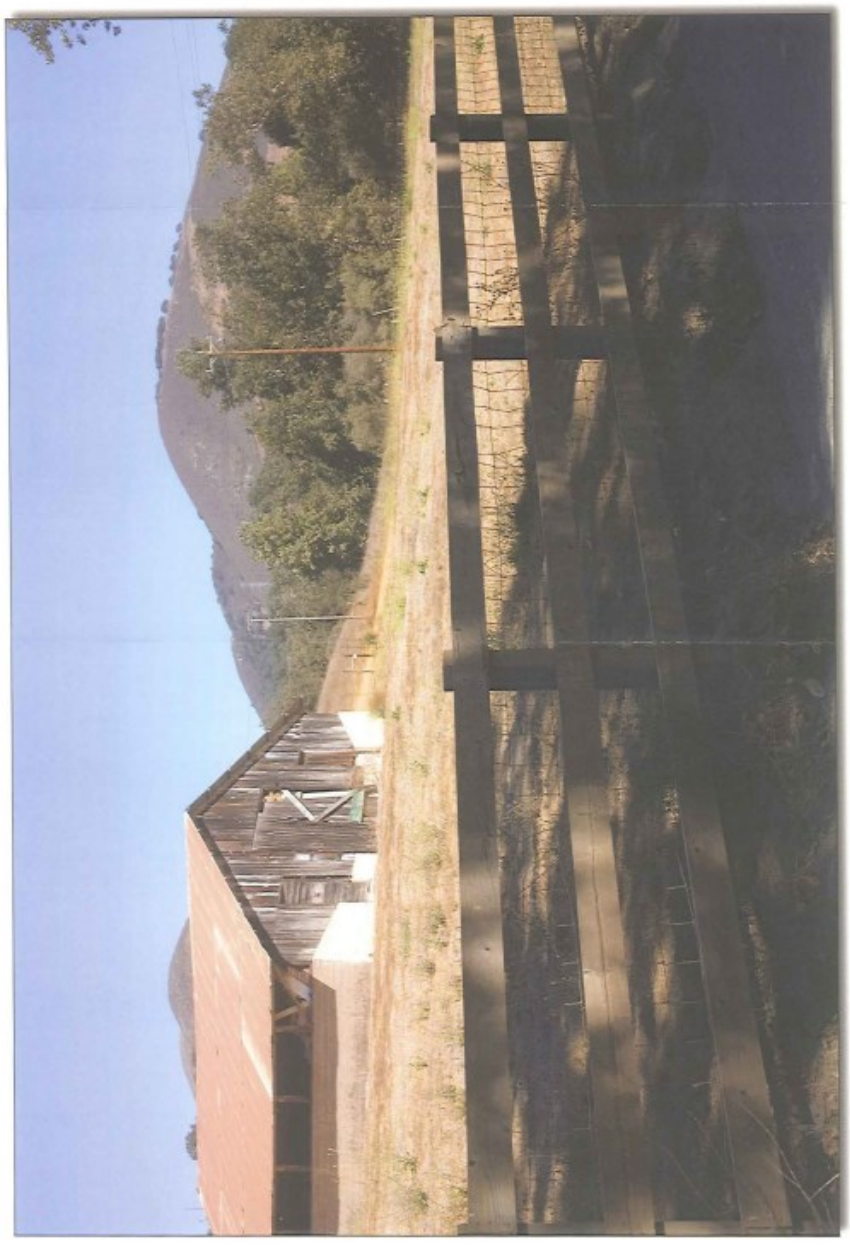
LV-6-4-1 (cont'd)



Notes:
*Approximate view duration at 25 mph - 4 sec.
*Refer to Key Map for viewpoint location and direction.

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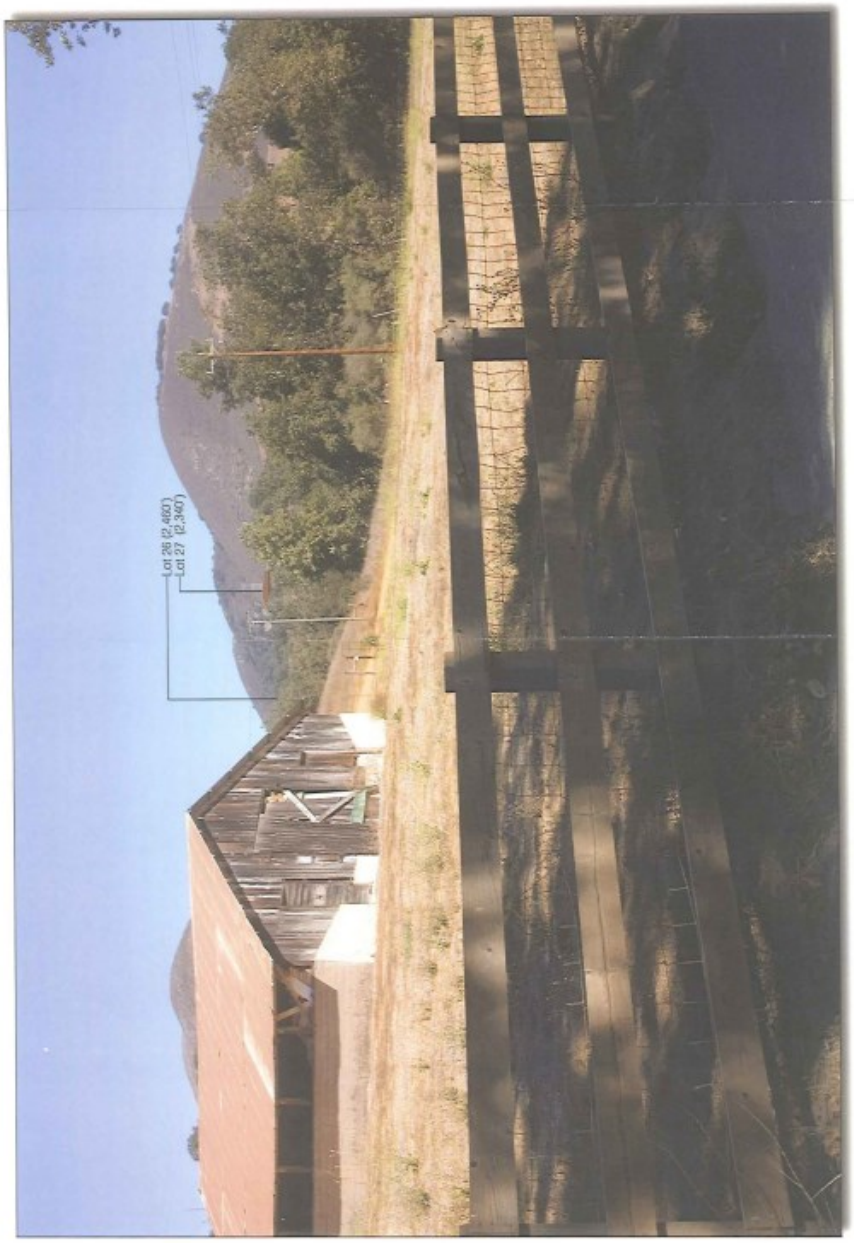
Visual Simulation

RRM-8: **Existing** View

View from Upper Los Berros Road - Looking Northeast *(Reference view KVA-8, DEIR page V-359)*

LV-6-4-1 (cont'd)



Notes:
*Approximate view duration at 25 mph - 4 sec.
*Refer to Key Map for viewpoint location and direction.
*Lot number indicated with distance from camera location in feet.

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Visual Simulation

RRM-8: **Proposed** View

View from Upper Los Berros Road - Looking Northeast *(Reference view KVA-8, DEIR page V-359)*

LV-6-4-1 (cont'd)

Notes:
*Approximate view duration at 25 mph - 39 sec.
*Refer to Key Map for viewpoint location and direction.

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Visual Simulation

RRM-9: **Existing** View

View from Upper Los Berros Road - Looking West *(Reference view KVA-9, DEIR page V-365)*

LV-6-4-1 (cont'd)

Notes:
*Approximate view duration at 25 mph - 39 sec.
*Refer to Key Map for viewpoint location and direction.
*Lot number indicated with distance from camera location in feet.

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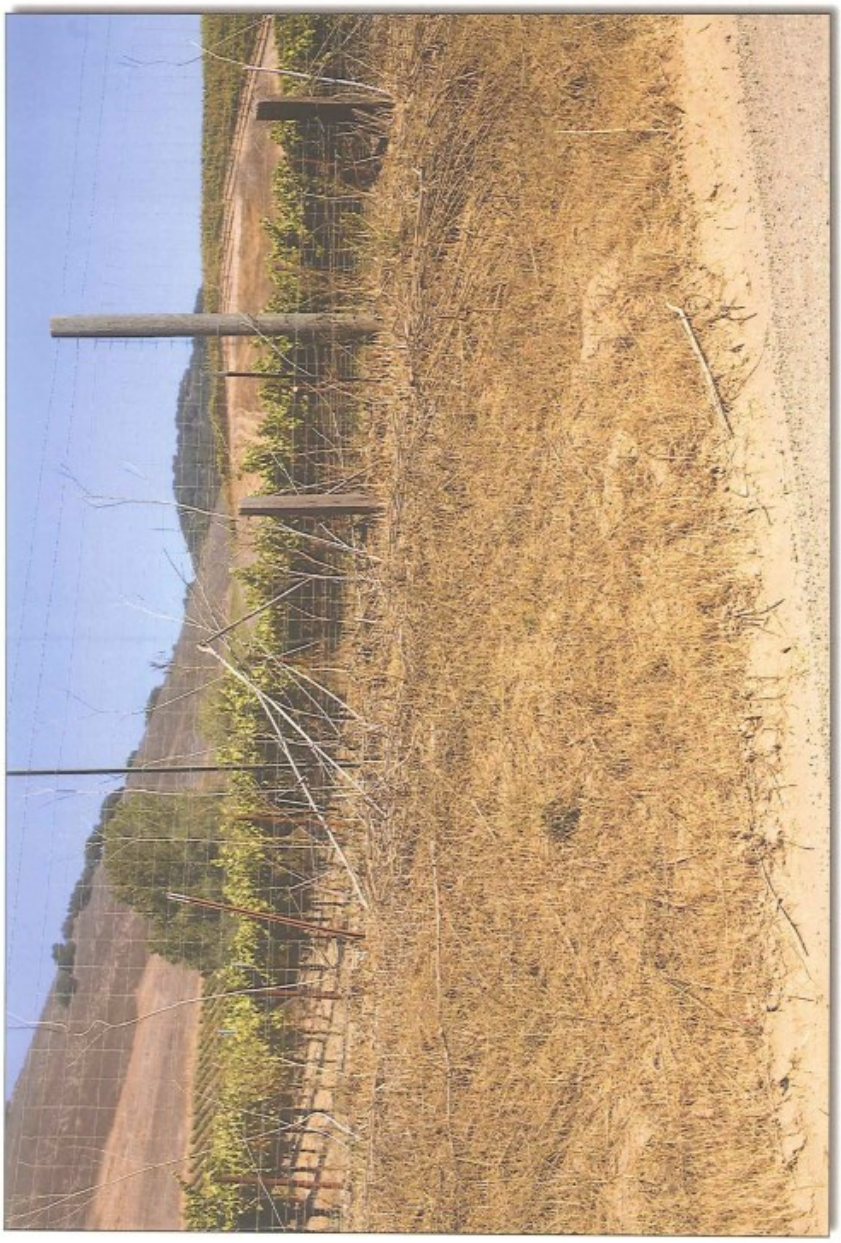
Visual Simulation

RRM-9: **Proposed** View

View from Upper Los Berros Road - Looking West *(Reference view KVA-9, DEIR page V-365)*

LV-6-4-1 (cont'd)



Visual Simulation

RRM-10: **Existing** View

View from Upper Los Berros Road - Looking Northeast *(Reference view KVA-10, DEIR page V-371)*

Notes:
*Approximate view duration at 25 mph - 17 sec.
*Refer to Key Map for viewpoint location and direction.

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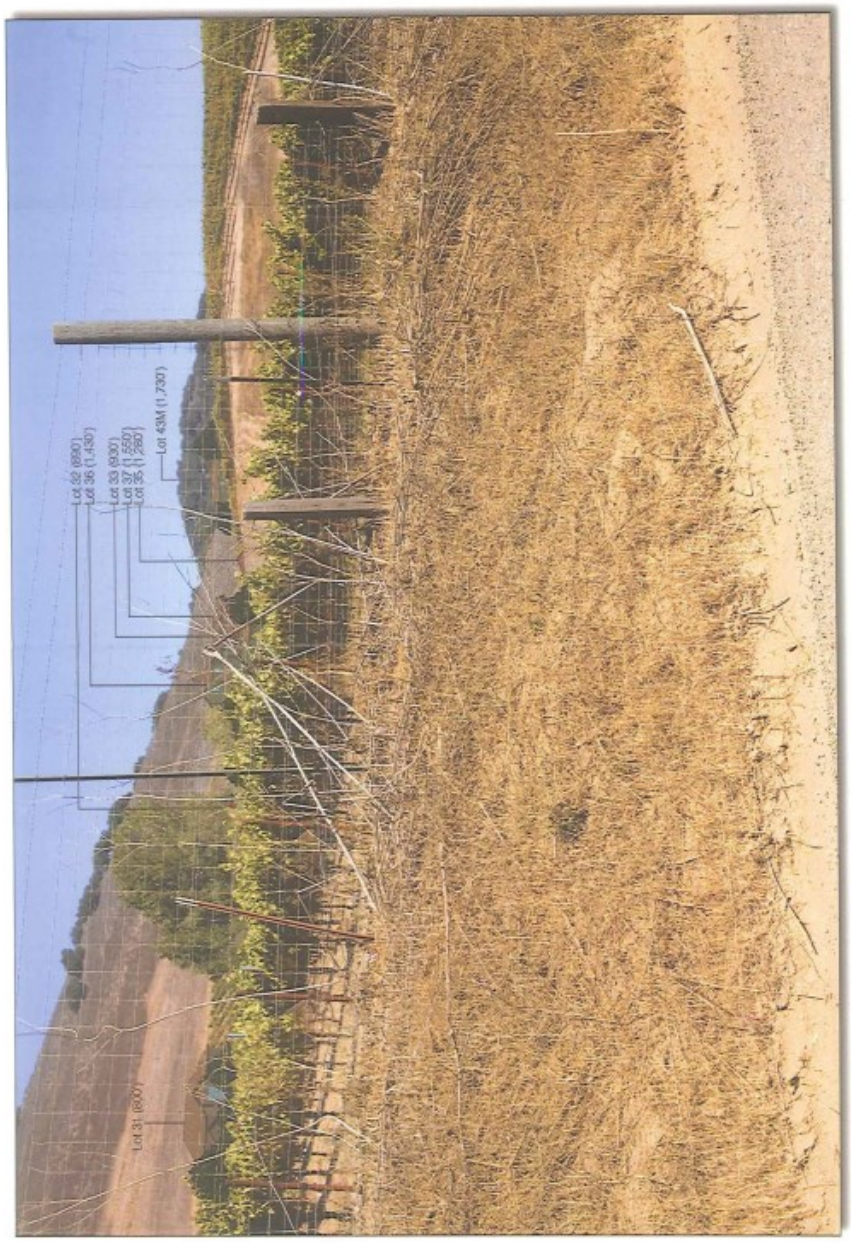
LV-6-4-1 (cont'd)



Visual Simulation

RRM-10: **Proposed** View

View from Upper Los Berros Road - Looking Northeast *(Reference view KVA-10, DEIR page V-371)*

Notes:
*Approximate view duration at 25 mph - 17 sec.
*Refer to Key Map for viewpoint location and direction.
*Lot number indicated with distance from camera location in feet.

LAETITIA VINEYARD & WINERY

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Responses to John Janneck's Comments: RRM Visual Simulations (LV-6-4)

Comment No.	Comment
LV-6-4-1	The submitted photo-simulations were reviewed and considered during preparation of the Final EIR. Responses to specific comments referencing the photo-simulations are provided where referenced.

PARCEL LINES AND LAND USE IN THE PROJECT AREA

LV-6-5


LAETITIA
Laetitia
Land Subdivision in the Project Area
RRM-11
LV-6-5
Notes/Sources:
Reference:

LV-6-5-1

Responses to John Janneck's Comments: Land Subdivision Map (LV-6-5)

Comment No.	Comment
LV-6-5-1	The submitted parcel lines and land use map was considered during preparation of the Final EIR.

LAETITIA
VINEYARD & WINERY

October 29, 2008

Ken Bornholdt
1432 Higuera Street
San Luis Obispo, CA 93401

Re: Laetitia Agricultural Cluster Project

Dear Ken:

I have been the Vineyard Manager for Laetitia Vineyard and Winery since 2004. In addition to working with the 620 acres of wine grapes and 5 acres of lemons at Laetitia Vineyard, I also oversee another property that consists of 750 acres of wine grapes and 200 acres of diversified row crops. Prior to working at Laetitia, I worked for David Bruce Winery as the Vineyard Manager and Manager of Grower Relations. I also worked for Bien Nacido Vineyards as a viticulturalist. Prior to working in the wine industry, I was a biologist for an agricultural research group. I have a degree in Crop Science from Cal Poly San Luis Obispo, and I am currently in Class 38 of the California Ag. Leadership Program. **LV-6-6-1**

Not only am I familiar with Laetitia's current agricultural operation, but I am also familiar with the proposed locations for the approximately 140 acres of replacement planting that is part of the Laetitia Agricultural Cluster Project. The current farming operation includes areas with soils similar to those of the proposed replanting locations. In the existing areas with similar soils, I have successfully cultivated crops, including vineyards and orchards. In fact, many of the proposed replanting locations are adjacent to existing vineyards or orchards. Over the years, I have gained experience regarding how to successfully cultivate viable agricultural crops on the non-prime soils at Laetitia. Based on this experience, it is my professional opinion that the replanting locations will also be successfully cultivated and integrated into our existing farming operation. **LV-6-6-2**

Sincerely,

Lino Bozzano

453 Laetitia Vineyard Drive, Arroyo Grande, California 93420
phone 805 481-1772 *fax* 805 481-6920
www.laetitiawine.com www.barnwoodwine.com www.avilawine.com

LV-6-6

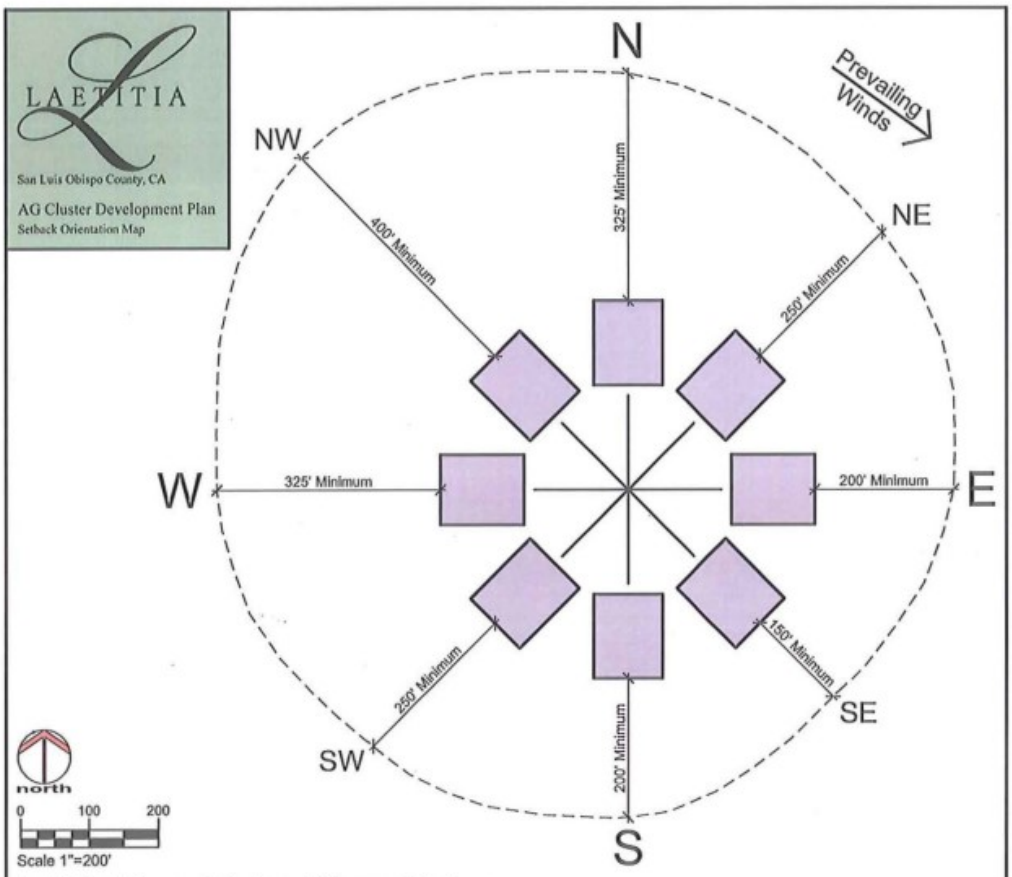
Responses to John Janneck's Comments: Letter from Vineyard Manager (LV-6-6)

Comment No.	Comment
LV-6-6-1	The commenter's qualifications and experience are noted.
LV-6-6-2	The commenter's statements regarding the feasibility to cultivate replacement vineyards within the identified replacement areas are noted. This information supports the determination that the proposed replacement may be feasible mitigation; however, based on the permanent conversion of existing productive farmland to non-agricultural use, the proposed replacement or replanting of vineyards would not fully mitigate the loss.

EXAMPLE BUFFER CALCULATIONS
(Small, Medium, Large)

LV-6-7

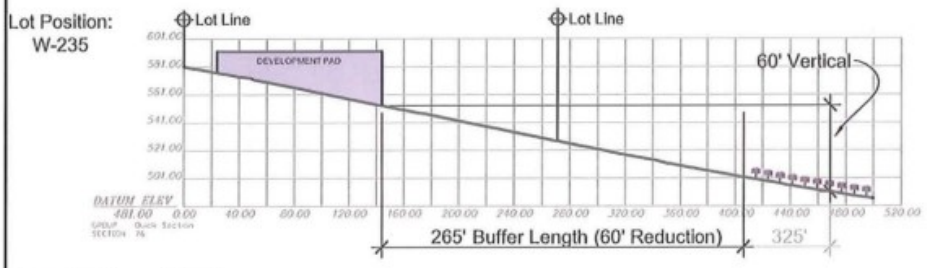
LV-6-7-1



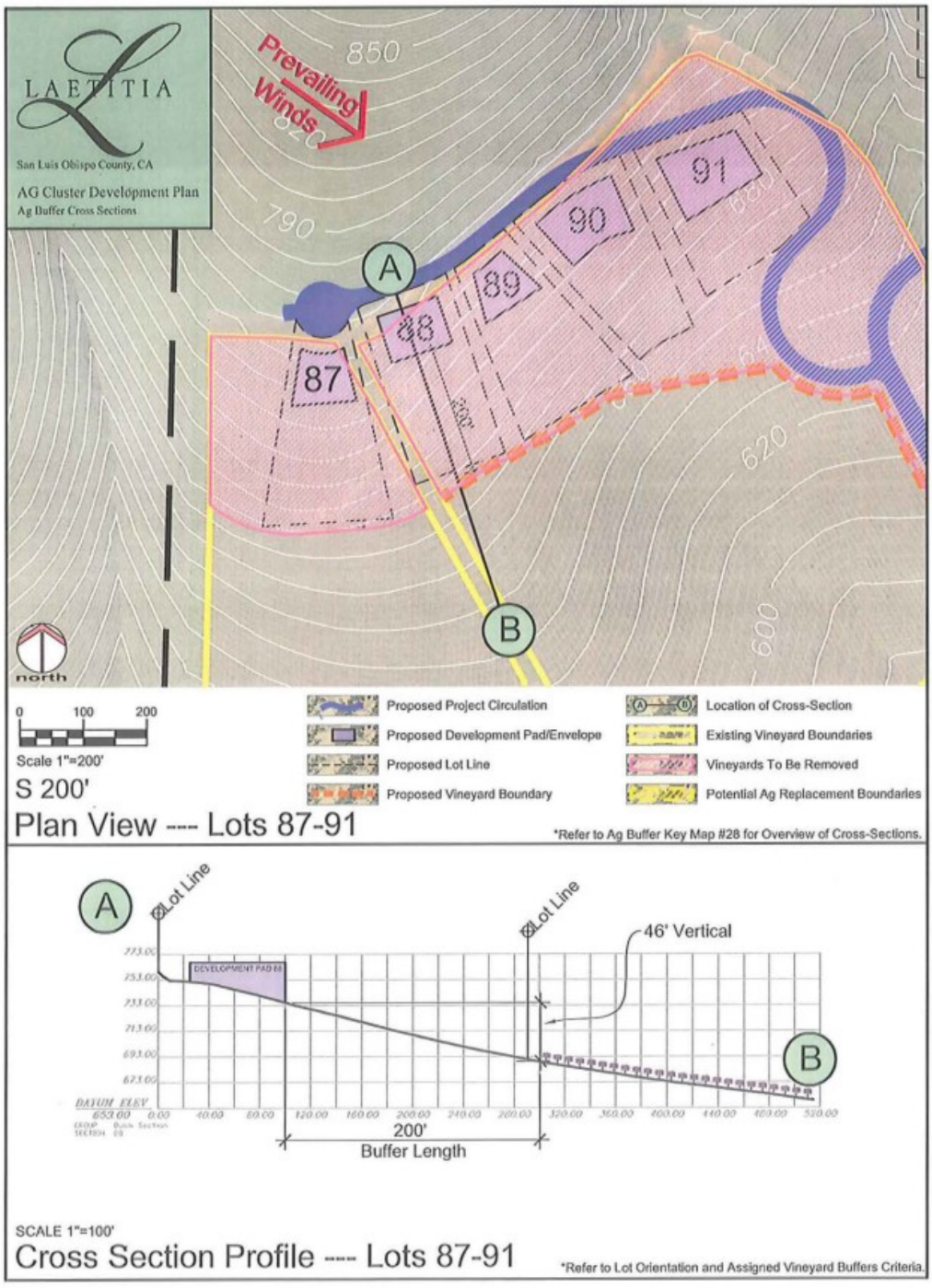
Lot Orientation and Assigned Vineyard Buffers

Note:

The length of the agricultural buffer, or the space between the vineyard and the home site development envelope, is based on the predominate wind direction of the Central Coast. A reduction in the buffer is made if the elevation at the base of the development envelope is 20 feet or greater above the vineyard elevation. This reduction is given at a one to one basis. For example, if a homesite in the W position is 60 feet above the elevation of the vineyard, the assigned vineyard buffer distance of 325 feet is reduced 60 feet resulting in a minimum buffer distance of 265 feet (see sample section below).

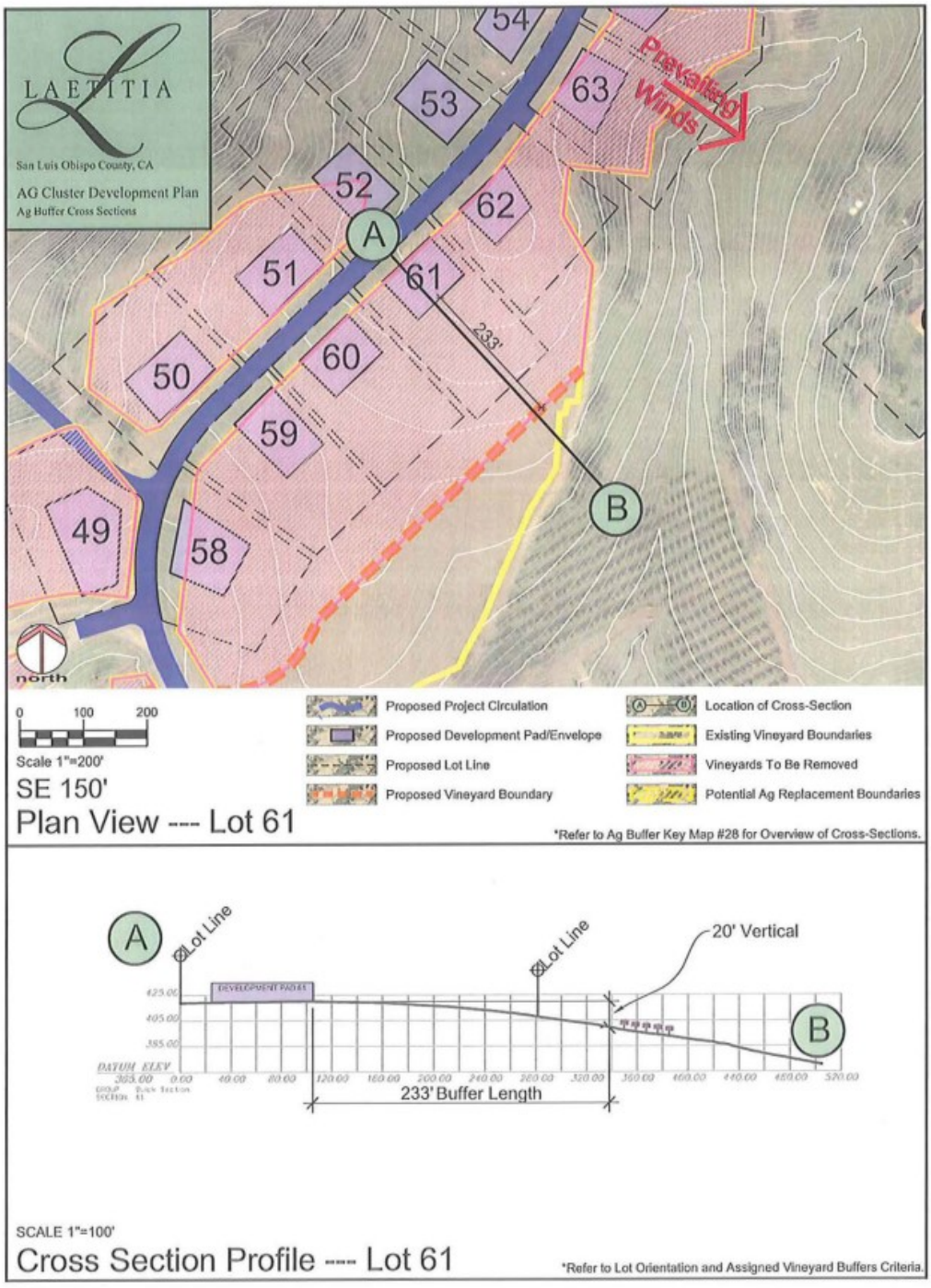


Sample Cross Section



LV-6-7-1 (cont'd)

Small



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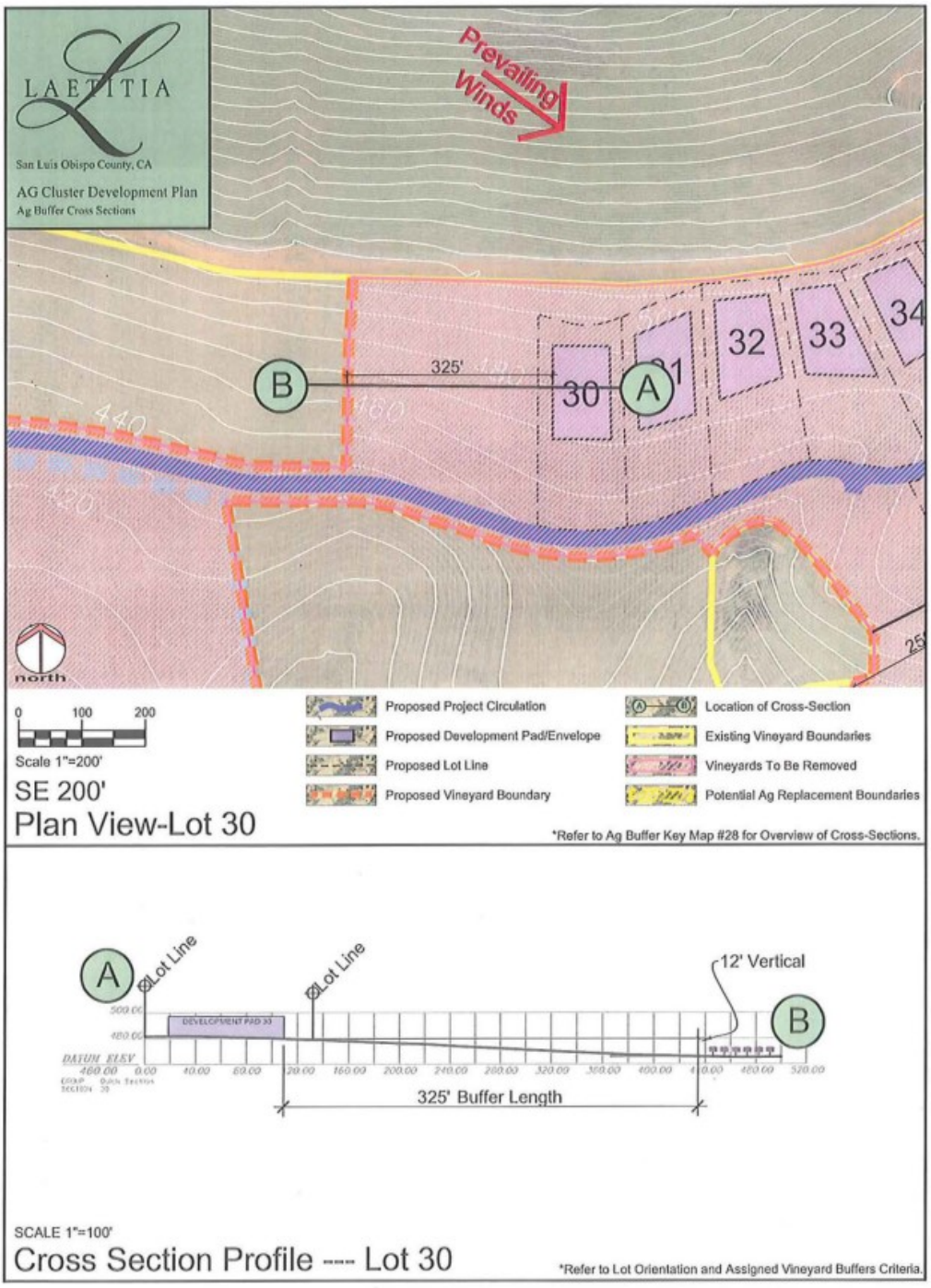

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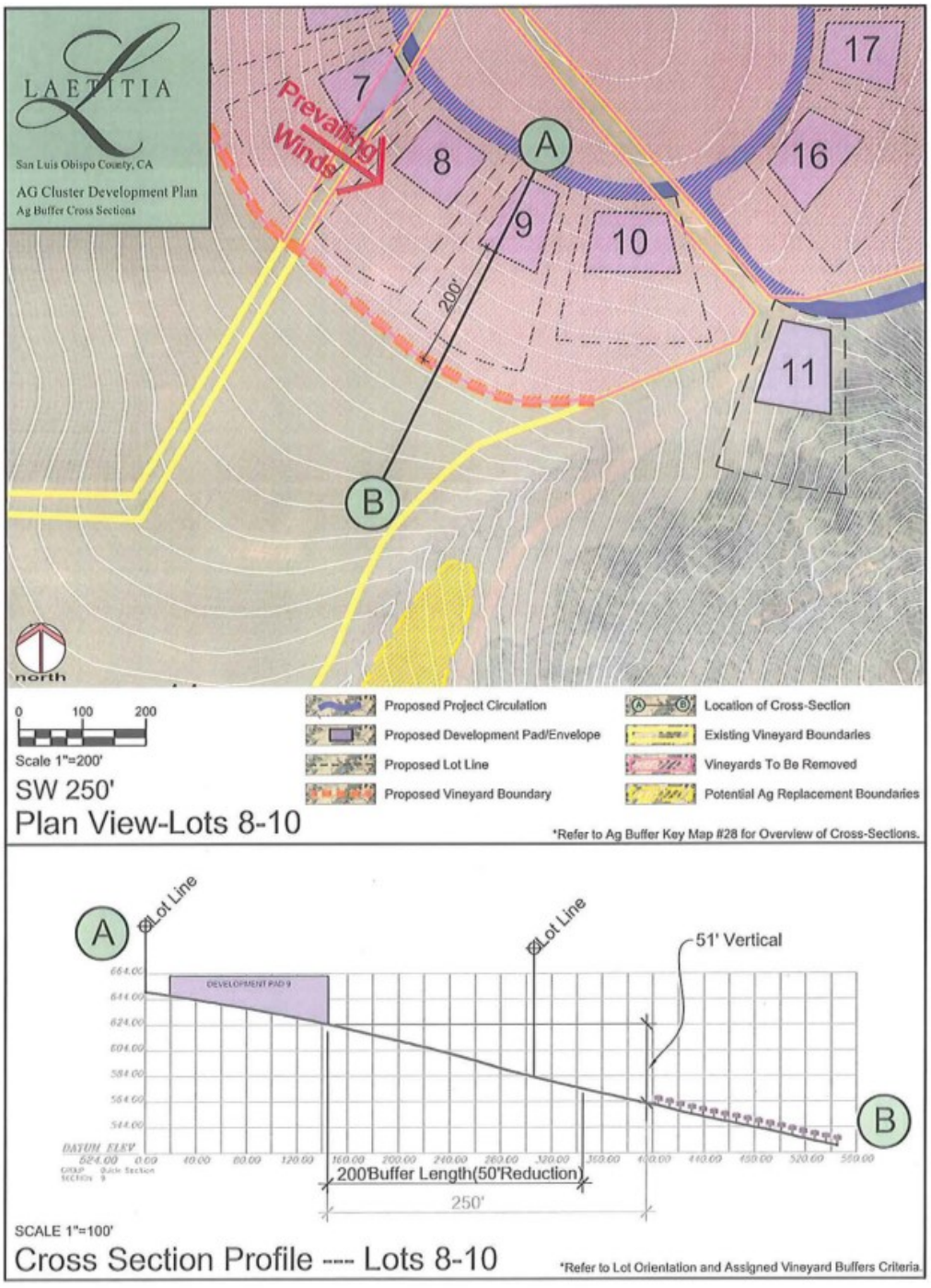

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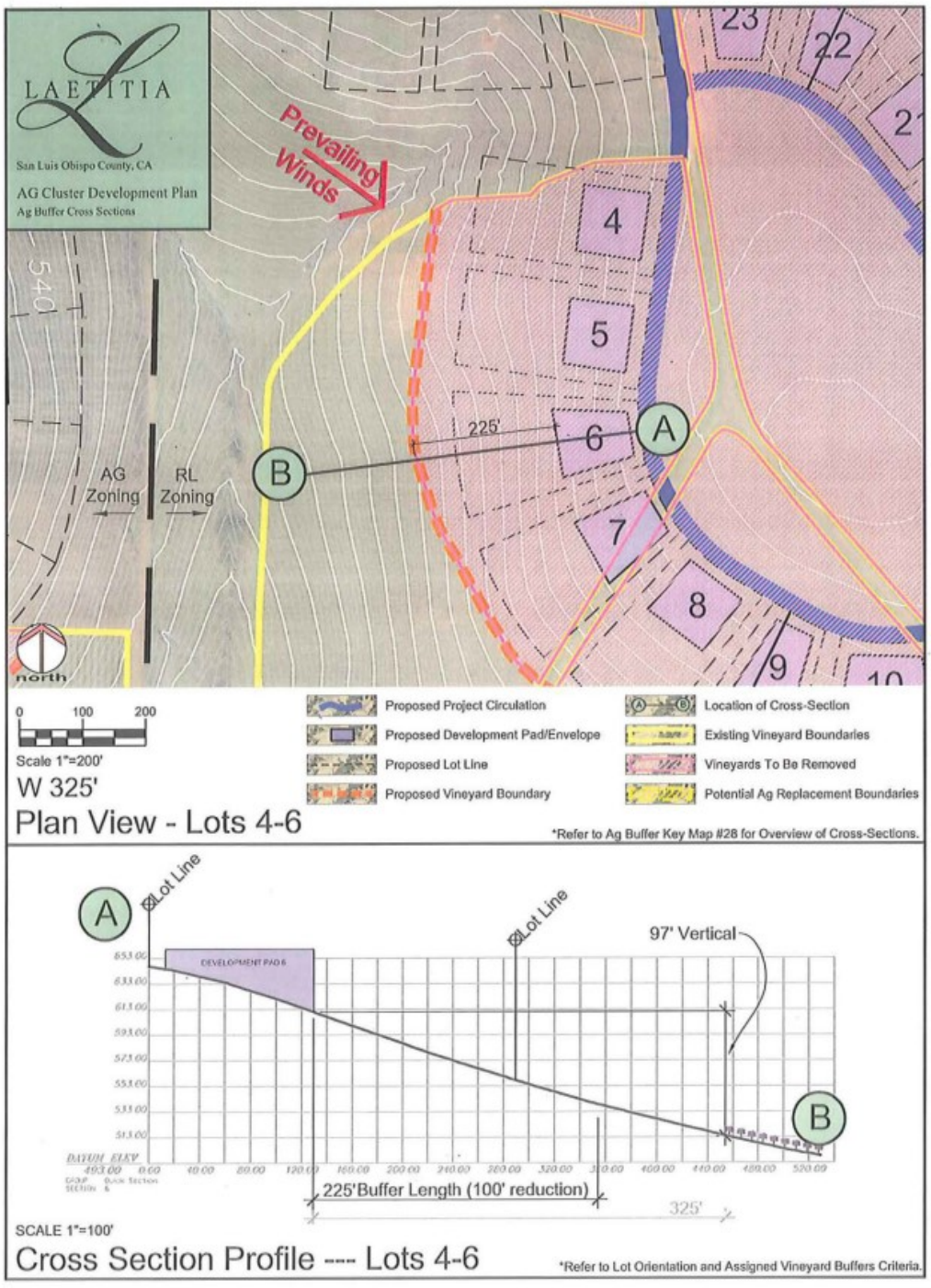

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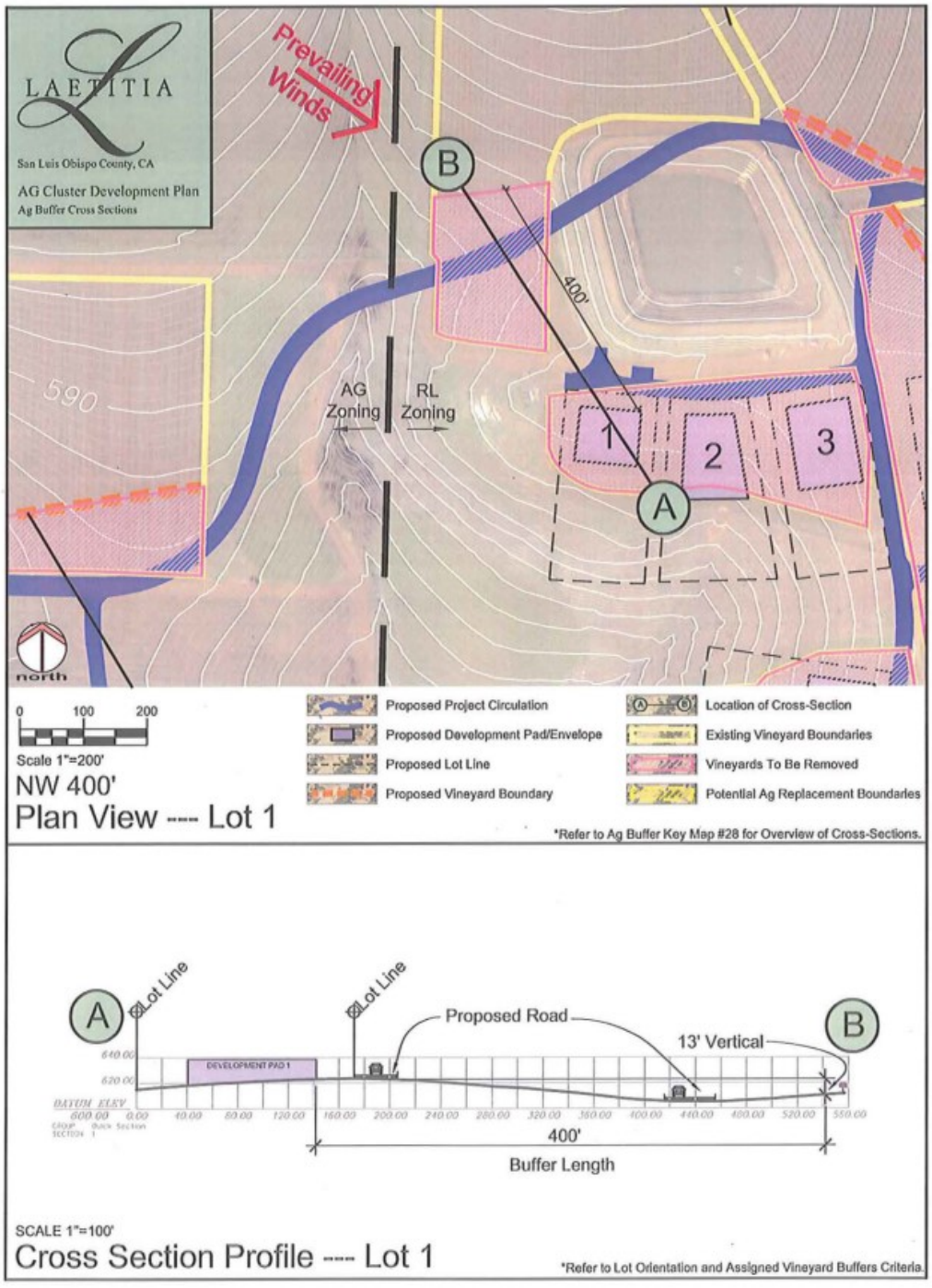

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Responses to John Janneck's Comments: Buffer Examples (LV-6-7)

Comment No.	Comment
LV-6-7-1	The applicant's submitted buffer maps and cross-section profiles were considered during preparation of the Final EIR. The information provided by the applicant includes variable buffer distances based on lot orientation and prevailing winds. The identified buffer zones are less than what is recommended in the County Agriculture Element, and less than what is recommended by the County Agricultural Commissioner's Office to avoid or minimize potential land use incompatibilities, and subsequent potential reductions in crop yield due to changes in agricultural practices to accommodate sensitive land uses (residences). These identified buffers may be effective during typical wind patterns to minimize exposure or nuisance due to dust and pesticide or chemical drift; however, shorter distances may not be adequate for noise attenuation. This information will be considered by the County decision makers.

LETTER FROM ATE
TRAFFIC COMMENTS

LV-6-8

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REVIEW OF TRANSPORTATION/CIRCULATION SECTION OF THE LAETITIA AGRICULTURAL CLUSTER PROJECT DEIR, COUNTY OF SAN LUIS OBISPO

Pursuant to your request, Associated Transportation Engineers (ATE) has reviewed the Transportation and Circulation section of the Draft Environmental Impact Report (DEIR) that prepared for the Laetitia Agricultural Cluster Project. The project is proposed in the Nipomo area of County of San Luis Obispo County. **LV-6-8-1**

ATE prepared a study for the project in January 2007. That study analyzed potential traffic and circulation impacts associated with the project based on thresholds adopted by the County of San Luis Obispo County. The Transportation and Circulation section of the DEIR was prepared by Fehr & Peers and is based on their independent analyses of existing and future conditions in the project study area. ATE has reviewed the Fehr & Peers analyses and we are providing the following comments on the impacts and mitigations contained in the DEIR.

Existing Conditions

According to the Fehr & Peers study, existing levels of service at the Highway 101/Los Berros Road-North Thompson Avenue interchange are LOS C and LOS D during the A.M. and P.M. peak hour periods. The existing level of service for southbound Highway 101, as well as several of the ramp junctions at the Highway 101/Los Berros Road-North Thompson Avenue interchange, are listed at LOS D during the peak hour periods. As described in the DEIR, the County standard is LOS C for this area. Thus, the existing LOS D operations do not meet the County standard. **LV-6-8-2**

Project Trip Generation, Distribution, and Assignment

The trip generation estimates are based on ITE rates and are reasonable. The distribution and assignment of project traffic are also reasonable. **LV-6-8-2 (cont'd)**

Thresholds of Significance

The DEIR lists Appendix G CEQA guidelines plus County of San Luis Obispo Guideline as the thresholds of significance. The text within the Thresholds of Significance section also states, "Caltrans strives to maintain a target LOS on State highways including Highway 101 at the transition between LOS C and D." **LV-6-8-3**

It is important to note that **Caltrans does not have any adopted thresholds.** Caltrans has published "*Caltrans Guide for the Preparation of Traffic Impact Studies*" (December 2002), which provides general parameters for conducting a traffic study but does not contain any adopted thresholds.

Caltrans District 5 has established level of service goals for Highway 101 in their Transportation Concept Report.[1] The Transportation Concept Report shows LOS D as the minimum operating standard for Highway 101 in the Nipomo area. Thus, LOS D is the target – rather than the LOS C threshold applied in the Laetitia Agricultural Cluster Project DEIR.

The text within the Thresholds of Significance section also states, "For U.S. Highway 101 ramps, Highway 101 mainline segments, or a County roadway segment already operating at LOS D, E, or F without the project, the addition of any project traffic to that location is considered a significant impact." To our knowledge, the County has not adopted thresholds that are applicable to State facilities (U.S. Highway 101 in this case) nor has the County certified any EIRs or MNDs for development projects where thresholds have been applied to U.S. Highway 101 mainline operations.

According to the Fehr & Peers study, southbound Highway 101 and several of the ramp junctions at the Highway 101/Los Berros Road-North Thompson Avenue interchange operate at LOS D. Thus, according to the thresholds listed in the DEIR, the addition of ***one trip*** is considered a significant impact. If the County were to apply these thresholds consistently, almost all development projects in the Nipomo area would generate significant impacts. Any development that would generate a few peak hour trips (2-3 homes or 1,000 square feet of commercial use) would likely add one trip (or more) to U.S. Highway 101 and generate a significant impact based on this "threshold" since U.S. Highway 101 operates at LOS D during the peak periods and the threshold is one trip. **LV-6-8-4**

Project-Specific Impact & Mitigations

TR Impact 1 (Highway 101/Los Berros Road-North Thompson Avenue Interchange). Impacts to Highway 101/Los Berros Road-North Thompson Avenue interchange (both of the intersections at the interchange) are considered significant since operations would worsen to LOS E during the A.M. peak and LOS F during the P.M. peak. The mitigation required of the development is install turn lanes and signals at the interchange. **LV-6-8-5**

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[1] Transportation Concept Report for U.S. Route 101 in Caltrans District 5, California Department of Transportation, District 5, October 2001.

It is important to note that the improvement project has been identified in the County's Capital Improvement Program and is being funded via the County's Traffic Impact Fee Program. The DEIR states, "The Capital Improvement Program funding at this intersection is not anticipated to be needed until 2025 without the project." The mitigation requires that the applicant fund the improvement. However, the existing operation is LOS D, which does not meet the County's standard. Further, the existing volumes meet the peak hour warrant criteria for the traffic signals. Thus, there is an existing deficiency at the interchange that would be remedied by the improvement project planned under the Capital Improvement Program. At a minimum, the project should receive traffic fee credits if it is required to construct the planned improvements that are being funded by the County's fee program. **LV-6-8-5 (cont'd)**

TR Impact 2 (Sheehy Road/North Thompson). The existing + project operations for this intersection is LOS A-B, which meets the County's level of service standard. However, the DEIR states, "Based on consultation with Public Works, implementation of the project may increase the potential for rear-end collisions resulting from the left turn movement (Glen Marshall, 2008)." The mitigation is to install a left-turn lane. The impact and mitigation are not supported by any analyses. **LV-6-8-6**

TR Impact 3 (Sheehy Road/North Dana Foothill Road). The existing + project operations is LOS A, which meets the County's level of service standard. However, the DEIR discusses the fact that the intersection is uncontrolled and "this deficient condition could lead to driver confusion." Project traffic is considered significant and the mitigation is to install a stop sign. The impact and mitigation are not support by any analysis. **LV-6-8-7**

TR Impact 4 (Highway 101 and Highway 101/Los Berros Road-North Thompson Avenue Ramp Junctions). U.S. Highway 101 operates at LOS D with or without the project. Some of the ramp junctions at the Highway 101/Los Berros Road-North Thompson Avenue interchange operate at LOS D with or without the project. Project traffic is considered significant since the threshold is the addition of one trip (see above discussion of Thresholds of Significance). **LV-6-8-8**

Several points to consider for this impact and mitigation:

1) Building just a few of the proposed residential units (or a few residential or commercial units by any land owner in the area) would result in a significant impact to U.S. Highway 101 based on the "threshold" since that traffic would use a facility that does not meet the LOS C standard. Many of the segments of U.S. Highway 101 within San Luis Obispo County operate at LOS D (or worse). Application of this threshold consistently would result in significant impacts to U.S. Highway 101 on a routine basis and could affect developments that are consistent with the General Plan.

2) Operational analyses of freeway merging and diverging at ramp junctions is atypical for traffic studies prepared for development projects proposed in the County. To our knowledge, the County has not adopted criteria or thresholds for assessing freeway facilities. ATE has prepared traffic studies for development projects in San Luis Obispo County for more than 25 years. There has been only one other study where ramp junctions are analyzed. That is the Fehr & Peers study prepared for the Transportation and Circulation section of the Santa Margarita Ranch Project DEIR, which is currently being reviewed by the County.

3) The traffic affects of the Laetitia Agricultural Cluster Project on the U.S. Highway 101 mainline and at the ramp junctions would be nominal. There are three performance measures for freeway operations. Density in passenger cars per mile per lane (pc/mi/ln), mean passenger car speed (mph), and volume to capacity (v/c). Each of these measures is an indication of how the traffic is being accommodated. While the three measures are interrelated, level of service is based upon density (pc/mi/ln). The following table illustrates the Existing and Existing + Project densities and levels of service for U.S. Highway 101, as derived from the Fehr & Peers worksheets contained in the DEIR. **LV-6-8-8 (cont'd)**

Table A
U.S. Highway Operations

Direction/Location	Peak Hour	Existing		Existing + Project	
		Density(1)	LOS(2)	Density(1)	LOS(2)
NB Hwy 101 n/o Los Berros	A.M.	22.2	LOS C	22.6	LOS C
	P.M.	23.5	LOS C	23.8	LOS C
SB Hwy 101 n/o Los Berros	A.M.	18.1	LOS C	18.3	LOS C
	P.M.	29.3	LOS D	29.9	LOS D
NB Hwy 101 s/o Los Berros	A.M.	20.1	LOS C	20.2	LOS C
	P.M.	22.6	LOS C	22.8	LOS C
SB Hwy 101 s/o Los Berros	A.M.	17.5	LOS B	17.7	LOS B
	P.M.	26.4	LOS D	26.6	LOS D

(1) Density = passenger cars per mile per lane (pc/mi/ln).
(2) LOS based on Density.

Given the operational analyses prepared by Fehr & Peers, it is our professional opinion that the Laetitia Agricultural Cluster Project would not significantly affect U.S. Highway 101 operations. As shown in Table A, densities do not significantly change with the addition of project traffic. Also, the project does not change the levels of service. Thus, the impact is insignificant.

To our knowledge, the County has not adopted thresholds for assessing freeway facilities and the County has not certified any EIRs or MNDs for development projects where thresholds have been applied to U.S. Highway 101 mainline operations. The DEIR may be applying the "threshold" from the "*Caltrans Guide for the Preparation of Traffic Impact Studies*". However, ***the Caltrans publication is a guideline and does not contain adopted thresholds or standards.*** Furthermore, the Caltrans traffic study guideline states, "Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities, however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing State highway facility is operating at less than the appropriate target LOS, the existing MOE **LV-6-8-9**

should be maintained." As shown in Table A above, the project does not change the levels of service on the adjacent freeway segments. **LV-6-8-9 (cont'd)**

More importantly, according to the Transportation Concept Report for U.S. Route 101 prepared by Caltrans District 5, LOS D is the target level of service for U.S. Highway 101 in the Nipomo area. As shown in Table A above, LOS D would be maintained on the adjacent freeway segments under Existing + Project conditions, thus meeting the LOS D target contained in the Transportation Concept Report prepared by Caltrans. **LV-6-8-10**

4) The mitigation is to lengthen the deceleration lane on the northbound and southbound off-ramps by 50 feet; and lengthen the northbound on-ramp acceleration lane by 25 feet. There is no analysis that demonstrates the benefit of lengthening the ramps by these short distances. More importantly, it is doubtful that Caltrans would approved such modifications since they would have almost no affect on traffic operations. **LV-6-8-11**

TR Impact 5 (Pedestrian Impacts). Not addressed by ATE. **LV-6-8-12**

TR Impact 6 (Bicycle Impacts). Not addressed by ATE.

TR Impact 7 (Sheehy Road). This road does not meet the County's current standard. The impact statement says that the road does not have paved shoulders and that the proposed project would exacerbate this deficient conditions. There is no discussion that contains a nexus for the impact. The impact should be based on an accident/safety analysis that clearly demonstrates the significance of project traffic. **LV-6-8-13**

TR Impact 8 (North Dana Foothill Road). This road does not meet the County's current standard. The impact statement says that the road does not have paved shoulders or roadway striping and that the proposed project would exacerbate this deficient conditions. There is no discussion that contains a nexus for the impact. The impact should be based on an accident/safety analysis that clearly demonstrates the significance of project traffic.

TR Impact 9 (Upper Los Berros Road). This road does not meet the County's current standard. Portions of this road are unpaved and narrow, indicating that improvements will be necessary in order to carry the future traffic. However, primary and secondary access for the residential units would not require use of Upper Los Berros Road. Primary access for the dude ranch is proposed via the connection to North Dana Foothill Road, with secondary access via Upper Los Berros Road. The proposed project could be phased so that residential units are constructed in the first phase and the dude ranch in the second phase. Any improvements required for Sheehy Road-North Dana Foothill Road could be constructed as part of the first phase. Improvements to Upper Los Berros Road could be constructed in the second phase when the dude ranch is developed in order to provide the secondary access connection. The improvements to Upper Los Berros Road would need to met fire standards, since the secondary access is proposed for emergency access only. **LV-6-8-14**

TR Impact 10 (Laetitia Vineyard Drive Access). While this secondary access is proposed for emergency purposes only, the impact is considered Class I. The mitigation outlined in the DEIR is to install control measures to allow emergency access while limiting typical residential traffic. Potential measures listed in the DEIR include gate control by opticom transmitters and detectors, and signage. **LV-6-8-15**

It is important to keep in mind that the access is proposed for emergencies only. Pursuant to CEQA Section 15359, "Emergency" means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage."

LV-6-8-15 (cont'd)

It is our understanding that the applicant is now proposing to control the secondary emergency access by installing a gate with the facility controlled and operate by a guard assigned to the facility on a 24-hour basis. The manned gate would only be opened for emergencies. This mitigation would reduce the impact to less than significant (Class II) since traffic would use the secondary access only during an emergency.

TR Impact 11 (On-Site Roadways). Not addressed by ATE.

LV-6-8-16

TR Impact 12 (On-Site Parking). Not addressed by ATE.

Cumulative Impacts and Mitigations

TR Impact 13 (Laetitia Vineyard Drive Access). See above discussion under Project-Specific Impacts & Mitigations. Note that cumulative impacts are mitigated by the applicant's plan to control the secondary emergency access with a guard stationed at the gate at all times. The mitigation would reduce the cumulative impact to less than significant (Class II).

LV-6-8-17

TR Impact 14 (Highway 101/Los Berros Road-North Thompson Avenue Interchange). See above discussion under Project-Specific Impacts & Mitigations. Note that cumulative impacts to the interchange are mitigated by implementation of the project-specific mitigations. The mitigation would reduce the cumulative impact to less than significant (Class II).

LV-6-8-18

TR Impact 15 (Highway 101 and Highway 101/Los Berros Road-North Thompson Avenue Ramp Junctions). See above discussion under Project-Specific Impacts & Mitigations. The project would not significant affect U.S. Highway 101 mainline operations under cumulative condition since levels of service would not change as a result of project-added traffic.

LV-6-8-19

This concludes our review and comments on the Transportation and Circulation section of the Laetitia Agricultural Cluster Project DEIR.

Associated Transportation Engineers

By: Dan Dawson, PTP
Supervising Transportation Planner

SAS/DLD

Responses to John Janneck's Comments: Letter from ATE (LV-6-8)

Comment No.	Comment
LV-6-8-1	Comment noted; please refer to responses to specific comments below.
LV-6-8-2	Comment noted.
LV-6-8-3	The Transportation Concept Report US 101 District 5 (August 2013) does not identify a target level of service for U.S. Highway 101 in the Nipomo Area. The report notes that: "2010 base year projections show high levels and demand exceeding capacity for much of the segment, with a LOS ranging from D-F. By the 2035 horizon year, these levels are expected to increase in severity with a large portion of the segment projected to operate at LOS F by 2035" (page 60). As stated in the Caltrans Guide for the Preparation of Traffic Impact Studies, "Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on State highway facilities, however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS" (page 1). Public Works at Caltrans were consulted upon initiation of the EIR, including review and approval of study methodology and thresholds of significance.
LV-6-8-4	The proposed project would not add just one trip, it would add 130 trips to the ramps during the p.m. peak hour. Based on review by County Public Works and Caltrans, a significant impact would occur, and mitigation is warranted.
LV-6-8-5	The County decision makers and County Public Works Department may consider providing traffic fee credits to the applicant in exchange for implementation of identified off-site road improvements.
LV-6-8-6	The identified impact and mitigation measure are supported by the County Public Works Department's review of the proposed project, and knowledge of traffic conditions on Sheehy Road and North Thompson Road.
LV-6-8-7	The impact and mitigation are identified to ensure that the project would not create an unsafe condition due to the noted increase in traffic on affected local roadways.
LV-6-8-8	Final EIR Section V.N. Transportation and Circulation, 6. Project-specific Impacts and Mitigation, TR Impact 4 discussion and impact determination has been clarified to recognize that the additional trips created by the project would not result in a noticeable increase in congestion on the Highway 101 Mainline. The impact determination regarding the North Thompson Road and Los Berros Road ramps remains the same. Please refer to EIR Section V.N. Transportation and Circulation, Figure V.N.-5 Project Trip Assignment. During the p.m. peak hour, implementation of the project would add 29 trips to the northbound Highway 101 off-ramp, 34 trips to the northbound Highway 101 on-ramp, 46 trips to the southbound Highway 101 off-ramp, and 21 trips to the southbound Highway 101 on-ramp. These additional trips would add one additional passenger car per mile per lane on the affected ramp junctions. Based on review by County Public Works and Caltrans, the effect would be significant, and mitigation is recommended. County Staff disagrees that no other development project traffic analysis reports included an assessment of impacts to Caltrans facilities; the analysis would depend on the location of the project, and the project's contribution to trips on the Highway 101 mainline, intersections, and ramp junctions.
LV-6-8-9	Please refer to response to comment LV-6-8-3, above.
LV-6-8-10	Please refer to response to comment LV-6-8-8, above.
LV-6-8-11	Please refer to Final EIR Appendix G Transportation and Circulation, HCM Signalized Intersection Capacity Analysis, Mitigated Existing + Project worksheets for additional information.
LV-6-8-12	Comments noted.
LV-6-8-13	As shown in FEIR Table V.N.-11, the project would add 1,234 daily trips to Sheehy Road and North

Comment No.	Comment
	Dana Foothill Road, which currently do not meet County rural road standards based on average daily trips. The project would exacerbate this condition by increasing trips by approximately 84 percent on Sheehy Road and by 274 percent on Dana Foothill Road, which is the nexus between the project impacts and the mitigation measures. The EIR includes an assessment of the worst-case scenario, which includes improvement of Upper Los Berros Road up to the Dude Ranch access road.
LV-6-8-14	All project access roads (excluding applicant identified "emergency" access via Laetitia Vineyard Drive) require access onto Upper Los Berros Road. There is no current direct connection from any of the access roads to North Dana Foothill Road. Therefore, improvements to Upper Los Berros Road would be required prior to the first phase of development in order to mitigate potential adverse effects.
LV-6-8-15	As noted in EIR Section V.N. Transportation and Circulation TR Impact 10: "The proposed control of the emergency vehicle access at Laetitia Vineyard Drive does not guarantee emergency-only access, because residents could open and close the gate for non-emergency use." As documented in the EIR, the intersection operates at LOS F during the peak hour, and the addition of new residential trips would be significant. Additional correspondence from Caltrans (May 9, 2014) states that use of this driveway for secondary access "would constitute an unapproved use" because the existing encroachment permit for the driveway access onto Highway 101 is identified for use as a winery and tasting room. In addition, use of this driveway for secondary access would "create its own set of public safety and traffic operations problems" (Caltrans 2014). Therefore, this impact remains significant and unavoidable.
LV-6-8-16	Comment noted.
LV-6-8-17	As noted in Final EIR Section V.N. Transportation and Circulation Cumulative Impact TR Impact 13: "The proposed control of the emergency vehicle access at Laetitia Vineyard Drive does not guarantee emergency-only access, because the gate *could physically be opened* for non-emergency use, significantly contributing to the cumulative degradation of this intersection." As documented in the EIR, the intersection would operate at LOS F under cumulative conditions, and the addition of trips would be cumulatively considerable. Therefore, this cumulative impact remains significant and unavoidable.
LV-6-8-18	Cumulative TR Impact 14 is identified as significant because implementation of noted improvements would not be located solely within the County's jurisdiction, which may affect the timing and feasibility of the improvements.
LV-6-8-19	The proposed project would have a cumulatively considerable effect on the noted highway ramps, as described in Cumulative TR Impact 15. Please also refer to response to comment LV-6-8-8.

LETTER FROM CLEATH & ASSOCIATES
WATER ANALYSIS

LV-6-9

Cleath & Associates
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Hydrogeologists
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San Luis Obispo
California 93405

November 4, 2008

Mr. Kenneth C. Bornholdt
Kronick, Moskovitz, Tiedemann & Girard
1432 Higuera Street
San Luis Obispo, CA 93401

Subject: **Mitigation of Stream Flow Impacts, Laetitia Agricultural Cluster, Arroyo Grande, San Luis Obispo County.**

Dear Mr. Bornholdt:

This letter discusses the relationship between Laetitia Agricultural Cluster project wells and Los Berros Creek stream flow. Reduction in stream flow is a potential impact to water resources and biological resources identified in the September 2008 Draft Environmental Impact Report (DEIR). **LV-6-9-1**

Project water demand has been reduced to mitigate water resources impacts. The revised demand incorporates landscape irrigation restrictions for the residential lots and the removal of the equestrian center from the project description. Two of the four water supply wells have been replaced at new locations to mitigate impacts to biological resources (critical steelhead habitat).

Background

The DEIR identified potential depletion of ground water in storage during "severe" drought periods (exceeding three years) as a significant, but mitigable impact on the long-term water supply. A potential reduction in Los Berros Creek stream flow of 0.1 cfs was also considered as a significant but mitigable impact on long-term water resources. DEIR mitigation measures for these water resources impacts included requirements for a Drought Water Management Plan, various water conservation measures, and a restriction on residential landscape irrigation. **LV-6-9-2**

In addition to the water resources impacts, the DEIR also identified the potential reduction in stream flow attributable to the project as a significant and unmitigable impact to steelhead critical habitat. Steelhead critical habitat is considered to be the presence of perennial pools within Los Berros Creek. During low flow periods, less surface water in the creek under project conditions may result in pools going dry that would otherwise not go dry.

LV 6-9

Revised Project Water Demand

LV-6-9-3

The initial project description specifies drought-tolerant plant species and allows for up to 0.7 acres (30,500 square feet) of on-site irrigated landscaping per lot, of which up to 7,000 square feet may be lawn turf. The DEIR mitigation measures call for a limit on residential landscape irrigation of 1,500 square feet per lot, with no more than 20 percent of the total irrigated area as turf, and the remainder as low-water use plant materials. The resulting turf area would be 300 square feet. There is no explanation in the DEIR of the rationale for the specific limitations on turf area or total irrigated landscaped area, which are an order of magnitude less than landscaping areas for a typical large residential lot.

For the revised project water demand calculation, the limitation on residential irrigated landscaping has been defined as one-third of an acre-foot per year (0.33 afy). This is equivalent to 7,500 square feet of irrigated landscaping per lot, with up to 1,500 square feet (20 percent of the total) as warm-season turf, with the remaining 6,000 square feet as low-water use planting. These new values are significantly less than what could have been permitted under the original project description and reduce project water use accordingly.

A further reduction in water use is proposed by the elimination of the equestrian center from the project description. The equestrian center had included pasture, horse-boarding facilities, public restrooms, and an office with caretaker residence. With the new restrictions on irrigated landscape water use, and with the equestrian center removed, the total project water demand has been reduced by approximately 50 percent to 73.7 afy (see attached spreadsheet).

Existing Stream Flow Conditions

LV-6-9-4

Winter and spring flows in Los Berros Creek at the stream gage are generally between 1 and 10 cubic feet per second (cfs), with peak flows in excess of 100 cfs. There is typically no flow at the stream gage during the summer and fall months of most years. The gage is located downstream of project wells, at the mouth of the upper canyon, where surface flows begin to seep into the widening alluvial deposits of the lower valley.

Stream flow adjacent to Laetitia in upper Los Berros Canyon, based on the available information presented below, is likely perennial through the confluence with Adobe Canyon, except during drought years. In drought, flow is intermittent throughout the upper canyon, and adjacent to Laetitia is limited to a relatively short reach near the upstream property boundary.

In March 2008, and again in October 2008, Cleath & Associates measured stream flow in Los Berros Creek along the reach adjacent to the project wells (Figures 1 and 2). These measurements document existing stream flow conditions for low flow periods. The 2006-2007 precipitation year was one of the lowest on record (8.18 inches at Station 38; less than half of the 16.69-inch annual average), with 2007-2008 also below average in precipitation (15.84 inches at Station 38). **LV-6-9-5**

March 2008

On March 17, 2008, Los Berros Creek was flowing through its confluence with Adobe Canyon. Stream flow measured 0.89 cfs just upstream of the Laetitia property boundary, declining to 0.54 cfs before inflow from Adobe Canyon (measured at 0.11 cfs). At the Adobe Canyon confluence, flow in Los Berros Creek measured 0.65 cfs. Within 600 feet downstream of Adobe Canyon, Los Berros Creek was dry.

October 2008

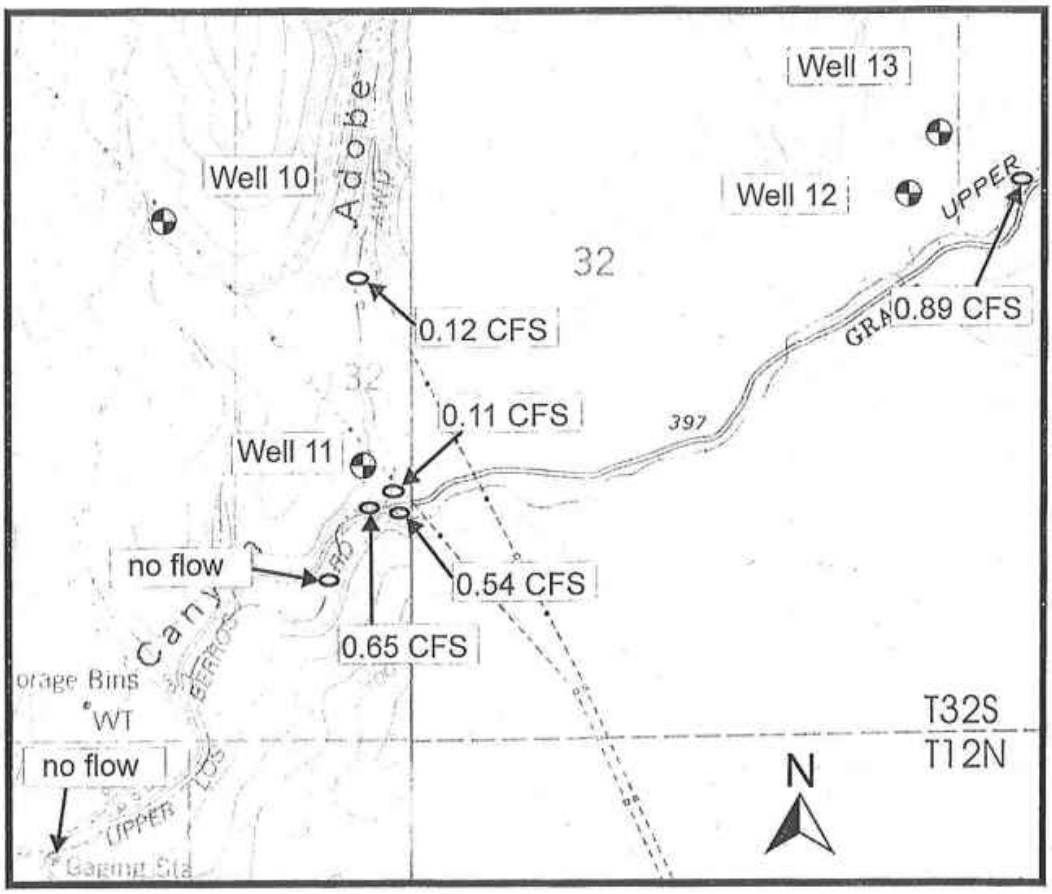
On October 13, 2008, Los Berros Creek was flowing intermittently through the upper canyon, and was dry approaching the upstream Laetitia property boundary. There was a trace of rain in the first week of October (0.13 inches recorded in Arroyo Grande), but drought conditions were still in effect when flow measurements were taken. Flow in the creek began where the Monterey shale aquifer zones for Laetitia Well 12 and Well 13 cross beneath the creek bed. Ground water was observed flowing from fractured rock into the creek at this location. The onset of stream flow where these siliceous shales intercept the creek is likely a combination of seepage from the shale beds and from reduced underflow capacity of the stream bed. Surface flow in the creek continued for approximately 1,000 feet, diminishing gradually until it had completely seeped into the stream gravels as underflow. Further downstream, inflow from Adobe Canyon immediately seeped into the subsurface and did not result in flow on Los Berros Creek.

Relationship Between Project Wells and Stream Flow

Four wells on the Laetitia property had been designated for project use. These wells tap fractured rock aquifer zones in the Obispo Formation (Well 10 and Well 11) and the Monterey Formation (Well 12 and Well 13). **LV-6-9-6**

The Monterey shale aquifer zones tapped by project Well 12 and Well 13, which cross under Los Berros Creek near the upstream Laetitia property corner, provide the greatest contribution to creek

LV-6-9-6 (cont'd)



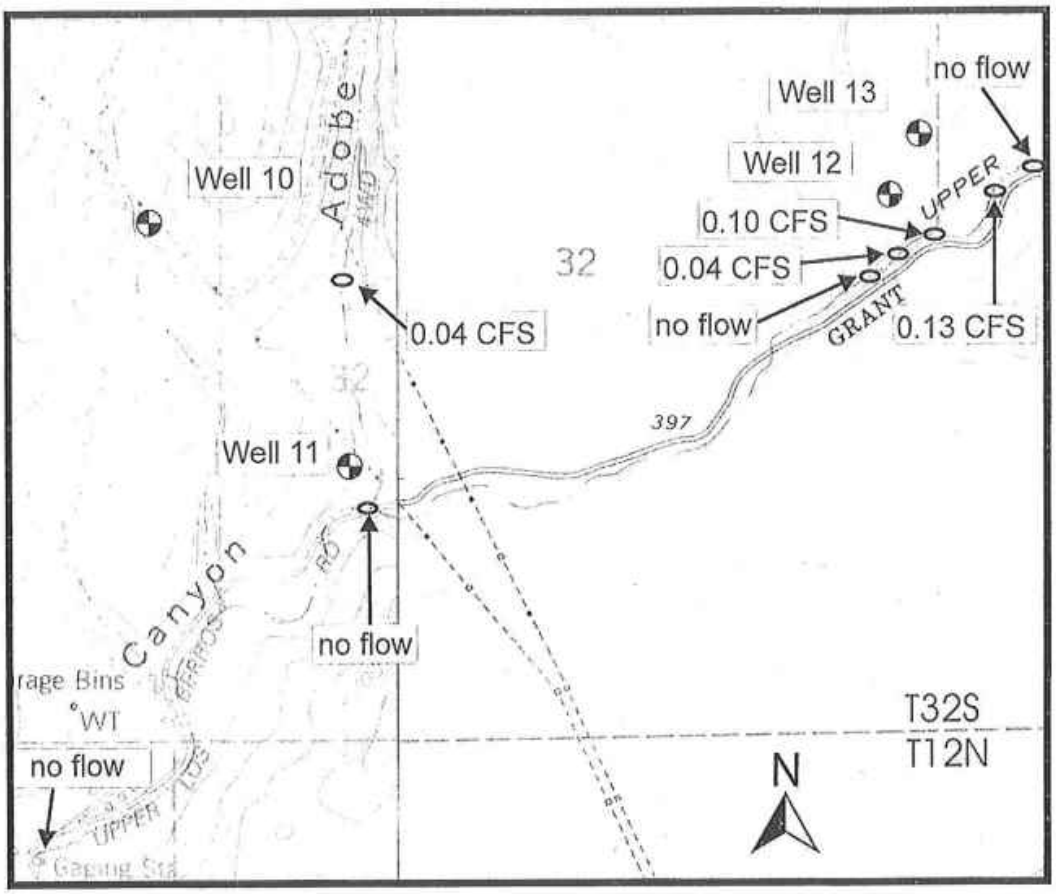
Base map: U.S.G.S. 7.5 minute topographic, Oceano and Nipomo Quadrangles, CA

Base map scale: 1 inch = 1000 feet

Figure 1
Stream Flow Measurements
March 17, 2008
Laetitia Agricultural Cluster

Cleath & Associates

LV-6-9-



Base map: U.S.G.S. 7.5 minute topographic, Oceano and Nipomo Quadrangles, CA

Base map scale: 1 inch = 1000 feet

Figure 2
Stream Flow Measurements
October 13, 2008
Laetitia Agricultural Cluster

Cleath & Associates

base flow during low flow periods, based on observations in October 2008. The wells are between 500 and 800 feet away from the creek. December 2004 static ground water elevations in these wells were approximately 480 feet above sea level, which is close to 70 feet above the adjacent invert elevation of Los Berros Creek.

LV-6-9-6 (cont'd)

The resistant tuff aquifer zone (Obispo Formation) tapped by Well 11 is interpreted to contribute base to flow to Adobe Canyon, a relatively steep and narrow drainage which reaches Los Berros Creek. In January 2005, the static ground water level at Well 11 was approximately 545 feet elevation, which is 85 feet above the invert of Adobe Canyon (1,500 feet to the east) and 155 feet above the invert elevation of Los Berros Creek, where the aquifer zone crosses under the creek (approximately 5,000 feet to the east).

Well 10 taps an Obispo Formation aquifer zone which is interpreted to not contribute significant base flow to Adobe Canyon or Los Berros Creek during low flow periods, despite being closer than the other wells (300 feet from the confluence). This aquifer zone has also been developed for agricultural use. The static water level in June 2005 at Well 10 was approximately 320 feet above sea level, which is close to the invert elevation of the confluence.

The lower hydraulic pressure at Well 10, together with existing resource development and the percolation of stream flow near the confluence of Adobe Canyon and Los Berros Creek, indicate that the Obispo Formation in this area, under existing conditions, receives recharge from stream flow (rather than contributing to base flow) during low-flow periods. Alluvial deposits are also mapped beginning downstream of the confluence, and provide more storage for underflow, and therefore less surface flow in the creek.

Stream Flow Impact Mitigation

LV-6-9-7

Impacts to stream flow in Los Berros Creek during low-flow periods would occur from long-term pumping at Well 12 and Well 13. The pools observed in the creek bed upstream of the Adobe Canyon confluence could dry up with the use of Well 12 and 13 for project water demand.

There would not be any impacts to stream flow or perennial pools in Los Berros Creek upstream of the Adobe Canyon confluence from pumping Well 10 and Well 11. Adobe Canyon surface inflows during low flow periods (as observed in October 2008) do not create perennial pools in Los Berros Creek, but seep into the dry creek bed. Approaching the dry season, when Los Berros Creek and Adobe Canyon are still flowing through their confluence (as observed in March 2008), stream flow percolates into alluvial deposits within a few hundred feet downstream of Adobe Canyon. Los Berros Creek flow in this area is being controlled by alluvial deposit underflow capacity and by the

recharge capacity of one of the developed Obispo Formation fractured rock reservoirs, which subcrops beneath the confluence area and extends downstream.

LV-6-9-7 (cont'd)

In other words, Adobe Canyon inflows to Los Berros Creek are too low in volume under existing conditions to establish or sustain perennial pools during low-flow periods. Los Berros Creek goes completely dry, even when Adobe Canyon is flowing into it. Therefore, potential impacts to flows in Adobe Canyon from pumping Well 10 or Well 11 should not affect steelhead critical habitat in Los Berros Creek. The reach of potential concern for impacts to steelhead critical habitat from the Laetitia Agricultural Cluster project is upstream of the Adobe Canyon confluence.

The mitigation of stream flow impacts on steelhead critical habitat can be achieved by replacing former project Well 12 and Well 13 with two other Laetitia wells. The replacement wells, Well 14 and Well 15, can be pumped without affecting Los Berros stream flow upstream of the confluence with Adobe Canyon, and will therefore not impact the existing perennial pools in steelhead critical habitat.

Well 14 and Well 15

LV-6-9-8

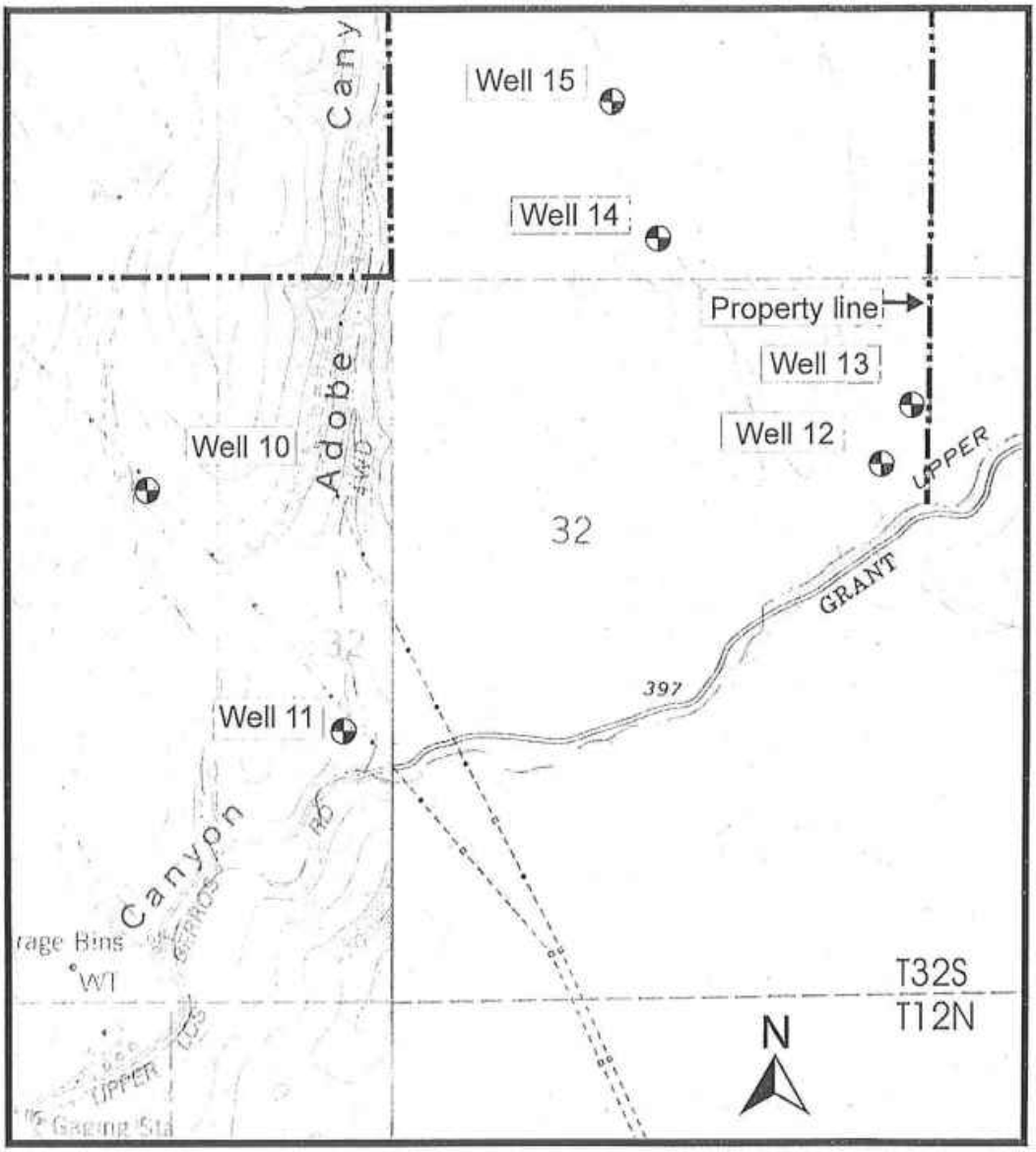
Well 14 and Well 15 are completed in Monterey Formation shale beds approximately 2,500 feet to 3,500 feet northwest of Los Berros Creek (Figure 3). These wells were constructed in 2006 and test pumped at approximately 230 gpm and 150 gpm, respectively. Well construction, pumping test, and water quality information are attached.

The small valley where these wells are located drains an area of approximately 80 acres upstream of Well 14. There is no incised stream channel, and a relatively thick (20-40 feet) mantle of loose, broken siliceous shale covers the valley floor. A relatively small fraction of this rainfall would percolate directly into the fractured shale on the steep valley slopes. Most of the rainfall that is not evaporated or consumed by vegetation would collect in the loose shale colluvium of the valley floor, draining out slowly over time or deep percolating into the shale aquifer zones.

The aquifer zones tapped by Wells 14 and 15 extend are interpreted to extend into another adjacent drainage to the east, and into Adobe Canyon to the west. The drainage to the east encompasses a watershed of approximately 100 acres.

Ground water elevations in Wells 14 and 15 are approximately 610 feet above sea level. This suggests the aquifer hydraulic pressures are controlled by Adobe Canyon, which is the closest spill point for that elevation. The watershed upstream of the 600-foot elevation contour in Adobe Canyon is approximately 380 acres.

LV-6-9-8 (cont'd)



Base map: U.S.G.S. 7.5 minute topographic, Oceano and Nipomo Quadrangles, CA

Base map scale: 1 inch = 1000 feet

Figure 3
Well Locations
Laetitia Agricultural Cluster

Cleath & Associates

Using the same methodology developed in 2004 for the other project wells, the sustainable yield for Wells 14 and 15 is estimated to be equal to the amount of water that could be produced during a three-year severe drought using available aquifer storage and the limited available recharge. The volume of available water in storage is estimated at approximately 190 acre-feet for the aquifer zones tapped by both wells combined. The resulting yield for the two wells, without any other inflow during drought, would be 63 afy.

LV-6-9-8 (cont'd)

Even during drought, there is a limited amount of recharge to aquifers. A separate component of available recharge is estimated for each of the three contiguous watersheds, to be shared by the two wells. For the 80-acre watershed which the wells are located within, an estimated 20 percent of the annual rainfall is available to the wells. This is greater than the 3 to 5 percent typically assigned to outcrop areas because the loose shales covering the valley floor capture most of the runoff, similar to conventional alluvial deposits, where 20 percent percolation of precipitation is normal. The average annual precipitation at the higher elevations of the Laetitia property where these wells are located is approximately 20 inches. During drought, assuming half of the normal precipitation fell, the resulting recharge to the aquifers would be approximately 13 afy.

A smaller portion of the adjacent valley to the east has similar loose fill deposits. Within this watershed, a deep percolation of precipitation of 5 percent is assumed, for an available recharge of 5 afy during drought. The potential recharge to the aquifer zones tapped by Wells 14 and 15 from surface flow seepage in Adobe Canyon is estimated, based on the methodology used for the other project wells, at approximately 12 afy.

During severe drought, the combined yield to Wells 14 and 15 is estimated to be approximately 63 afy from available storage utilization, and 30 afy from limited recharge, for a total of 93 acre-feet per year. This is less than the estimated combined yield of 121 afy for Well 12 and Well 13.

Water Supply and Demand

The sustainable yield of the water supply has decreased from an estimated 197 afy to 169 afy, due to the replacement of Wells 12 and 13 with Wells 14 and 15. Concurrently, the project water demand has been reduced from an estimated 143 afy to 74 afy. Therefore, the ratio of available supply to demand has actually increased. The available water supply is currently greater than twice the estimated project demand.

LV-6-9-9

Summary

The September 2008 Draft Environmental Impact Report for the Laetitia Agricultural Cluster identifies project impacts to water resources and biological resources (steelhead critical habitat) associated with drought conditions and stream flow. DEIR mitigation measures for water resources impacts included requirements for a Drought Water Management Plan, various water conservation measures, and a restriction on residential landscape irrigation. The biological impact to steelhead critical habitat was determined to be unmitigable in the DEIR.

LV-6-9-10

Mitigation for impacts to water resources and Los Berros Creek stream flow during drought, and the associated impacts to steelhead critical habitat, can be achieved, however. The new mitigation measures include a limitation on landscape irrigation water use to one-third of an acre-foot per year, removal of the equestrian center, and replacement of former project Wells 12 and 13 with Wells 14 and 15, located at the northern end of the Laetitia property.

By reducing project water demand, and with the new project well configuration, the estimated available water supply is greater than twice the estimated project water demand. There will also be no impact to stream flow in Los Berros Creek upstream of Adobe Canyon, which is the reach of potential impacts to steelhead critical habitat from the Laetitia Agricultural Cluster project, based on field observations in March and October 2008.

Please call if you have any questions regarding this letter.

Sincerely,

Spencer J. Harris, HG 633
Associate Hydrogeologist

Timothy S. Cleath, HG 81
Principal Hydrogeologist

attachments

Water Demand Calculations

flow mitigation.wpd

November 4, 2008

LV-6-9-11

Water Demand
Laetitia Agricultural Cluster

REFERENCE: The Landscape Coefficient Method
UCCE and DWR, August 2000
http://www.owue.water.ca.gov/docs/wucols00.pdf

ALT 1
Turf
Low-water use

1500 square feet
6000 square feet

Eff = 85%

Residential Use Detail	Description	ETo (inches)	ETL (inches)	ETo (inches)	TWA (L) (inches)	TWA (C) (inches)	Land (TWA) cubic feet	Turf (TWA) cubic feet	Total (TWA) cubic feet	TWA adj cubic feet	Water Demand acre-feet
	Landscape Irrigation (per lot)										
	Jan	1.86	0.558	1.116	0.656	1.313	328	164	492	579	0.013
	Feb	2.24	0.672	1.344	0.791	1.581	395.5	198	594	699	0.016
	Mar	3.72	1.116	2.232	1.313	2.626	656.5	328	985	1159	0.027
	Apr	4.8	1.44	2.88	1.694	3.388	847	424	1271	1495	0.034
	May	5.27	1.581	3.162	1.86	3.72	930	465	1395	1641	0.038
	Jun	5.7	1.71	3.42	2.012	4.024	1006	503	1509	1775	0.041
	Jul	5.58	1.674	3.348	1.969	3.939	984.5	492	1477	1739	0.04
	Aug	5.27	1.581	3.162	1.86	3.72	930	465	1395	1641	0.038
	Sep	4.2	1.26	2.52	1.482	2.965	741	371	1112	1308	0.03
	Oct	3.41	1.023	2.046	1.204	2.407	602	301	903	1062	0.024
	Nov	2.4	0.72	1.44	0.847	1.694	423.5	212	636	748	0.017
	Dec	1.86	0.558	1.116	0.656	1.313	328	164	492	579	0.013
	Total (per lot)	46.31	13.893	27.786	16.345	32.689	8172.5	4086	12259	14422	0.331

Indoor Use (per lot) 340 gallons per day
0.381 acre-feet per year

Water Demand
Laetitia Agricultural Cluster

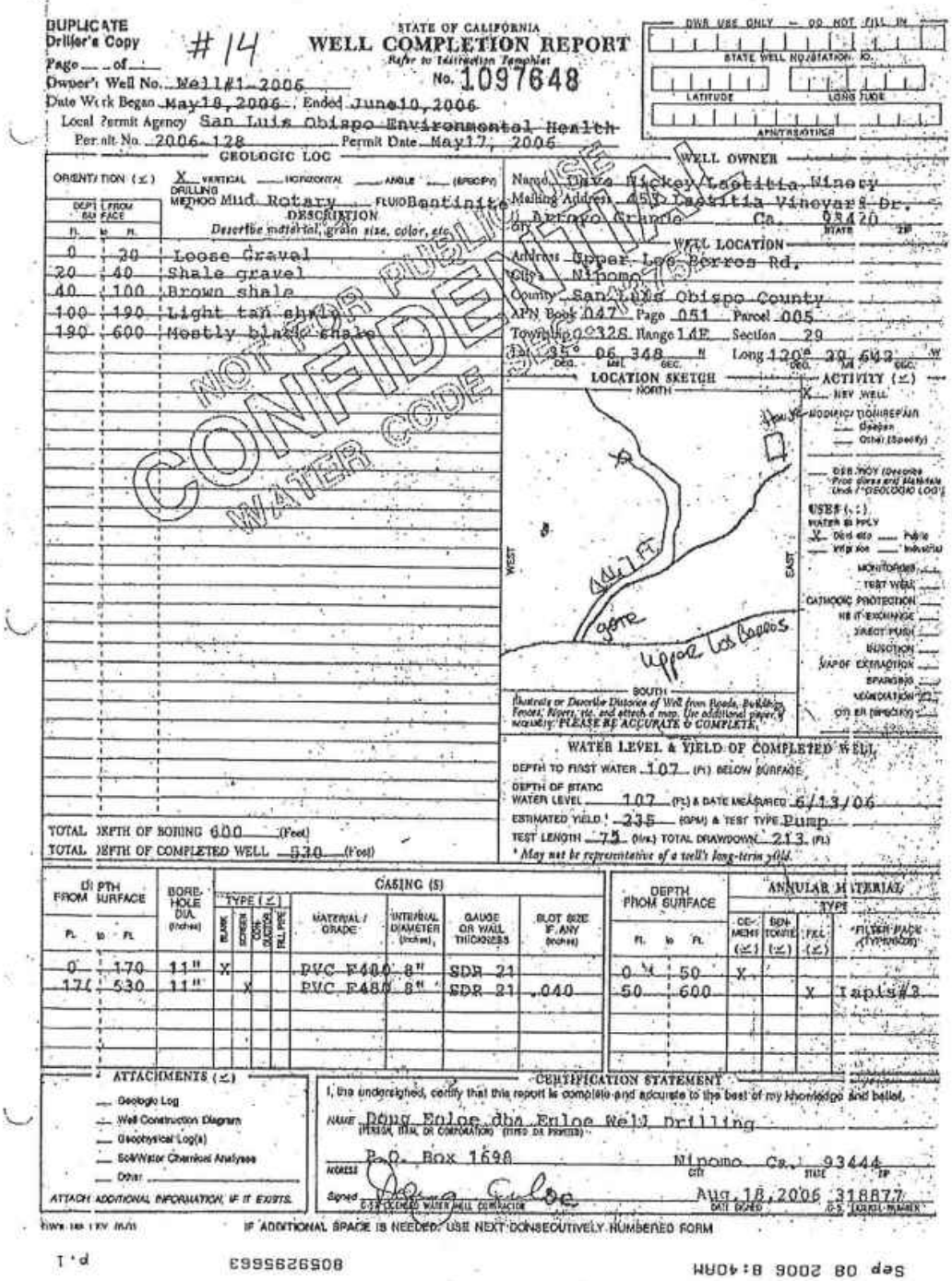
Land Use	Description	duty factor (afy/unit)	no. units	water demand (afy)	Indoor	Outdoor ratio	Indoor (afy)	Outdoor (afy)
Residential (1 acre lot)	outdoor	0.331	102	33.8	0	1	0	33.8
	indoor	0.381	102	38.9	1	0	38.9	0
Ranch Headquarters/HOA	public facility (per acre)	0.72	1.4	1	0.7	0.3	0.7	0.3
	Totals			73.7			39.6	34.1
	Total water demand		(afy)		return flow		90%	15%
	Total return flow		73.7		consumptive use		10%	85%
	Total consumptive use		40.7					
	wastewater supply		33		Return flow (afy)		35.6	5.1
			35.6		Consumptive use (afy)		4	29

Laetitia Well 14

flow mitigation.wpd

November 4, 2008

LV-6-9-11 (cont'd)



DUPLICATE
Driller's Copy
Page __ of __
Owner's Well No. Well#1-2006
Date Work Began May18,2006 Ended June10,2006
Local Permit Agency San Luis Obispo Environmental Health
Permit No. 2006-128 Permit Date May17, 2006

#14

STATE OF CALIFORNIA
WELL COMPLETION REPORT
Refer to Instruction Pamphlet
No. 1097648

DWR USE ONLY — DO NOT FILL IN
STATE WELL NO./STATION NO.
LATITUDE LONGITUDE
APN/TRS/OTR

GEOLOGIC LOG

ORIENTATION (✓) X VERTICAL HORIZONTAL ANGLE (SPECIFY)
DRILLING METHOD Mud Rotary FLUID Bentinite

DEPTH FROM SURFACE ft.	to ft.	DESCRIPTION — Describe material, grain size, color, etc.
0	20	Loose Gravel
20	40	Shale gravel
40	100	Brown shale
100	190	Light tan shale
190	600	Mostly black shale

TOTAL DEPTH OF BORING 600 (Feet)
TOTAL DEPTH OF COMPLETED WELL 530 (Feet)

WELL OWNER
Name Dave Nicky/Laetitia Winery
Mailing Address 453 Laetitia Vineyard Dr.
City Arroyo Grande Ca. 93420

WELL LOCATION
Address Upper Los Berros Rd.
City Nipomo
County San Luis Obispo County
APN Book 047 Page 051 Parcel 005
Township 09S Range 14E Section 29
Lat 35° 06 348 N Long 120° 30 643 W

LOCATION SKETCH
NORTH
WEST
EAST
SOUTH
Upper Los Berros
Illustrate or Describe Distance of Well from Roads, Buildings, Fences, Rivers, etc. and attach a map. Use additional paper, if necessary. PLEASE BE ACCURATE & COMPLETE.

ACTIVITY (✓)
X NEW WELL
MODIFICATION/REPAIR
Deepen
Other (Specify)
DESTROY (Describe Procedure and Materials Under "GEOLOGIC LOG")

USES (✓)
WATER SUPPLY
X Domestic Public
Irrigation Industrial
MONITORING
TEST WELL
CATHODIC PROTECTION
HEAT EXCHANGE
INJECTION
VAPOR EXTRACTION
SPARGING
REMEDIATION
OTHER (SPECIFY)

WATER LEVEL & YIELD OF COMPLETED WELL
DEPTH TO FIRST WATER 107 (Ft.) BELOW SURFACE
DEPTH OF STATIC WATER LEVEL 107 (Ft.) & DATE MEASURED 6/13/06
ESTIMATED YIELD* 235 (GPM) & TEST TYPE Pump
TEST LENGTH 75 (Hrs.) TOTAL DRAWDOWN 213 (Ft.)
* May not be representative of a well's long-term yield.

CASING (S)

DEPTH FROM SURFACE ft.	to ft.	BORE-HOLE DIA. (Inches)	TYPE (✓) BLANK	SCREEN	CONDUCTOR	FILL PIPE	MATERIAL / GRADE	INTERNAL DIAMETER (Inches)	GAUGE OR WALL THICKNESS	SLOT SIZE IF ANY (Inches)
0	170	11"	X				PVC F480	8"	SDR 21	
170	530	11"		X			PVC F480	8"	SDR 21	.040

ANNULAR MATERIAL

DEPTH FROM SURFACE ft.	to ft.	TYPE: CEMENT (✓)	BENTONITE (✓)	FILL (✓)	FILTER PACK (TYPE/SIZE)
0	50	X			
50	600			X	Lapis#2

ATTACHMENTS (✓)
__ Geologic Log
__ Well Construction Diagram
__ Geophysical Log(s)
__ Soil/Water Chemical Analyses
__ Other
ATTACH ADDITIONAL INFORMATION, IF IT EXISTS.

CERTIFICATION STATEMENT
I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief.
NAME Doug Enloe dba Enloe Well Drilling
(PERSON, FIRM, OR CORPORATION) (TYPED OR PRINTED)
ADDRESS P.O. Box 1698 CITY Nipomo STATE Ca. ZIP 93444
Signed Doug Enloe
(SIGNATURE OF LICENSED WATER WELL CONTRACTOR)
DATE SIGNED Aug.18,2006 C-57 LICENSE NUMBER 318877

IF ADDITIONAL SPACE IS NEEDED, USE NEXT CONSECUTIVELY NUMBERED FORM

CONFIDENTIAL NOT FOR PUBLIC INSPECTION WATER CODE

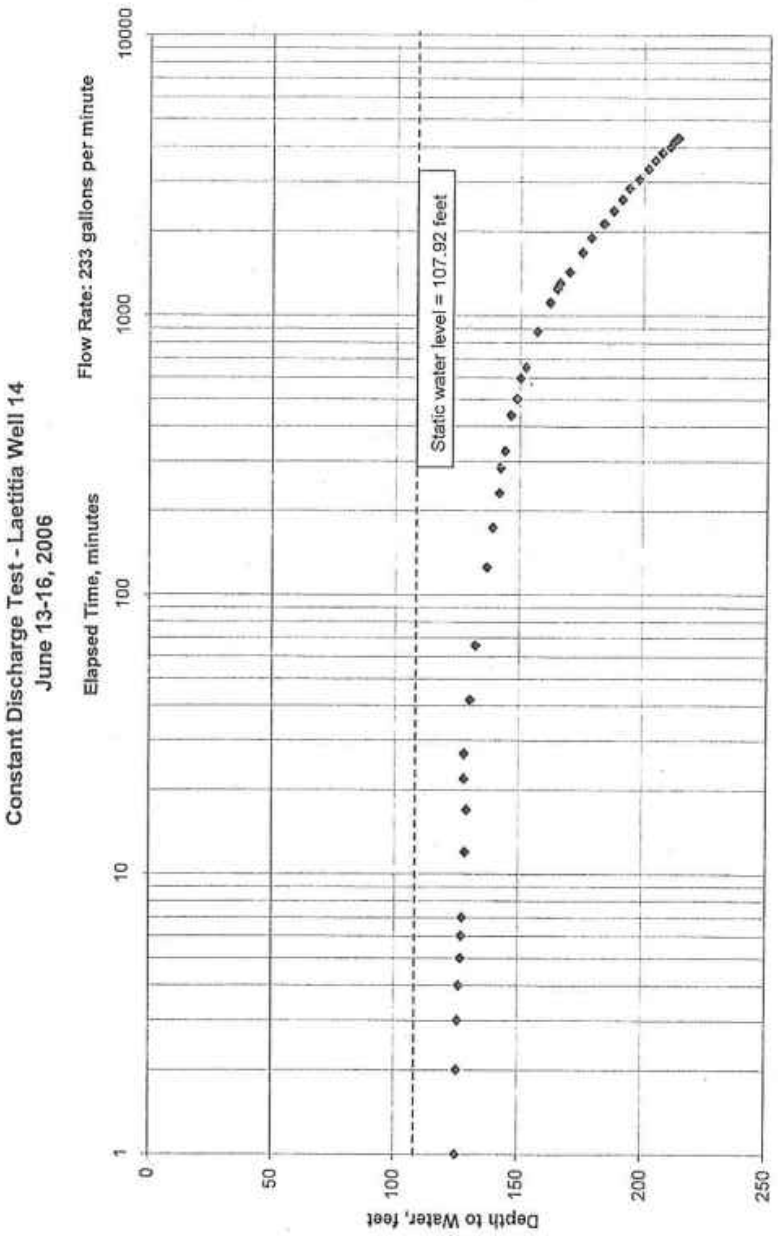
T'd 8058928563 Sep 08 2006 8:40AM

Constant Discharge Test, Laetitia Well 14, June 13-16, 2006

Day	Time	Elapsed Time	Depth to Water	Drawdown	Meter	Recorded Pumping Rate
Mo./Day/Yr	hr.min	minutes	feet	feet	gallons x 100	gallons per minute
6/13/2006	13:23	0	107.92	0	195073	Start
	13:24	1	125.25	17.33		
	13:25	2	125.67	17.75		
	13:26	3	126	18.08		
	13:27	4	126.25	18.33		
	13:28	5	127	19.08	195091	360
	13:29	6	127.25	19.33		
	13:30	7	127.5	19.58	195096	250
	13:35	12	128.25	20.33	195108	240
	13:40	17	128.75	20.83	195122	280
	13:45	22	127.75	19.83	195134	240
	13:50	27	127.67	19.75	195143	180
	14:05	42	130	22.08	195178	233
	14:29	66	132.25	24.33	195235	238
	15:29	126	136.67	28.75	195382	245
	16:18	175	138.83	30.91	195498	237
	17:15	232	141.6	33.68	195635	240
	18:08	285	142.17	34.25	195762	240
	18:51	328	143.83	35.91	195865	240
	20:43	440	146.17	38.25	196131	238
	21:45	502	146.83	40.91	196278	237
	23:18	595	150.17	42.25	196497	235
6/14/2006	0:17	654	152.6	44.68	196635	234
	4:00	877	157.33	49.41	197174	242
	8:00	1117	162.08	54.16	197713	225
	10:18	1255	165	57.08	198033	232
	11:13	1310	166.08	58.16	198160	231
	13:21	1438	169.83	61.91	198464	238
	17:34	1691	175.17	67.25	199066	238
	21:00	1897	179.17	71.25	199537	229
6/15/2006	1:00	2137	183.67	75.75	200108	238
	5:00	2377	187.5	79.58	200661	230
	8:52	2609	191	83.08	201190	228
	12:48	2845	194.17	86.25	201729	228
	16:25	3062	198	90.08	202238	235
	21:00	3337	201.83	93.91	202882	234
6/16/2006	1:05	3582	204.67	96.75	203450	232
	5:00	3817	207.33	99.41	203993	231
	8:05	4002	210.42	102.50	204416	229
	10:57	4174	211.5	103.58	204820	235
	13:12	4309	213	105.08	205132	231
	13:23	4320	213.5	105.58		
					average flow	233

LV-6-9-11 (cont'd)

LV-6-9-11 (cont'd)

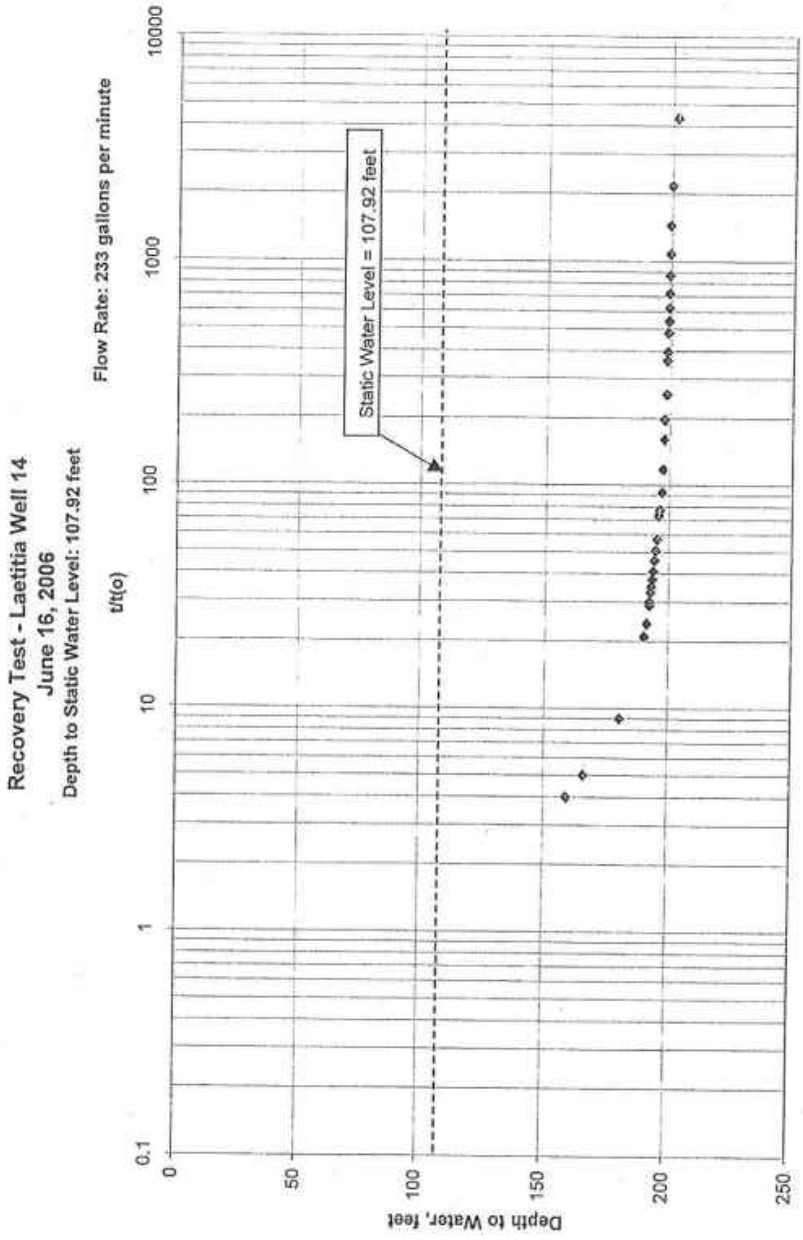


LV-6-9-11 (cont'd)

Recovery Test, Laetitia Well 14, June 16, 2006

Day	Time	Elapsed Time	Depth to Water	Drawdown	Recovery Time Ratio
Mo./Day/Yr	hr:min	minutes	feet	feet	t/t(0)
Recovery					
6/16/2006	13:23	0	213.50	105.58	
	13:24	1	202.00	94.08	4321
	13:25	2	200.00	92.08	2161
	13:26	3	199.42	91.5	1441
	13:27	4	199.50	91.58	1081
	13:28	5	199.33	91.41	865
	13:29	6	199.33	91.41	721
	13:30	7	199.33	91.41	618
	13:31	8	199.17	91.25	541
	13:32	9	199.00	91.08	481
	13:34	11	198.83	90.91	394
	13:35	12	198.58	90.66	361
	13:40	17	198.50	90.58	255
	13:45	22	197.67	89.75	197
	13:50	27	197.67	89.75	161
	14:00	37	197.08	89.16	118
	14:10	47	196.92	89	93
	14:20	57	196.33	88.41	77
	14:23	60	195.92	88	73
	14:40	77	195.33	87.41	57
	14:50	87	194.92	87	51
	15:00	97	194.42	86.5	46
	15:10	107	194.00	86.08	41
	15:20	117	193.67	85.75	38
	15:30	127	193.33	85.41	35
	15:40	137	192.92	85	33
	15:50	147	192.50	84.58	30
	16:00	157	192.17	84.25	29
	16:30	187	191.17	83.25	24
	17:00	217	190.00	82.08	21
	22:04	521	180.50	72.58	9
	8:32	1149	166.00	58.08	5
	14:10	1467	159.00	51.08	4
	STOP				

LV-6-9-11 (cont'd)



LV-6-9-11 (cont'd)

CREEK ENVIRONMENTAL LABORATORIES, INC.
A Minority-owned Business Enterprise
141 SUBURBAN ROAD, SUITE C-5 • SAN LUIS OBISPO, CA 93401 • (805) 545-9838 • FAX (805) 545-0107

Cleath & Assoc.
Laetitia Winery
453 Laetitia Vineyard Drive
Arroyo Grande, CA 93420

Log Number: 06-C7334
Order: N3460
Received: 06/16/06

REPORT OF ANALYTICAL RESULTS

SAMPLE DESCRIPTION	SAMPLED BY	SAMPLED DATE @ TIME	MATRIX
Well 2006-1 #14	S. Harris	06/16/06@08:45	Drinking Water

ANALYTE	RESULT	DLR	UNITS	METHOD	ANALYZED
Total Alkalinity as CaCO3	420	2	mg/L	SM 2320B	06/26/06
Chloride	34	1	mg/L	EPA 300.0	06/16/06
Total Cyanide	Not Detected	0.005	mg/L	EPA 335.2	06/20/06
Color	20	1	units	SM 2120B	06/16/06
Electrical Conductance	1,000	1	umhos/cm	SM 2510	06/16/06
Fluoride	0.3	0.1	mg/L	EPA 300.0	06/16/06
Langlier Index (Corrosivity)	0.5	---	pH units	SM 2330B	06/27/06
MBAS(Anionic Surfactants MW=340)	Not Detected	0.05	mg/L	SM 5540 C	06/16/06
Nitrate as N	Not Detected	0.1	mg/L	EPA 300.0	06/16/06
Nitrate as NO3	Not Detected	0.4	mg/L	EPA 300.0	
Nitrite as N	Not Detected	0.1	mg/L	EPA 300.0	06/16/06
Odor	1	1	TON	SM 2150B	06/16/06
pH	7.3	0.1	pH units	EPA 150.1	06/16/06
Sulfate	78	0.5	mg/L	EPA 300.0	06/16/06
Total Dissolved Solids	590	10	mg/L	EPA 160.1	06/21/06
Turbidity	2.8	0.1	NTU	EPA 180.1	06/16/06
Boron	Not Detected	0.05	mg/L	EPA 200.7	06/20/06
Calcium	110	0.03	mg/L	EPA 200.7	06/20/06
Hardness	520	1	mg/L CaCO3	EPA 200.7	
Iron	0.2	0.1	mg/L	EPA 200.7	06/20/06
Mercury	Not Detected	0.001	mg/L	EPA 245.1	06/19/06
Potassium	1.4	0.1	mg/L	EPA 200.7	06/20/06
Magnesium	59	0.03	mg/L	EPA 200.7	06/20/06
Sodium	18	0.05	mg/L	EPA 200.7	06/20/06
Aluminum	Not Detected	0.05	mg/L	EPA 200.8	06/20/06
Antimony	Not Detected	0.006	mg/L	EPA 200.8	06/20/06
Arsenic	Not Detected	0.002	mg/L	EPA 200.8	06/20/06
Barium	Not Detected	0.1	mg/L	EPA 200.8	06/20/06
Beryllium	Not Detected	0.001	mg/L	EPA 200.8	06/20/06
Cadmium	Not Detected	0.001	mg/L	EPA 200.8	06/20/06
Chromium	Not Detected	0.01	mg/L	EPA 200.8	06/20/06

Jun. 28. 2006 12:03PM Creek Environmental 805 545 0107 No. 8898 P. 2

LV-6-9-11 (cont'd)

CREEK ENVIRONMENTAL LABORATORIES, INC.
A Minority-owned Business Enterprise
141 SUBURBAN ROAD, SUITE C-5 • SAN LUIS OBISPO, CA 93401 • (805) 545-9838 • FAX (805) 545-0107

Page 2

Cleath & Assoc.
Laetitia Winery
453 Laetitia Vineyard Drive
Arroyo Grande, CA 93420

Log Number: 06-C7334
Order: N3460
Received: 06/16/06

REPORT OF ANALYTICAL RESULTS

SAMPLE DESCRIPTION	SAMPLED BY	SAMPLED DATE @ TIME	MATRIX
Well 2006-1 #14	S. Harris	06/16/06@08:45	Drinking Water

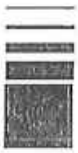
ANALYTE	RESULT	DLR	UNITS	METHOD	ANALYZED
Copper	Not Detected	0.05	mg/L	EPA 200.8	06/20/06
Lead	Not Detected	0.005	mg/L	EPA 200.8	06/20/06
Manganese	0.04	0.02	mg/L	EPA 200.8	06/20/06
Nickel	Not Detected	0.01	mg/L	EPA 200.8	06/20/06
Selenium	Not Detected	0.005	mg/L	EPA 200.8	06/20/06
Silver	Not Detected	0.01	mg/L	EPA 200.8	06/20/06
Thallium	Not Detected	0.001	mg/L	EPA 200.8	06/20/06
Zinc	0.13	0.05	mg/L	EPA 200.8	06/20/06

DLR = Detection Limit for Reporting. Results of "Not Detected" are below DLR.

CREEK ENVIRONMENTAL LABORATORIES

Lab Director, Michael Ng

PRINTED ON RECYCLED PAPER

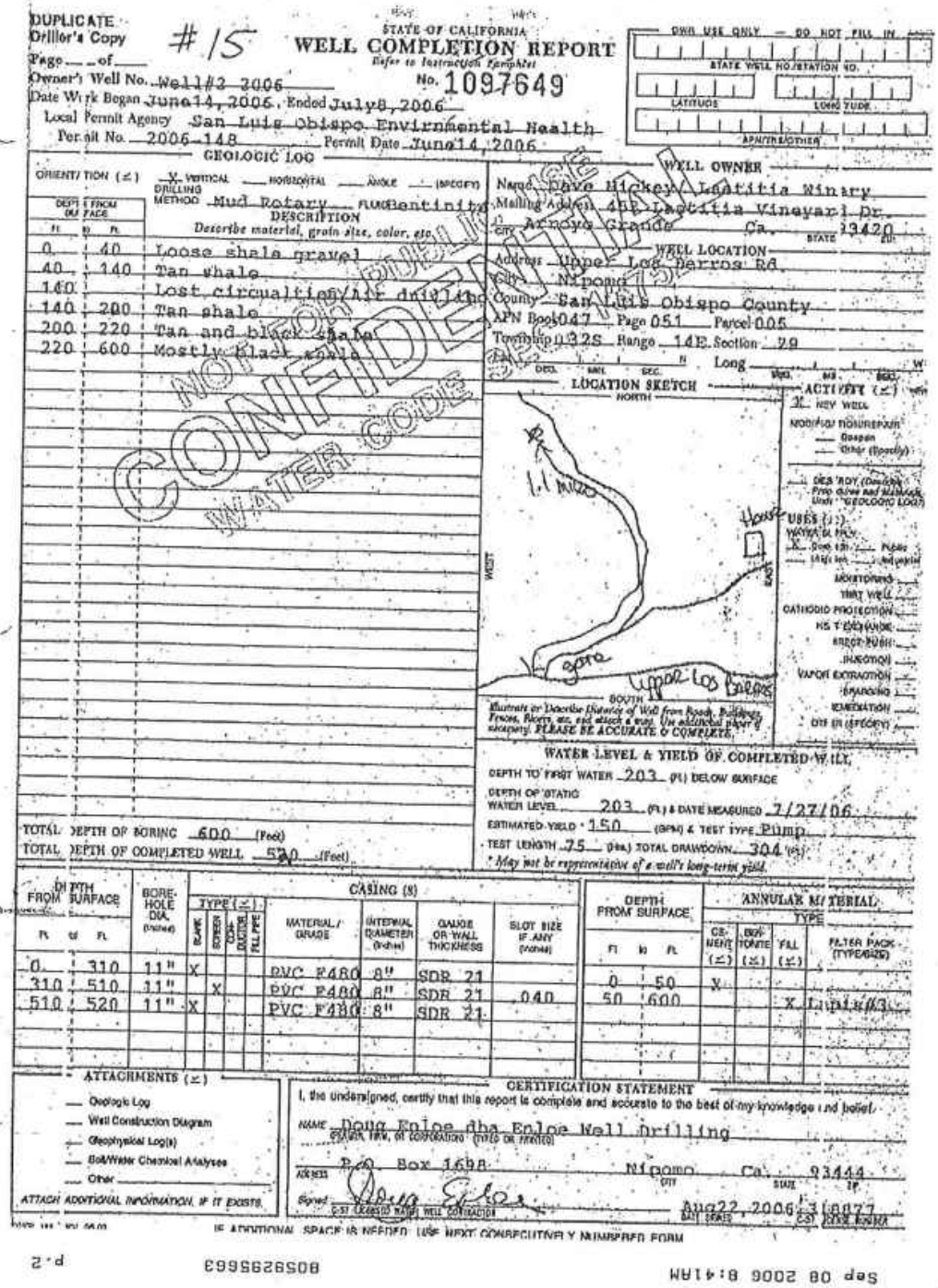


Laetitia Well 15

flow mitigation.wpd

November 4, 2008

LV-6-9-11 (cont'd)



DUPLICATE
Driller's Copy #15

STATE OF CALIFORNIA
WELL COMPLETION REPORT
Refer to Instructions Pamphlet
No. 1097649

Page ___ of ___
Owner's Well No. Well#2 2006
Date Work Began June14, 2006 Ended July8, 2006
Local Permit Agency San Luis Obispo Environmental Health
Permit No. 2006-148 Permit Date June14, 2006

DWR USE ONLY — DO NOT FILL IN
STATE WELL NO./STATION NO.
LATITUDE LONGITUDE
APN/TRS/OTHER

GEOLOGIC LOG

ORIENTATION (±) X VERTICAL ___ HORIZONTAL ___ ANGLE ___ (SPECIFY)
DRILLING METHOD Mud Rotary FLUID Bentinite

DEPTH FROM SURFACE ft	to ft	DESCRIPTION Describe material, grain size, color, etc.
0	40	Loose shale gravel
40	140	Tan shale
140		Lost circualtion/air drilling
140	200	Tan shale
200	220	Tan and black shale
220	600	Mostly black shale

WELL OWNER
Name Dave Hickey/Laetitia Winery
Mailing Address 453 Laetitia Vineyard Dr.
City Arroyo Grande Ca. 93420

WELL LOCATION
Address Upper Los Berros Rd
City Nipomo
County San Luis Obispo County
APN Book 047 Page 051 Parcel 005
Township 32S Range 14E Section 29
Lat ° ' " N Long ° ' " W

LOCATION SKETCH
NORTH
1.1 mile
WEST
EAST
SOUTH
Upper Los Berros
Illustrate or Describe Distance of Well from Roads, Buildings, Fences, Rivers, etc. and attach a map. On additional paper if necessary. PLEASE BE ACCURATE & COMPLETE.

ACTIVITY (±)
X NEW WELL
MODIFICATION/REPAIR
Deepen
Other (Specify)
DESTROY (Describe Proposed Method and Materials Under "GEOLOGIC LOG")
USES (±)
WATER SUPPLY
X Domestic ___ Public
___ Irrigation ___ Industrial
MONITORING
TEST WELL
CATHODIC PROTECTION
HEAT EXCHANGE
AIR CONDITIONING
INJECTION
VAPOR EXTRACTION
DEWATERING
REMEDIATION
OTHER (SPECIFY)

WATER LEVEL & YIELD OF COMPLETED WELL
DEPTH TO FIRST WATER 203 (Ft.) BELOW SURFACE
DEPTH OF STATIC WATER LEVEL 203 (Ft.) & DATE MEASURED 7/27/06
ESTIMATED YIELD * 150 (GPM) & TEST TYPE Pump
TEST LENGTH 75 (Hrs.) TOTAL DRAWDOWN 304 (Ft.)
* May not be representative of a well's long-term yield.

TOTAL DEPTH OF BORING 600 (Feet)
TOTAL DEPTH OF COMPLETED WELL 520 (Feet)

DEPTH FROM SURFACE ft	to ft	BORE-HOLE DIA. (Inches)	CASING (S) TYPE (±) BLANK	SCREEN	CONDUCTOR	FILL PIPE	MATERIAL / GRADE	INTERNAL DIAMETER (Inches)	GAUGE OR WALL THICKNESS	SLOT SIZE IF ANY (Inches)
0	310	11"	X				PVC F480	8"	SDR 21	
310	510	11"		X			PVC F480	8"	SDR 21	.040
510	520	11"	X				PVC F480	8"	SDR 21	

DEPTH FROM SURFACE ft	to ft	ANNULAR MATERIAL TYPE CEMENT (±)	BENTONITE (±)	FILL (±)	FILTER PACK (TYPE/SIZE)
0	50	X			
50	600			X	Lapis/#3

ATTACHMENTS (±)
___ Geologic Log
___ Well Construction Diagram
___ Geophysical Log(s)
___ Soil/Water Chemical Analyses
___ Other
ATTACH ADDITIONAL INFORMATION, IF IT EXISTS.

CERTIFICATION STATEMENT
I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief.
NAME Doug Enloe dba Enloe Well Drilling
(PERSON, FIRM, OR CORPORATION) (TYPED OR PRINTED)
ADDRESS P.O. Box 1688 Nipomo Ca. 93444
(CITY) (STATE) (ZIP)
Signed Doug Enloe
(DWR LICENSED WATER WELL CONTRACTOR)
Aug22, 2006 #807?
(DATE SIGNED) (DWR LICENSE NUMBER)

IF ADDITIONAL SPACE IS NEEDED, USE NEXT CONSECUTIVELY NUMBERED FORM

NOT FOR PUBLIC RELEASE
CONFIDENTIAL
WATER CODE

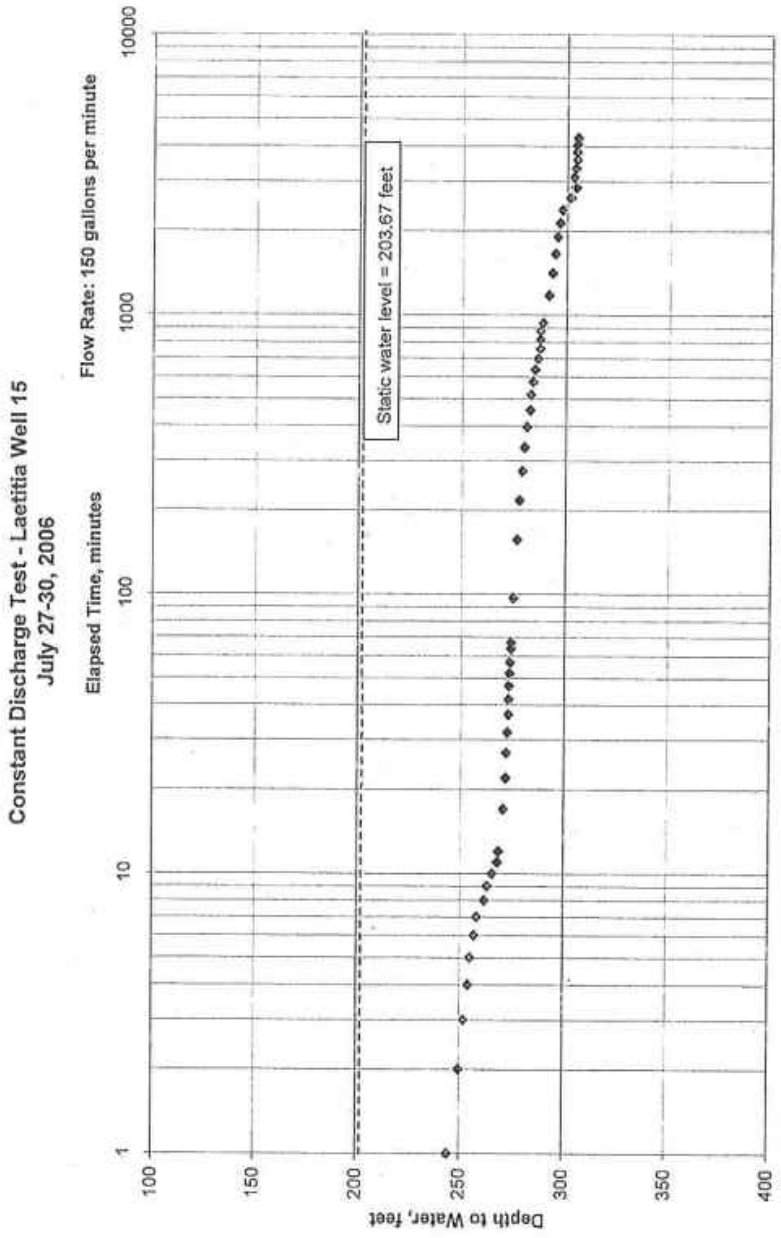
p.2
8058295663
Sep 08 2006 8:41AM

LV-6-9-11 (cont'd)

Constant Discharge Test, Well 15, July 27-30, 2006

Day	Time	Elapsed Time	Depth to Water	Drawdown	Recorded Pumping Rate
Mo./Day/Yr	hr:min	minutes	feet	feet	gallons per minute
7/27/2006	16:23	0	203.67	0	Start
	16:24	1	244.33	40.66	150
	16:25	2	249.75	46.08	
	16:26	3	252	48.33	
	16:27	4	254.25	50.58	
	16:28	5	255.08	51.41	
	16:29	6	256.83	53.16	
	16:30	7	258.17	54.50	
	16:31	8	261.75	58.08	
	16:32	9	263	59.33	
	16:33	10	265.33	61.66	
	16:34	11	267.5	63.83	
	16:35	12	268	64.33	
	16:40	17	270	66.33	
	16:45	22	271.08	67.41	
	16:50	27	271.42	67.75	
	16:55	32	272	68.33	
	17:00	37	272.42	68.75	
	17:05	42	272.42	68.75	
	17:10	47	272.58	68.91	
	17:15	52	272.75	69.08	
	17:20	57	273.08	69.41	
	17:27	64	273.42	69.75	
	17:30	67	273.5	69.83	
	18:00	97	274.58	70.91	
	19:00	157	276.33	72.66	
	20:00	217	277.33	73.66	
	21:00	277	278.67	75.00	
	22:00	337	279.67	76.00	
	23:00	397	281.17	77.50	
7/28/2006	0:00	457	282.17	78.50	
	1:00	517	283	79.33	
	2:00	577	284	80.33	
	3:00	637	285	81.33	
	4:00	697	286.17	82.50	
	5:00	757	287.33	83.66	
	6:00	817	287.33	83.66	
	7:00	877	287.33	83.66	
	8:00	937	288.67	85.00	
	12:00	1177	290.92	87.25	
	16:00	1417	292.67	89.00	
	20:00	1657	294	90.33	
7/29/2006	0:00	1897	295.33	91.66	
	4:00	2137	296	92.33	
	8:00	2377	297.33	93.66	
	12:00	2617	301.33	97.66	
	16:00	2857	304	100.33	
	20:00	3097	303.33	99.66	
7/30/2006	0:00	3337	304.17	100.50	
	4:00	3577	304.67	101.00	
	8:00	3817	304.5	100.83	
	12:00	4057	304.58	100.91	
	16:00	4297	304.83	101.16	150
	16:15	4320			stop pump

LV-6-9-11 (cont'd)

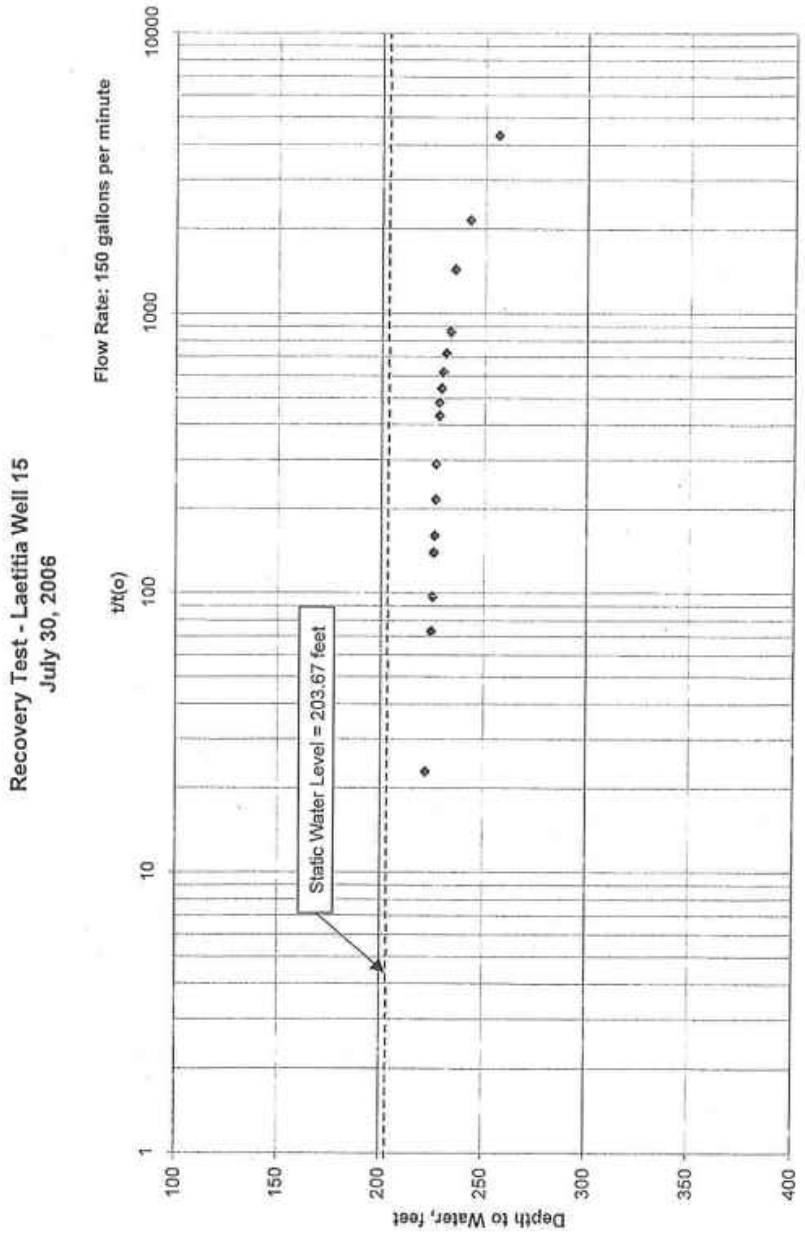


LV-6-9-11 (cont'd)

Recovery Test, Laetitia Well 15, July 30, 2006

Day	Time	Elapsed Time	Depth to Water	Drawdown	Recovery Time Ratio
Mo./Day/Yr	hr:min	minutes	feet	feet	t/t(0)
Recovery					
7/30/2006	16:15	0	304.90	101.23	
	16:16	1	256.00	52.33	4321
	16:17	2	242.50	38.83	2161
	16:18	3	235.00	31.33	1441
	16:20	5	232.83	29.16	865
	16:21	6	230.67	27	721
	16:22	7	229.33	25.66	618
	16:23	8	228.50	24.83	541
	16:24	9	227.75	24.08	481
	16:25	10	227.50	23.83	433
	16:30	15	226.33	22.66	289
	16:35	20	225.83	22.16	217
	16:42	27	225.42	21.75	161
	16:46	31	225.08	21.41	140
	17:00	45	224.50	20.83	97
	17:15	60	224.00	20.33	73
	19:32	197	221.33	17.66	23
	STOP				

LV-6-9-11 (cont'd)



LV-6-9-11 (cont'd)

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Dave Hickey
Laetitia Winery
453 Laetitia Vineyard Drive
Arroyo Grande, CA 93420

Log Number: 06-C9726
Order: N4457
Received: 07/31/06
Printed: 08/09/06

REPORT OF ANALYTICAL RESULTS

Sample Description	Sampled By	Sampled Date & Time	Matrix
Well 2006-2 # 15	Tim Cleath	07/31/06@11:00	Drinking Water

Analyte	Result	DLR	Dilution Factor	Units	Method	Date Analyzed	Date Prepared	Batch
Total Alkalinity as CaCO3	420	2	1	mg/L	SM 2320B	08/07/06		6865
Chloride	27	1	1	mg/L	EPA 300.0	08/01/06		6743
Total Cyanide	Not Detected	0.005	1	mg/L	EPA 335.2	08/09/06		6943
Color	Not Detected	1	1	units	SM 2120B	07/31/06		6717
Electrical Conductance	900	1	1	umhos/cm	SM 2510	07/31/06		6717
Fluoride	0.4	0.1	1	mg/L	EPA 300.0	08/01/06		6743
Langlier Index (Corrosivity)	0.1	---	1	pH units	SM 2330B	08/09/06		6937
MBAS(Anionic Surfactants MW=340)	Not Detected	0.05	1	mg/L	SM 5540 C	08/01/06		6763
Nitrate as N	Not Detected	0.1	1	mg/L	EPA 300.0	08/01/06		6743
Nitrate as NO3	Not Detected	0.4	1	mg/L	EPA 300.0			
Nitrite as N	Not Detected	0.1	1	mg/L	EPA 300.0	08/01/06		6743
Odor	Not Detected	1	1	TON	SM 2150B	07/31/06		6717
pH	7.0	0.1	1	pH units	EPA 150.1	07/31/06		6717
Sulfate	46	0.5	1	mg/L	EPA 300.0	08/01/06		6743
Sulfide, Total	0.1	0.1	1	mg/L	EPA 376.2	08/02/06	08/02/06	6750
Total Dissolved Solids	540	10	1	mg/L	EPA 160.1	08/03/06		6845
Turbidity	0.5	0.1	1	NTU	EPA 180.1	07/31/06		6717
Boron	0.07	0.05	1	mg/L	EPA 200.7	08/08/06		6916
Calcium	98	0.03	1	mg/L	EPA 200.7	08/08/06		6916
Hardness	470	1	NA	mg/L CaCO3	EPA 200.7			
Iron	0.2	0.1	1	mg/L	EPA 200.7	08/08/06		6916
Mercury	Not Detected	0.001	1	mg/L	EPA 245.1	08/02/06		6798
Potassium	1.5	0.1	1	mg/L	EPA 200.7	08/08/06		6916
Magnesium	54	0.03	1	mg/L	EPA 200.7	08/08/06		6916
Sodium	18	0.05	1	mg/L	EPA 200.7	08/08/06		6916
Aluminum	Not Detected	0.05	1	mg/L	EPA 200.8	08/04/06		6911
Antimony	Not Detected	0.006	1	mg/L	EPA 200.8	08/04/06		6911
Arsenic	0.003	0.002	1	mg/L	EPA 200.8	08/08/06		6911
Barium	Not Detected	0.1	1	mg/L	EPA 200.8	08/04/06		6911
Beryllium	Not Detected	0.001	1	mg/L	EPA 200.8	08/04/06		6911

LV-6-9-11 (cont'd)

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Page 2

Dave Hickey
Laetitia Winery
453 Laetitia Vineyard Drive
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Log Number: 06-C9726
Order: N4457
Received: 07/31/06
Printed: 08/09/06

REPORT OF ANALYTICAL RESULTS

Sample Description	Sampled By	Sampled Date & Time	Matrix
Well 2006-2 #15	Tim Cleath	07/31/06@11:00	Drinking Water

Analyte	Result	DLR	Dilution Factor	Units	Method	Date Analyzed	Date Prepared	Batch
Cadmium	Not Detected	0.001	1	mg/L	EPA 200.8	08/04/06		6911
Chromium	Not Detected	0.01	1	mg/L	EPA 200.8	08/04/06		6911
Copper	Not Detected	0.05	1	mg/L	EPA 200.8	08/04/06		6911
Lead	Not Detected	0.005	1	mg/L	EPA 200.8	08/04/06		6911
Manganese	0.03	0.02	1	mg/L	EPA 200.8	08/04/06		6911
Nickel	Not Detected	0.01	1	mg/L	EPA 200.8	08/04/06		6911
Selenium	Not Detected	0.005	1	mg/L	EPA 200.8	08/04/06		6911
Silver	Not Detected	0.01	1	mg/L	EPA 200.8	08/04/06		6911
Thallium	Not Detected	0.001	1	mg/L	EPA 200.8	08/08/06		6911
Zinc	0.14	0.05	1	mg/L	EPA 200.8	08/04/06		6911

DLR = Detection Limit for Reporting. Results of "Not Detected" are below DLR.

CREEK ENVIRONMENTAL LABORATORIES

Lab Director, Michael Ng

PRINTED ON RECYCLED PAPER

Responses to John Janneck's Comments: Letter from Cleath & Associates (LV-6-9)

Comment No.	Comment
LV-6-9-1	The contents of the Cleath & Associates letter (November 8, 2008) were peer reviewed during preparation of the Revised EIR (2013), and the information contained in the letter was incorporated into the EIR analysis for the Revised and Final EIR (see Sections V.E. Biological Resources and V.P. Water Resources).
LV-6-9-2	Comment noted.
LV-6-9-3	The applicant's proposed revised landscape parameters and water demand estimates are incorporated into the Revised (2013) and Final EIR.
LV-6-9-4	These comments were peer reviewed during preparation of the Revised EIR (2013), and the information contained in the letter was incorporated into the EIR analysis for the Revised and Final EIR (see Sections V.E. Biological Resources and V.P. Water Resources).
LV-6-9-5	The contents of the Cleath & Associates letter (November 8, 2008) were peer reviewed during preparation of the Revised EIR (2013), and the information contained in the letter was incorporated into the EIR analysis for the Revised and Final EIR (see Section V.P. Water Resources).
LV-6-9-6	The contents of the Cleath & Associates letter (November 8, 2008) were peer reviewed during preparation of the Revised EIR (2013), and the information contained in the letter was incorporated into the EIR analysis for the Revised and Final EIR (see Section and V.P. Water Resources).
LV-6-9-7	The contents of the Cleath & Associates letter (November 8, 2008) were peer reviewed during preparation of the Revised EIR (2013), and the information contained in the letter (including the proposed revised domestic wells) was incorporated into the EIR analysis for the Revised and Final EIR (see Sections V.E. Biological Resources and V.P. Water Resources).
LV-6-9-8	The contents of the Cleath & Associates letter (November 8, 2008) were peer reviewed during preparation of the Revised EIR (2013), and the information contained in the letter was incorporated into the EIR analysis for the Revised and Final EIR (see Section V.P. Water Resources).
LV-6-9-9	The contents of the Cleath & Associates letter (November 8, 2008) were peer reviewed during preparation of the Revised EIR (2013), and the information contained in the letter was incorporated into the EIR analysis for the Revised and Final EIR (see Section V.P. Water Resources).
LV-6-9-10	The contents of the Cleath & Associates letter (November 8, 2008) were peer reviewed during preparation of the Revised EIR (2013), and the information contained in the letter was incorporated into the EIR analysis for the Revised and Final EIR (see Sections V.E. Biological Resources and V.P. Water Resources).
LV-6-9-11	The letter attachments were peer reviewed during preparation of the Revised EIR (2013), and the information contained in the letter was incorporated into the EIR analysis for the Revised and Final EIR (see Sections V.E. Biological Resources and V.P. Water Resources).

URBEMIS MODELING RESULTS
(2007 version 9.2.4)

LV-6-10

Page: 1
9/27/2008 10:24:53 AM

Urbemis 2007 Version 9.2.4

Combined Annual Emissions Reports (Tons/Year)

File Name:
Project Name: Laetitia Vineyards
Project Location: San Luis Obispo County APCD
On-Road Vehicle Emissions Based on: Version : : Emfac2007 V2.3 Nov 1 2006
Off-Road Vehicle Emissions Based on: OFFROAD2007

LV-6-10-1

Page: 2
9/27/2008 10:24:53 AM
Summary Report:

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (tons/year, unmitigated)	1.53	0.40	3.50	0.01	0.38	0.36	492.38
TOTALS (tons/year, mitigated)	1.49	0.35	3.40	0.01	0.38	0.36	433.41
Percent Reduction	2.61	12.50	2.86	0.00	0.00	0.00	11.98

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (tons/year, unmitigated)	1.53	1.91	16.14	0.01	0.15	0.09	1,466.06
TOTALS (tons/year, mitigated)	1.53	1.91	16.14	0.01	0.15	0.09	1,466.06
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (tons/year, unmitigated)	3.06	2.31	19.64	0.02	0.53	0.45	1,958.44
TOTALS (tons/year, mitigated)	3.02	2.26	19.54	0.02	0.53	0.45	1,899.47
Percent Reduction	1.31	2.16	0.51	0.00	0.00	0.00	3.01

LV-6-10-1 (cont'd)

LV-6-10-1 (cont'd)

Page: 3

9/27/2008 10:24:53 AM

Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Annual Tons Per Year, Unmitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.03	0.34	0.19	0.00	0.00	0.00	426.25
Hearth	0.25	0.05	2.31	0.01	0.38	0.36	64.47
Landscape	0.15	0.01	1.00	0.00	0.00	0.00	1.66
Consumer Products	0.90						
Architectural Coatings	0.20						
TOTALS (tons/year, unmitigated)	1.53	0.40	3.50	0.01	0.38	0.36	492.38

Area Source Mitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Annual Tons Per Year, Mitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.02	0.29	0.17	0.00	0.00	0.00	367.28
Hearth	0.25	0.05	2.31	0.01	0.38	0.35	64.47
Landscape	0.14	0.01	0.92	0.00	0.00	0.00	1.66
Consumer Products	0.90						
Architectural Coatings	0.18						
TOTALS (tons/year, mitigated)	1.49	0.35	3.40	0.01	0.38	0.36	433.41

Area Source Changes to Defaults

LV-6-10-1 (cont'd)

Page: 4

9/27/2008 10:24:53 AM

Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Annual Tons Per Year, Unmitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Single family housing	1.31	1.69	14.34	0.01	0.13	0.08	1,304.21
Hotel	0.22	0.22	1.80	0.00	0.02	0.01	161.85
TOTALS (tons/year, unmitigated)	1.53	1.91	16.14	0.01	0.15	0.09	1,466.06

Operational Mitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Annual Tons Per Year, Mitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Single family housing	1.31	1.69	14.34	0.01	0.13	0.08	1,304.21
Hotel	0.22	0.22	1.80	0.00	0.02	0.01	161.85
TOTALS (tons/year, mitigated)	1.53	1.91	16.14	0.01	0.15	0.09	1,466.06

Operational Settings:

Does not include correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2015 Season: Annual

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Single family housing	33.67	10.39	dwelling units	101.00	1,049.39	8,008.94
Hotel		2.47	rooms	75.00	185.25	1,000.35
					1,234.64	9,009.29

Page: 5
9/27/2008 10:24:53 AM

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	41.6	0.5	99.3	0.2
Light Truck < 3750 lbs	18.7	1.1	93.6	5.3
Light Truck 3751-5750 lbs	20.0	0.5	99.0	0.5
Med Truck 5751-8500 lbs	8.0	0.0	100.0	0.0
Lite-Heavy Truck 8501-10,000 lbs	2.1	0.0	71.4	28.6
Lite-Heavy Truck 10,001-14,000 lbs	1.2	0.0	50.0	50.0
Med-Heavy Truck 14,001-33,000 lbs	1.0	0.0	20.0	80.0
Heavy-Heavy Truck 33,001-60,000 lbs	0.3	0.0	0.0	100.0
Other Bus	0.1	0.0	0.0	100.0
Urban Bus	0.0	0.0	0.0	0.0
Motorcycle	5.2	48.1	51.9	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.7	0.0	88.2	11.8

Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	13.0	5.0	5.0	13.0	5.0	5.0
Rural Trip Length (miles)	13.0	5.0	5.0	13.0	5.0	5.0
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.9	18.0	49.1			

LV-6-10-1 (cont'd)

LV-6-10-1 (cont'd)

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Travel Conditions

% of Trips - Commercial (by land use)

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Hotel				5.0	2.5	92.5

LV-6-10-1 (cont'd)

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Urbemis 2007 Version 9.2.4

Combined Summer Emissions Reports (Pounds/Day)

File Name:
Project Name: Laetitia Vineyards
Project Location: San Luis Obispo County APCD
On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006
Off-Road Vehicle Emissions Based on: OFFROAD2007

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Summary Report:

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	7.10	1.94	7.09	0.00	0.02	0.02	2,345.65
TOTALS (lbs/day, mitigated)	6.92	1.68	6.53	0.00	0.02	0.02	2,022.53
Percent Reduction	2.54	13.40	7.90	NaN	0.00	0.00	13.78

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	8.17	9.51	85.03	0.08	0.78	0.48	8,177.68
TOTALS (lbs/day, mitigated)	8.17	9.51	85.03	0.08	0.78	0.48	8,177.68
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	15.27	11.45	92.12	0.08	0.80	0.50	10,523.33
TOTALS (lbs/day, mitigated)	15.09	11.19	91.56	0.08	0.80	0.50	10,200.21
Percent Reduction	1.18	2.27	0.61	0.00	0.00	0.00	3.07

LV-6-10-1 (cont'd)

LV-6-10-1 (cont'd)

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Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Summer Pounds Per Day, Unmitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.14	1.87	1.04	0.00	0.00	0.00	2,335.60
Hearth - No Summer Emissions							
Landscape	0.94	0.07	6.05	0.00	0.02	0.02	10.05
Consumer Products	4.94						
Architectural Coatings	1.08						
TOTALS (lbs/day, unmitigated)	7.10	1.94	7.09	0.00	0.02	0.02	2,345.65

Area Source Mitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Summer Pounds Per Day, Mitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.12	1.61	0.93	0.00	0.00	0.00	2,012.48
Hearth - No Summer Emissions							
Landscape	0.86	0.07	5.60	0.00	0.02	0.02	10.05
Consumer Products	4.94						
Architectural Coatings	1.00						
TOTALS (lbs/day, mitigated)	6.92	1.68	6.53	0.00	0.02	0.02	2,022.53

Area Source Changes to Defaults

LV-6-10-1 (cont'd)

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Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Summer Pounds Per Day, Unmitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Single family housing	6.90	8.42	75.67	0.07	0.69	0.43	7,274.81
Hotel	1.27	1.09	9.36	0.01	0.09	0.05	902.87
TOTALS (lbs/day, unmitigated)	8.17	9.51	85.03	0.08	0.78	0.48	8,177.68

Operational Mitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Summer Pounds Per Day, Mitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Single family housing	6.90	8.42	75.67	0.07	0.69	0.43	7,274.81
Hotel	1.27	1.09	9.36	0.01	0.09	0.05	902.87
TOTALS (lbs/day, mitigated)	8.17	9.51	85.03	0.08	0.78	0.48	8,177.68

Operational Settings:

Does not include correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2015 Temperature (F): 75 Season: Summer

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Single family housing	33.67	10.39	dwelling units	101.00	1,049.39	8,008.94
Hotel		2.47	rooms	75.00	185.25	1,000.35
					1,234.64	9,009.29

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Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	41.6	0.5	99.3	0.2
Light Truck < 3750 lbs	18.7	1.1	93.6	5.3
Light Truck 3751-5750 lbs	20.0	0.5	99.0	0.5
Med Truck 5751-8500 lbs	8.0	0.0	100.0	0.0
Lite-Heavy Truck 8501-10,000 lbs	2.1	0.0	71.4	28.6
Lite-Heavy Truck 10,001-14,000 lbs	1.2	0.0	50.0	50.0
Med-Heavy Truck 14,001-33,000 lbs	1.0	0.0	20.0	80.0
Heavy-Heavy Truck 33,001-60,000 lbs	0.3	0.0	0.0	100.0
Other Bus	0.1	0.0	0.0	100.0
Urban Bus	0.0	0.0	0.0	0.0
Motorcycle	5.2	48.1	51.9	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.7	0.0	88.2	11.8

Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	13.0	5.0	5.0	13.0	5.0	5.0
Rural Trip Length (miles)	13.0	5.0	5.0	13.0	5.0	5.0
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.9	18.0	49.1			

LV-6-10-1 (cont'd)

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% of Trips - Commercial (by land use)

	Travel Conditions							
	Residential				Commercial			
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer		
Hotel				5.0	2.5	92.5		

LV-6-10-1 (cont'd)

LV-6-10-1 (cont'd)

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Urbemis 2007 Version 9.2.4

Combined Winter Emissions Reports (Pounds/Day)

File Name:
Project Name: Laetitia Vineyards
Project Location: San Luis Obispo County APCD
On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006
Off-Road Vehicle Emissions Based on: OFFROAD2007

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Summary Report:

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	12.40	3.48	57.67	0.19	9.24	8.90	4,541.88
TOTALS (lbs/day, mitigated)	12.30	3.22	57.56	0.19	9.24	8.90	4,218.76
Percent Reduction	0.81	7.47	0.19	0.00	0.00	0.00	7.11

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	8.73	12.29	95.27	0.08	0.78	0.48	7,744.19
TOTALS (lbs/day, mitigated)	8.73	12.29	95.27	0.08	0.78	0.48	7,744.19
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	21.13	15.77	152.94	0.27	10.02	9.38	12,286.07
TOTALS (lbs/day, mitigated)	21.03	15.51	152.83	0.27	10.02	9.38	11,962.95
Percent Reduction	0.47	1.65	0.07	0.00	0.00	0.00	2.63

LV-6-10-1 (cont'd)

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Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Winter Pounds Per Day, Unmitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.14	1.87	1.04	0.00	0.00	0.00	2,335.60
Hearth	6.24	1.61	56.63	0.19	9.24	8.90	2,206.28
Landscaping - No Winter Emissions							
Consumer Products	4.94						
Architectural Coatings	1.08						
TOTALS (lbs/day, unmitigated)	12.40	3.48	57.67	0.19	9.24	8.90	4,541.88

Area Source Mitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Winter Pounds Per Day, Mitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.12	1.61	0.93	0.00	0.00	0.00	2,012.48
Hearth	6.24	1.61	56.63	0.19	9.24	8.90	2,206.28
Landscaping - No Winter Emissions							
Consumer Products	4.94						
Architectural Coatings	1.00						
TOTALS (lbs/day, mitigated)	12.30	3.22	57.56	0.19	9.24	8.90	4,218.76

Area Source Changes to Defaults

LV-6-10-1 (cont'd)

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Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Winter Pounds Per Day, Unmitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Single family housing	7.66	10.88	84.44	0.07	0.69	0.43	6,869.45
Hotel	1.07	1.41	10.83	0.01	0.09	0.05	854.74
TOTALS (lbs/day, unmitigated)	8.73	12.29	95.27	0.08	0.78	0.48	7,744.19

Operational Mitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Winter Pounds Per Day, Mitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Single family housing	7.66	10.88	84.44	0.07	0.69	0.43	6,869.45
Hotel	1.07	1.41	10.83	0.01	0.09	0.05	854.74
TOTALS (lbs/day, mitigated)	8.73	12.29	95.27	0.08	0.78	0.48	7,744.19

Operational Settings:

Does not include correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2015 Temperature (F): 50 Season: Winter

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Single family housing	33.67	10.39	dwelling units	101.00	1,049.39	8,008.94
Hotel		2.47	rooms	75.00	185.25	1,000.35
					1,234.64	9,009.29

LV-6-10-1 (cont'd)

LV-6-10-1 (cont'd)

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Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	41.6	0.5	99.3	0.2
Light Truck < 3750 lbs	18.7	1.1	93.6	5.3
Light Truck 3751-5750 lbs	20.0	0.5	99.0	0.5
Med Truck 5751-8500 lbs	8.0	0.0	100.0	0.0
Lite-Heavy Truck 8501-10,000 lbs	2.1	0.0	71.4	28.6
Lite-Heavy Truck 10,001-14,000 lbs	1.2	0.0	50.0	50.0
Med-Heavy Truck 14,001-33,000 lbs	1.0	0.0	20.0	80.0
Heavy-Heavy Truck 33,001-60,000 lbs	0.3	0.0	0.0	100.0
Other Bus	0.1	0.0	0.0	100.0
Urban Bus	0.0	0.0	0.0	0.0
Motorcycle	5.2	48.1	51.9	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.7	0.0	88.2	11.8

Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	13.0	5.0	5.0	13.0	5.0	5.0
Rural Trip Length (miles)	13.0	5.0	5.0	13.0	5.0	5.0
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.9	18.0	49.1			

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Travel Conditions

% of Trips - Commercial (by land use)	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Hotel				5.0	2.5	92.5

LV-6-10-1 (cont'd)

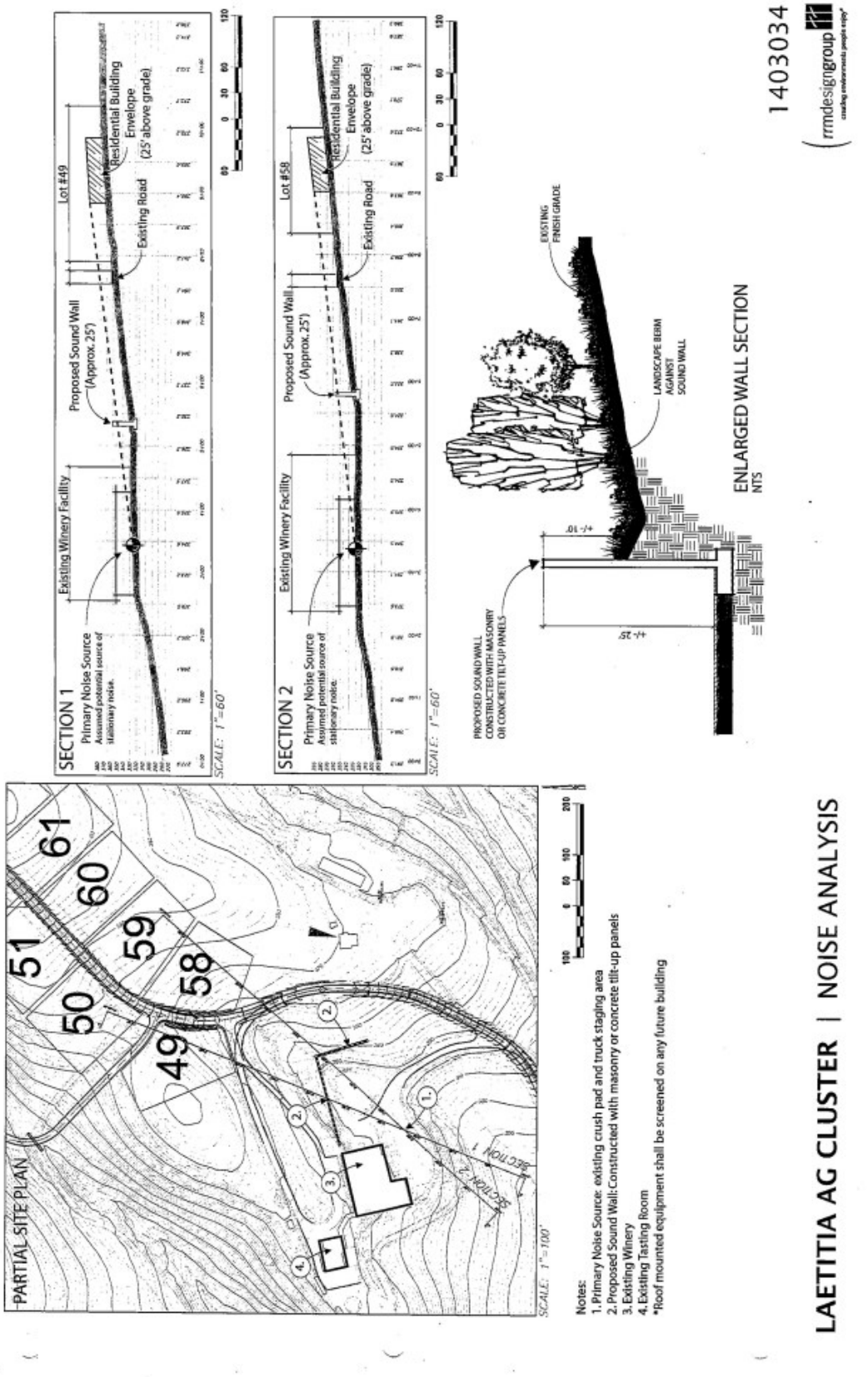
Responses to John Janneck's Comments: URBEMIS Modeling Results (LV-6-10)

Comment No.	Comment
LV-6-10-1	The applicant's submitted URBEMIS model output was considered during preparation of the Final EIR. Final EIR Section V.C. Air Quality includes air pollutant emissions calculations using the SLOAPCD's currently recommended model, CaleeMod.

SUGGESTED NOISE WALL DESIGN

LV-6-11

LV-6-11-1


LAETITIA AG CLUSTER | NOISE ANALYSIS
1403034
rrmdesigngroup
PARTIAL SITE PLAN
SCALE: 1"=100'
SECTION 1
SECTION 2
Notes:
1. Primary Noise Source: existing crush pad and truck staging area
2. Proposed Sound Wall: Constructed with masonry or concrete tilt-up panels
3. Existing Winery
4. Existing Tasting Room
*Roof mounted equipment shall be screened on any future building
SECTION 1
Primary Noise Source
Assumed potential source of stationary noise.
Existing Winery Facility
Proposed Sound Wall (Approx. 25')
Existing Road
Residential Building Envelope (25' above grade)
Lot #49
SCALE: 1"=60'
SECTION 2
Primary Noise Source
Assumed potential source of stationary noise.
Existing Winery Facility
Proposed Sound Wall (Approx. 25')
Existing Road
Residential Building Envelope (25' above grade)
Lot #58
SCALE: 1"=60'
ENLARGED WALL SECTION
NTS
EXISTING FINISH GRADE
LANDSCAPE BERM AGAINST SOUND WALL
+/- 10'
+/- 25'
PROPOSED SOUND WALL CONSTRUCTED WITH MASONRY OR CONCRETE TILT-UP PANELS

Responses to John Janneck's Comments: Noise Wall Design (LV-6-11)

Comment No.	Comment
LV-6-11-1	The applicant's proposed noise wall design has been incorporated in the Final EIR (refer to NS/mm-2) to mitigate for noise generated within the winery and processing facilities.

OAK TREE INVENTORY
DAVE'S TREE SERVICE

LV-6-12

LV-6-12-1

Laetitia Agricultural Cluster

Oak Tree Inventory

Impacted Coast Live Oaks, Quercus agrifolia

FOR

Kronick, Moskovitz. Tiedeman and Girard
1432 Higuera
San Luis Obispo, CA 93401

October 21, 2008

BY

DAVE RAGAN, ISA CERTIFIED ARBORIST # WE-0345A

DAVE'S TREE SERVICE
625 JAMESON CT
ARROYO GRANDE, CA 93420
(805)481-1038

LV-6-12

LV-6-12-1 (cont'd)

TABLE OF CONTENTS

LV-6-12-1 (cont'd)

Summary

Fire clearance pruning will not have a negative impact on the surveyed oaks. Less than 10% of the canopy will be removed to comply with CAL FIRE regulations. The County of San Luis Obispo generally considers an impact to an oak occurs went the root zone is impacted. Most roots do not extend more than twice the diameter of the canopy (dripline).

Coast Live Oak, *Quercus agrifolia*, is a species with a good tolerance of development impacts. The critical root zone or tree protection zone on species with good tolerance is .5' to 1' of protection for every inch of trunk diameter at 4.5' above grade (dbh), or the exterior perimeter of the dripline. Coast Live Oaks will tolerate some incursion within the dripline on one side.

Impacted oaks are those shown with grade changes within the root zone i.e. road construction. Potential impacts are oaks which are adjacent to the building envelopes which may have grading within the root zone during lot development.

Removals are oaks shown within the grading limits of the roads. Potential removals are located within the building envelopes.

Potential impacts and removals were identified because the final number of oaks impacted and removed will be less than the numbers given in this report. The actual numbers will not be known until this project is completed.

All the oaks within the building envelopes will not require removal to develop a buildable site on most of the lots. Nor will all oaks with root zones adjacent to or extending into the building envelopes be impacted. Oaks left in and around the building site will provide screening from adjacent residences and enhance property values.

The total number of disturbed oaks is 169. Fifty-three are removals and 116 are impacted.

Thirteen oaks are listed as removals and 40 as potential removals for a total of 53 removals. Sixteen of these removals are in poor condition.

Fifty-eight oaks are impacted. Fifty-seven percent are in the vineyard replacement areas. Fifty-eight oaks are listed as potential impacts for a total of 116 impacted oaks. Forty of these are in poor condition.

Introduction

An Agricultural Cluster is being proposed on the Laetita Vineyard property in rural Arroyo Grande east of California Highway 101.

Dave's Tree Service was originally contacted by RRM Design Group on September 25, 2008 to act as the Arborist on the project.

A Draft Environmental Impact Report (1) has been prepared by The Morro Group. The criteria for impacts and removals are listed in the Biological Resources section, pages V 99-100. Table V.C.-5 gives a summary of the disturbed Coast Live Oaks according

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LV-6-12-1 (cont'd)

to these criteria. The Draft EIR estimated 118 oaks would be removed and 182 oaks would be impacted for a total of 300 trees.

Assignment
The assignment is to prepare a comprehensive Oak Tree Inventory. Oaks within 100' of the proposed roads and building envelopes as well as oaks within 50' of the Vineyard or Agricultural Replacement areas will be inventoried.

The oaks with a dbh (diameter at breast height, 4.5' above grade) of at least 5" in diameter and larger will be identified. The trees will be tagged, dbh measured, condition determined and impact given. This data shall be documented in a report.

This report will be used to document the actual number of Coast Live Oaks impacted and potentially impacted by development of this proposed Ag Cluster. This data will then be used to determine the appropriate mitigation measures.

Observations
All the oaks inventoried are Coast Live Oaks, *Quercus agrifolia.*

A survey crew from RRM Design Group marked the boundaries for this inventory. Edge of grading; the 100' setback for lots 11-15, 24-29, 46-65; and the main entry road were all staked at 25' intervals.

Numbered, 1.25" aluminum tags were placed on all surveyed oaks. They were placed 4'-6' +/- above grade facing the closest road or building envelope. Tags on the oaks in the vineyard replacement area were placed on the north side of the oak.

DBH or diameter at breast height is measured at 4.5' above grade. Some of the oaks had lower limbs which prevented taking the diameter at 4.5' above grade. Any deviation from 4.5' was documented. A diameter tape was used to measure the dbh.

Structural integrity, canopy density, leaf color and size and insect activity (such as Carpenter Worm and Western Sycamore Borer) were used to determine condition. Carpenter Worm and Western Sycamore Borer generally attack stressed oaks.

Ratings are good, fair and poor. A plus or minus was used with fair and poor conditions for further clarity.

Impacts are listed. They are: no impact, impacted, potential impact, removal and potential removal. Impacted oaks are those shown with grade changes within the root zone i.e. road construction. Potential impacts are oaks which are adjacent to the building envelopes which may have grading within the root zone during lot development.

Removals are oaks shown within the grading limits of the roads. Potential removals are oaks located within the building envelopes.

The radius of the dripline was measured on all the oaks. This was used to determine impacts and potential impacts. It was measured on the side toward potential impacts.

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LV-6-12-1 (cont'd)

Comments on individual trees are given when appropriate.

The climate has a coastal influence. The site is rolling hills with several different soil types. Several of the areas containing Coast Live Oaks are mostly rock. Soil type has a distinct correlation with condition. More of the oaks growing in the rockier locations had higher insect activity and a greater number of individuals with a poor condition rating.

According to the Draft EIR "individual trees were considered removed if it was reasonable to assume that project activities would physically remove the individual or otherwise result in unsuitable growing conditions. Individual oak trees were counted as removed if they fell within the following parameters: the individuals were located within 25' of any proposed road, utility, or structural building envelope; or, the individuals were located within the proposed boundaries of replacement agricultural areas. An individual tree was considered impacted but not removed if it was reasonable to assume that project activities would physically alter the tree (e.g., trimming) or the trees immediate surroundings (e.g., changes in topography or understory). Individual oak trees were counted as impacted but not removed if they fell outside of the removal line but within 100 feet of any proposed road, utility, or structural building envelope. The 100-foot boundary was implemented in anticipation of post-construction vegetation management activities required by California Department of Forestry and Fire protection (CAL FIRE) regulations."

The county requires an inventory for all trees within 50' of all proposed impacted areas. The EIR addressed all trees within 100' of roads and building envelopes due to their interpretation of CAL FIRE clearance regulations. This inventory includes all oaks within 100' of roads and building envelopes.

The trees growing within the Vineyard or Agricultural Replacement areas were listed as removals in the EIR with no impacts. None of these oaks will be removed. Therefore, oaks within 50' of the Vineyard or Agricultural Replacement areas were inventoried per county requirements. There are 26 oaks inventoried within the Vineyard or Agricultural Replacement areas and an additional 12 oaks within 50' of the boundaries.

I corresponded (via email) with Jeff Oliveira, Environmental Resource Specialist, Department of Planning and Building, Environmental Resource Division for the county of San Luis Obispo regarding impacts to oaks which require mitigation. It is his experience that impacted trees are those with disturbance to their root zone.

I spoke with Clint Bullard of CAL FIRE regarding their regulations for brush clearance around roads and structures in oak woodlands. The idea is to provide a defensible space around any structures should a wild fire occur. CAL FIRE requires clearance within 10' of roads and driveways and 100' from structures. They like to have the lower canopy raised to approximately 10'. This will reduce the potential of a ground fire from reaching into the canopy.

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LV-6-12-1 (cont'd)

To eliminate this fire ladder, the smaller branches will be removed. Large, lower limbs can be left intact as long as the foliage is raised to approximately 10' above grade.

The lower canopy on all of the oaks with a few exceptions is already 4' – 6' + above grade. Goats have been used around lots 46 – 65 and 11-15 for brush control.

Fire clearance is not considered an impact. An impact for the purposes of this report is disturbance to the root system. The root zone is considered to extend twice the radius of the dripline (2).

No oaks will be removed in the vineyard replacement area as stated in the EIR. In fact impacts within these areas will be minimal or none at all depending on the soil type. The majority of oaks 356-379 growing below lot 65 are growing in rock. Their roots will not extend twice the radius of the dripline. However the criterion for an impacted oak - any incursion within twice the radius of the dripline, is still applied to the oaks growing within and adjacent to the vineyard replacement areas.

Discussion

The assignment of this report is to generate an oak tree inventory of the site to include oaks that may be impacted during the development of the Laetitia Agricultural Cluster Subdivision. This will be used to determine the numbers of oaks removed and impacted based upon current arboricultural standards and determine the appropriate mitigation.

An impacted oak is one with proposed construction impacts within twice the diameter of the dripline or the extent of the majority of the roots (root zone). Twice the radius of the dripline will also indicate the approximate extent of the roots on one side of the tree. The radius of the dripline is listed in appendix 2.

Impacts are adjacent to the roads; potential impacts are adjacent to the lots. Removals are in the roads; potential removals are in the proposed building envelopes.

All the oaks identified as potential removals are counted as a removal in this report. Impacted oaks are those shown with grade changes within the root zone i.e. road construction. Potential impacts are oaks which are adjacent to the building envelopes which may have grading within the root zone during lot development.

All the oaks within the building envelopes will not require removal to develop a buildable site on most of the lots. Oaks left in and around the building site will provide screening from adjacent residences as well as enhanced property values.

There will be fewer removals and impacts than defined in this report. The actual number of removals will not be known until each lot has been developed.

Tree locations for the draft EIR were generated using aerial photographs. Resulting numbers of impacts and removals are approximate. Precise determination of the oaks location in relationship to construction activities was enabled by the survey stakes placed by the RRM Design Group survey crew.

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Less than 10% of the foliage would be removed to comply with CAL FIRE regulations, especially since the skirt on the majority of oaks is already 4'-6' above grade. According to Jeff Oliveira, Environmental Resource Specialist with the County of San Luis Obispo, impacted oaks are generally considered to be those with disturbance to their root zone. Therefore the impacted oaks in this project are going to be adjacent to the roads and building envelopes, not all oaks within 100' of any proposed road, utility, or structural building envelope.

Most of the roots are contained in the area twice the diameter of the dripline (2). However in some of the rockier areas on this site I would expect the majority of roots to be contained within the dripline.

Coast Live Oaks will tolerate some incursion within the dripline on one side. Lowering the grade to the dripline on one side would cut off about 20% of the roots while lowering the grade halfway between the trunk and dripline would remove approximately 35% of the roots. A healthy tree, vigorous tree should be able to withstand the loss of up to 50% of its roots (2).

Coast Live Oaks have a good tolerance to development impacts (3). Construction activities adjacent to or even partially within the one side of the dripline will not result in unsuitable growing conditions. Therefore it is not reasonable to assume that all oaks located within 25' of any proposed road, utility, or structural building envelope; or, the individuals located within the proposed boundaries of replacement agricultural areas will be removed or impacted sufficiently to result in unsuitable growing conditions.

The oaks within proposed boundaries of replacement agricultural areas will be left intact. RRM Design Group said a 20' buffer zone beyond the dripline would be used to protect these oaks. Twenty five of the 26 oaks in the replacement areas are impacted and 8 of the 12 oaks within 50'of the replacement areas are impacted.

There are currently 5 oaks with grade changes closer than halfway between the trunk and dripline: 60, 97, 98, 100 and 227. The extent of the grade change within the dripline was not available.

Species with good tolerance to development should use the following guidelines to establish the optimum tree protection zone:

A young tree (greater than 80% of its life expectancy)	.5'	per dbh inch
A mature tree (20%-80% life expectancy)	.75'	per dbh inch
An over mature tree (less than 20% of its life expectancy)	1'	per dbh inch

The dripline is also a good area to use for the tree protection zone (2). This will have to be adjusted on trees that lean or have fallen over.

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LV-6-12-1 (cont'd)

Conclusion

Minor pruning to comply with CAL FIRE regulations affect the oaks within 10' of the roads and driveway and within 100' of the structure. Not all the oaks growing within 100' of any proposed road, utility, or structural building envelope. Clearance pruning will remove less than 10% of the foliage to comply with these regulations.

Trees are categorized as impacted if their root zone is disturbed according to the County of San Luis Obispo. Two times the diameter of the dripline is considered the approximate extent of the roots (twice the radius of the dripline will give the extent of the majority of roots on one side of the tree). It is likely much less in the rockier areas on this site.

Coast Live Oaks have a good tolerance of development impacts and will tolerate some incursion within the dripline. The critical root zone or tree protection zone on species with good tolerance is .5' to 1' of protection for every inch of trunk diameter at 4.5' above grade (dbh) or the edge of the dripline.

The assumptions used to arrive at the definitions for an impacted oak and a removal in the draft EIR do not take the above factors into consideration. Specifically that minor fire clearance pruning is not considered an impact and Coast Live Oaks are a species with good tolerance to development impacts.

Placement of the residence, associated outbuildings and landscaping will vary on each lot. All the trees within the building envelopes on a majority of lots will not be removed to develop that lot. Nor will all adjacent oaks be impacted. The final number of oaks removed and impacted will not be known until all lots are developed.

Therefore impacts and removals were further broken down to the potential category for oaks in and around the building envelopes.

The number of impacted and removed oaks in poor condition is given.

The total number of disturbed oaks is 169. Fifty-three are removals and 116 are impacted.

Thirteen oaks are listed as removals and 40 as potential removals for a total of 53 removals. Sixteen of these removals are in poor condition.

Fifty-eight oaks are impacted. Fifty-seven percent are in the vineyard replacement areas. Fifty-eight oaks are listed as potential impacts for a total of 116 impacted oaks. Forty of these are in poor condition.

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Appendix 1 Summary of Disturbed Coast Live Oaks

Project Element	Removals	Potential Removals	**Total Removals**	Impacts	Potential Impacts	**Total Impacts**	Totals Trees Disturbed
Vineyard Replacements	0	0	**0**	33 (12)	0	**33**(12)	33 (12)
Lots 11-15	0	13 (5)	**13** (5)	1	14 (4)	**15** (4)	28 (9)
Lots 24-29	10 (3)	20 (3)	**30** (6)	12 (5)	26 (12)	**38** (17)	68 (23)
Lots 46 - 65	3 (2)	7 (3)	**10** (5)	11 (4)	18 (3)	**29** (7)	39 (12)
Main Road 1	0	0	**0**	1	0	**1**	1
Totals	13 (5)	40 (11)	**53** (16)	58 (21)	58 (19)	**116** (40)	**169** (56)

* Numbers in parenthesis are numbers of trees in poor condition

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Appendix 2 Oak Tree Inventory

#	dbh	condition	status	radius of the dripline	comments
Lots 46 - 65					
1	24.6"	poor	no impact	13.5'	thin canopy
2	25.3"@3'	good	no impact	21'	
3	15.9"	fair	no impact	20'	
4	21.2"	poor +	no impact	25.5'	
5	16.8"	fair	no impact	20'	
6	17.7"@3.5'	poor -	no impact	13'	decay through trunk into primary scaffolds
7	13.2"	poor -	no impact	8'	
8	23.9'@4'	good	possible impact	10'	adjacent to building envelope
9	19.3"	poor-	no impact	6'	
10	25.2"	fair	no impact	4'	adjacent to building envelope
11	12.5"	fair	potential removal	21'	
12	11.7"	poor -	potential removal	20.5'	
13	23", 26.5"	fair	no impact	21'	
14	10"	fair	no impact	7'	
15	12.7", 16.8" 19"	good	no impact	20'	
16	26"@4'	poor -	no impact	14'	entire trunk decayed
17	13.8", 16.9"	poor -	no impact	19'	severe carpenter worm
18	16.2"	fair	no impact	11'	lost 2nd trunk
19	10.8", 15.2"	fair	no impact	14'	
20	20.9"	good	no impact	20'	
21	12.4"	poor	no impact	17.5'	decay at base
22	20.4"	good	no impact	23'	
23	17.3"	good	no impact	21'	
24	14.6"	good	potential impact	18'	
25	9.5",10",10.4"	fair	potential impact	21'	
26	5.7",7.6",13.7"	fair -	no impact	10'	
27	9.2",11.2",14" 15.4"	poor	no impact	12'	growing in rock
28	19.8"	good	potential removal	21'	
29	23.8"	fair	potential removal	22'	decay in trunk
30	15.2"	poor	potential	12'	entire trunk decayed

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			removal		
31	11",14.2"	poor +	potential impact	10'	decay in main primaries
32	13.2"	fair -	no impact	12	thin canopy growing in rock
33	16.8",17.5"	poor +	no impact	18	decay in all primaries growing rock
34	19.2"@3'	poor	no impact	20'	decay in all primaries growing rock
35	12.6" 20.1"@2.5'	fair	no impact	20	
36	13.7"@3', 14"	fair	no impact	14'	growing in rock
37	9.5"	fair	no impact	10'	
38	10.7"	poor -	no impact	2'	foliage is only on a few suckers
39	8.6"	fair -	no impact	14'	
40	27.7"	fair -	no impact	14'	trunk just outside 100' line
41	9.5"	fair	no impact	22'	
42	16.9"	poor -	no impact	10'	decay in trunk and primaries all branch tips are dead
43	13.9"	poor	no impact	16'	
44	16.4"	poor	no impact	15'	
45	10.2",12.1"	poor	no impact	17'	
46	14.6"	fair	no impact	23'	
47	11.2"	fair	no impact	24'	
48	10.7"	fair	no impact	13'	
49	12.1"	fair -	no impact	30'	
50	9.7"	fair	no impact	18'	
51	6.5",12.5",14" 12.5", 17.6"	fair	potential impact	23'	
52	13.9", 14"	fair	no impact	29'	original tree fell
53	13.6"	poor	no impact	5'	decay in base and trunk rock outcropping between trunk and building envelope
54	14.6",17.7"	poor	no impact	7'	
55	22.9"	fair -	no impact	21'	decay in all primaries
56	23.8"	good	no impact	23'	
57	28.7"	fair -	no impact	23'	decay in primaries
58	23.2"	good	potential impact	12'	
59	36.7"	fair	potential impact	13'	trunk is hollow
60	22"	fair -	impacted	28'	decay in primaries

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LV-6-12-1 (cont'd)

					edge of grading within 1' of trunk
61	17.4"	fair -	potential impact	14.6'	
62	26.5"	fair	impacted	21.5'	
63	24.1"	fair	potential impact	22.5'	cavity at base of trunk
64	15.4"	poor	potential removal	17'	decay in upper trunk
65	14.2",18.9"	good	potential removal	19'	
66	23.5"	good	no impact	20'	
67	17"	good	no impact	8'	
68	23.8"	good	no impact	18'	
69	14.5"	fair	no impact	14.5'	
70	16.8"	fair	potential impact	6'	
71	11.7",13.1"	fair	potential impact	10'	
72	26.4"@2.5'	fair	no impact	19.5'	growing in rock outcropping
73	13.1",15.5" 17.5"	fair	no impact	21'	
74	23.8"	fair	no impact	33'	
75	15.3"	good	no impact	15'	
76	13.8"	good	no impact	14'	
77	19"	fair	impacted	22'	
78	20.6"	good	no impact	25'	
79	16.7"	fair	no impact	24'	
80	16.7"	fair	no impact	21'	
81	10.4"	fair	no impact	18'	
82	10.1"	fair	no impact	16'	suppressed beneath canopy of 79
83	12.8"	poor	no impact	14'	
84	19.2"	fair	no impact	35'	
85	7.3"	poor	no impact	10'	suppressed beneath canopy of 84 and 86
86	17.8",20.2"	good	no impact	19'	
87	43.8"@2.5'	good	no impact	45'	
88	31.7"	good	no impact	35'	
89	50.2"	poor -	impacted	24'	Hazard – could fail at any time
90	43.1"	fair -	impacted	23'	
91	41.2"@2'	poor	no impact	15'	in existing vineyard
92	29.8"	fair	no impact	29'	in existing vineyard

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93	17.2"	poor	no impact	15'	top half of trunk is decayed
94	36.8"	poor	removal	18'	trunk is hollow
95	33.2"	fair -	removal	29'	decay at top of main primary
96	32.9"	poor	removal	11'	original top is gone
97	23.9"	good	impacted	12'	edge of grading w/in 4' of trunk
98	46.3"	poor	impacted	28'	edge of grading w/in 16' of trunk extensive decay up trunk into primaries
99	36.4"	poor +	impacted	14'	
100	28.8"	poor	impacted	10'	trunk w/in 1' of grading high probability of limb failure
101	36.6"	fair -	potential impact	18'	hollow trunk
102	35.1"	poor +	potential impact	21'	decay in trunk and primaries
103	31.3"	fair	impacted	11'	
104	19.8"	good	no impact	8.5'	
105	28.5"@3.5'	poor	potential impact	9'	dieback in major limbs
106	25.6"	fair	potential impact	19'	
107	13.8"	fair	no impact	20'	
108	23.2"	fair	no impact	28'	
109	22.5"@2'	poor	no impact	19'	
110	22.6", 25.5"	fair	potential impact	25'	
111	41.3"	fair	potential impact	38'	
112	33.5"	poor	no impact	19'	trunk and primary hollow
113	30.3"	poor	no impact	14'	
114	17.5"	poor	no impact	17'	
115	22"	poor	no impact	6'	original top is gone
116	21.6"	poor	no impact	24'	
117	18.1"	fair	no impact	25'	
118	12.4",14.4"	poor	no impact	24'	
119	27.9"	fair	potential impact	24'	
120	34.1"	fair	no impact	27'	
121	34.5"	fair	no impact	23'	trunk is hollow
122	29.6"	fair -	impacted	18'	
123	36.8"	good	no impact	18'	

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124	52.8"	fair	no impact	24'	
Lots 11 - 15					
125	26.3"	poor	no impact	8'	
126	17.1",17.6"	good	no impact	19'	
127	17.5"	fair	potential impact	17'	
128	21.9",22.5"	good	potential removal	23'	
129	16.3"	good	potential impact	20'	
130	9.4",10.2",13"	fair	potential impact	18'	
131	22.7"	fair	no impact	6'	
132	6.9",7.3",8.4" 9.8",16.3"	poor	potential impact	17'	
133	12.6"	fair	potential impact	9'	
134	10.9",11.3" 11.8",12.5"	fair -	potential impact	19'	
135	12.1"	fair	no impact	7'	
136	18.9"	fair	no impact	17'	
137	22"	fair -	no impact	0	Trunk sounds hollow
138	13.5",14.2" 16.2",18.5"	fair	no impact	24'	
139	9.2"	fair	no impact	16'	
140	8.2"	fair	no impact	6'	
141	9.8"	fair	no impact	7.5'	
142	12.6"	fair	no impact	21.5'	
143	22.6"	fair	no impact	10'	
144	11",12.2"	poor	no impact	6'	
145	9.4",12.7"	fair	no impact	13'	
146	14.2"	fair	no impact	22'	
147	9.5"	poor -	no impact	11'	Suppressed
148	9.1"	poor -	no impact	2'	Suppressed, top is dead foliage is only on a few suckers
149	10.2",11.4"	fair -	no impact	14'	
150	11"	fair	no impact	9'	
151	11.5"	poor	no impact	7'	
152	16.8"	fair	no impact	23'	
153	14.5",25.8"	fair	no impact	14'	
154	19.3"	fair	no impact	22'	
155	28.1"	fair	no impact	21'	
156	18.3"	fair	no impact	14'	

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157	23"	fair -	no impact	17'	
158	18.9"	fair -	no impact	12'	
159	14.4"	fair	no impact	17'	
160	24.4"	fair	no impact	26'	
161	12.8"	good	no impact	13'	
162	28"	fair	no impact	22'	
163	17.4"	fair	no impact	9'	
164	44.2"	fair	potential impact	22'	
165	15.9"	fair -	no impact	34'	tree has fallen over in past few years
166	21.8"	fair -	no impact	24'	
167	16.1"	poor	no impact	4'	
168	10.8"	poor	no impact	14'	trunk is hollow
169	11.4"	poor	no impact	9'	
170	14.2",19"	poor	potential impact	21'	
171	21.2"	fair	potential impact	17'	
172	17.2"	fair	potential impact	18'	
173	13.6"	fair -	potential impact	14'	
174	49.6"	poor -	potential impact	17'	hazard – could fail at any time
175	9.2",13.5" 15.3"	fair	potential removal	17'	
176	13.2"	poor -	potential removal	15'	trunk and primaries are hollow
177	9.6",11.8" 14.2",17.2"	fair	potential removal	20'	
178	16.4"	poor	potential removal	14'	
179	15.5",15.8"	poor	potential removal	10'	
180	11.4"	poor	no impact	9'	
181	31.3"	fair	no impact	13'	tree fell over
182	13.1"	fair	no impact	7'	
183	10"	fair	potential impact	14'	
184	12.5"	fair	potential removal	16'	
185	12.3",15.2" 22.6"	fair	potential removal	16'	
186	9.6",9.8"	poor	potential	14'	

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	10.2"		removal		
187	17.5"	good	potential removal	18'	
188	29.4"	fair -	potential removal	20.5'	
189	30.4"	poor -	potential removal	16'	trunk is hollow
190	21.1"	fair	potential removal	10'	
191	28.8"@2.5'	fair	impacted	11'	
192	19.4"	poor	potential impact	6'	back half of trunk is decayed
193	23.3"	fair -	no impact	23'	
194	13.4"	poor -	no impact	7'	
195	16.9"	poor +	no impact	8'	
196	26.6@4'	fair -	no impact	27'	
197	13.1"	fair -	no impact	0	
198	9.7"	fair -	no impact	13'	
199	29.8"	poor	no impact	9'	
200	16"	fair	no impact	16'	

Lots 24 – 29

201	25.9"	poor	impacted	19'	
202	19.2"	fair	impacted	9'	
203	26"	poor	impacted	20'	
204	26.3"	poor	no impact	7'	trunk is hollow
205	20.4"	fair	impacted	25'	
206	30.5"	poor	impacted	13'	trunk is hollow
207	17.6"	fair -	impacted	13'	
208	33.1"	poor +	impacted	24'	trunk is hollow
209	3.4",4.5".6" 7.1",8.5"	fair -	impacted	13'	stump sprout
210	33.8"	fair -	removal	24'	
211	41.8"	fair	removal	35'	
212	36"	fair -	impacted	33'	
213	44.9"	poor +	no impact	9'	
214	13.4"	poor	no impact	6'	
215	20.9"	poor +	no impact	12	
216	43.7"	fair -	no impact	32'	
217	32.3"	fair	no impact	12'	
218	23.5"@3'	fair	no impact	16'	
219	17.7",24.9" 26.3"	fair	no impact	24'	
220	30.6",32.5"	fair	removal	15'	
221	24.5"	poor	removal	22'	
222	23"	fair -	no impact	11'	

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223	19.3"	poor	removal	25'	Tree fell over Trunk is decayed
224	18"	fair	removal	26'	
225	14.6"	fair	removal	26'	Just inside grading limits
226	21.3",24.7"	fair	removal	35'	
227	15"	fair	impacted	15'	edge of grading w/in 3' of trunk
228	24.5"	poor	impacted	12'	
229	13.5",18" 20.4"	fair -	potential removal	22'	
230	16.6",18.1"	poor	potential removal	11'	
231	17.3",20.7"	poor -	potential impact	13'	
232	18.7"	poor	removal	8'	
233	21.2"	fair	removal	14'	
234	13.9",14.1" 16.2",16.5"	fair -	impacted	19'	
235	22.1"	fair -	no impact	15'	
236	15",21.6"	fair	no impact	23'	
237	8.4",15.6"	fair	no impact	22'	
238	12.4"	poor -	no impact	8'	
239	11.2"	fair -	no impact	11'	
240	21.9"	fair	no impact	9'	
241	14.7"	fair	no impact	11'	
242	14.7"	fair	no impact	14.5'	
243	17.9",23.1"	fair -	no impact	20'	
244	21.1"	fair	no impact	33'	
245	13.3"	fair -	no impact	0	
246	27"	fair -	no impact	15'	
247	17.5"	fair	no impact	16'	
248	7.5"	Fair -	no impact	12'	
249	16.8"	poor +	no impact	15'	
250	29.2"	poor	no impact	13'	trunk is hollow
251	6"	poor	no impact	0	
252	10.8",12.2" 15.1"	fair -	no impact	21'	
253	22.1"	fair	no impact	35'	
254	12.3"	poor	no impact	8'	
255	36.9"	fair	no impact	35'	
256	14.5"	poor +	no impact	17'	
257	5.9"	fair	no impact	3'	
258	12",18.9" 25.6"	poor +	no impact	25'	
259	19.8"	good	no impact	31'	

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260	17.4"	good	no impact	23'	
261	12.5"	fair	no impact	13'	
262	29.2"@3'	poor	potential impact	27'	
263	24.2"	fair -	potential impact	29'	
264	20"	fair	no impact	15'	
265	18.4"	fair	no impact	37'	
266	12.6",14.2"	fair	no impact	24'	
267	5.2",6.2",16" 16.4"	fair	no impact	15'	
268	12.2"	poor	no impact	13'	original top is gone
269	14.4"	fair	no impact	14'	
270	19"	fair	no impact	17'	
271	25"	fair	no impact	24'	
272	20"	fair	no impact	17'	
273	6",6.6",7.1"	fair	no impact	4'	
274	14.5"	good	no impact	19'	
275	23.7"	poor +	no impact	15'	
276	15.6",26.2"	fair	no impact	24'	
277	19.1"	fair -	no impact	16'	
278	9"	poor +	no impact	8'	
279	15"	poor -	no impact	0	
280	16.1"	poor	no impact	12'	
281	25"	fair	potential impact	21.5'	
282	10.4"	fair -	potential removal	10'	
283	16.5"	fair	potential removal	15'	
284	8.4",10.3"	fair	potential removal	12'	
285	16.3"@3'	poor +	potential removal	10'	
286	10.5",12.7" 12.8",14.8"	fair -	potential removal	26'	
287	9.9",10.2"	poor +	potential impact	8'	
288	8.4",9.4",11.5"	poor +	potential impact	4'	
289	6.2",9.9"	fair -	potential impact	0	
290	11.9"	poor	potential impact	14.5'	
291	10.2",13.1"	poor +	potential	9.5'	

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			impact		
292	24.5"	poor	potential impact	5'	
293	17.7"	fair -	potential impact	9'	
294	15.1".18.5"	fair -	potential impact	13.5'	
295	8.2"	fair -	potential removal	9.5'	
296	17.5",17.7"	fair -	potential impact	23'	
297	19.8"	poor	no impact	5'	trunk is hollow
298	17.5"	fair -	potential removal	14'	
299	19.3"@3'	poor -	no impact	0	top is dead trunk is hollow
300	14"	poor +	no impact	13'	
301	24.2"	fair	no impact	23.5'	
302	28"	fair -	no impact	21.5'	
303	13.3"	poor -	no impact	5'	trunk decayed
304	27.4"	fair -	no impact	23'	entire canopy on 1 limb
305	19.8"@3.5'	poor +	no impact	17'	decay in trunk and primaries
306	14.7"	poor	no impact	3'	trunk decayed up into first primary
307	16.7"	poor +	no impact	8'	
308	14.2"	fair -	potential impact	12.5'	
309	12.4",18.9"	poor +	potential impact	17'	
310	9.5"	fair	potential impact	0	
311	9.1",9.1",10" 10.6"	fair	potential removal	11'	
312	26.3"	fair -	potential removal	10'	
313	6.1"	poor -	potential removal	5'	top and upper trunk decayed
314	14.8"	fair -	potential removal	10'	
315	8.8"	fair	potential impact	9.5'	
316	15.7"	fair -	potential removal	5'	

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LV-6-12-1 (cont'd)

317	18.4"	fair	potential removal	15.5'	
318	8.3",10.5"	fair	potential removal	12'	
319	6.2".6.5",9.9" 10.3",12.2"	fair -	potential removal	11.5'	
320	16.3"	fair	potential removal	17'	
321	7.8"	fair	potential removal	10'	
322	6.9"	fair -	potential removal	10.5'	
323	7"	poor	potential impact	22'	
324	9.9"	poor +	potential impact	10.5'	
325	36.2"	poor +	potential impact	13'	
326	13.8"	poor	no impact	12'	trunk is hollow
327	11.7"	fair -	no impact	6.5'	
328	19.3"	poor	no impact	19'	
329	11.4",16.8" 21.9"	fair -	no impact	32'	
330	22"	poor +	no impact	19.5'	
331	25"	fair -	no impact	20'	
332	16"	poor +	no impact	21'	
333	20.2",27"	fair -	no impact	26'	
334	17.2"	fair	no impact	30'	
335	28.4"	poor -	no impact	10'	trunk and primaries are hollow
336	9.7"	fair -	no impact	10.5'	
337	17.3"	fair -	potential impact	19'	
338	14.5"	poor	potential impact	15.5'	
339	12.2"	fair -	potential impact	22'	
340	10.2",11.9"	poor +	no impact	7'	
341	17.1",22"	fair -	no impact	19'	
342	12.7",14.9"	poor +	no impact	0	
343	22.2"	fair	potential impact	19.5'	
344	7.3",11.7",12" 15.3"	fair -	potential impact	19'	
345	17.8",21"	fair	potential	17.5'	

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LV-6-12-1 (cont'd)

			impact		
Vineyard Replacement					
346	30",33"	poor +	impacted	24'	
347	14.8",15.9"	fair -	impacted	25'	
348	19"	fair	impacted	23'	
349	14.8",16.1"	fair	impacted	14'	
350	20.5"	fair -	impacted	14'	
351	13.8"	fair	impacted	15.5'	
352	20.9",24.8"	fair -	impacted	36'	
353	11.5",13.7"	good	impacted	17.5'	
354	8.6",20.6"	fair +	impacted	23'	
355	49.4"@2.5'	fair -	impacted	59.5'	
356	29.8",37.5"	fair	impacted	35'	
357	16.5",19.2"	poor -	impacted	17.5'	
358	21.7"	poor +	impacted	29'	
359	27.2"	poor	impacted	12.5'	trunk is hollow
360	13.8"	fair	impacted	15'	
361	13.5".17.1" 17.9",25.1"	poor +	impacted	31'	
362	39.5"@2.5'	poor -	impacted	26'	
363	28.1"	fair -	impacted	28.5	
364	32.4"	fair -	no impact	5.5'	growing in rock
365	29.3"	fair-	impacted	17.5'	
366	21.4"	poor	impacted	8'	outside vineyard replacement area
367	14.6",16.5"	fair	impacted	20'	outside vineyard replacement area
368	22.5"	fair -	impacted	8.5'	outside vineyard replacement area
369	16.3"	fair -	no impact	6.5'	outside vineyard replacement area
370	25"	poor	no impact	3'	outside vineyard replacement area
371	31.4"	fair	impacted	25.5'	outside vineyard replacement area
372	18.1"	poor	no impact	11.5'	outside vineyard replacement area
373	20"	poor	impacted	11.5'	
374	17.5",21"	poor	no impact	23'	growing below rock ledge outside vineyard replacement area
375	16.4"	fair	impacted	25.5'	outside vineyard replacement area
376	6.8"	fair -	impacted	7'	suppressed beneath 375
377	7.8"	fair -	impacted	11'	

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LV-6-12-1 (cont'd)

378	20.8"	poor	impacted	13.5'	outside vineyard replacement area
379	9.2",15.3"	poor	impacted	9.5'	outside vineyard replacement area
380	20"	poor	impacted	25'	tree has fallen over
381	33.6"	fair -	impacted	24.5'	outside vineyard replacement area
382	28.7"	poor	impacted	24.5'	trunk is hollow
383	32.8"	fair -	impacted	34'	tree has fallen over
Main Road					
384	12.3"	good	impacted	14'	

Appendix 3

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LV-6-12-1 (cont'd)

Tree Protection Measures during Tract Development

The minimum tree protection zone is the dripline. It can range from .5' per inch of dbh on a young oak (greater than 80% life expectancy), to .75' per inch of dbh on a mature oak (20% to 80% life expectancy), to 1' per inch of dbh on an overmature oak (less than 80% life expectancy) (2). County standards are 1-1.5 feet per dbh inch.

All oaks remaining onsite within 50' of construction shall be fenced prior to start of construction/grading. The fence should be placed 1.5 times the radius of the dripline away from the trunk whenever possible. This fence shall not be moved during construction unless approved by the Arborist.

Encroachment (grade changes – cuts, fills, or trenching) within the dripline shall be kept to a minimum.

Encroachment shall be limited to one side of the oak and should not come any closer to the trunk than 1/2 the radius of the dripline or 10' whichever is greater.

Grubbing within the dripline shall be done by hand.

Trenches within the dripline shall be hand dug. Roots 2" in diameter and over should be left intact unless approved for removal by the Arborist. Roots removed over 1/2" in diameter shall be cut. A hand pruner can be used for the smaller roots while a saw should be used for larger roots.

Utility trenches will be located along the roads or driveways and will not encroach within any driplines.

Encroachment within the tree protection zone shall be approved by the arborist.

No staging, storage or parking is allowed under any of the oaks.

The Contractor should call the Arborist for inspections prior to and during construction to determine that adequate tree protection measures have been implemented and are being followed.

Silt fencing shall be installed between the construction site and existing oaks.

Drainage should be directed away from the oaks.

No soil sterilants shall be used within 50'+ of the dripline of any oaks.

Pruning on the oaks shall be kept to a minimum. Any pruning must be supervised by an ISA Certified Arborist (International Society of Arboriculture). ISA Pruning standards shall be followed.

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Responses to John Janneck's Comments: Oak Tree Inventory (LV-6-12)

Comment No.	Comment
LV-6-12-1	The submitted Oak Tree Inventory was considered during preparation of the Revised EIR and final EIR. Please refer to Revised EIR (2013) and Final EIR Section V.E. Biological Resources, 5. Project-specific Impacts and Mitigation Measures, a. Project-wide, 2) Impacts to Coast Live Oak Woodland (page V.E.-36), which states that the project would result in the loss of 55 oak trees, and impacts to 114 oak trees including on-going vegetation management pursuant to CAL FIRE standards. The applicant's Oak Tree Inventory identifies 53 oak trees that would be removed or potentially removed, and 116 oak trees that would be impacted or potentially impacted, which is similar to the estimates identified in the EIR.

STEELHEAD IMPACT
MEMORANDUM FROM MIKE PODLECH
AQUATIC HYDROLOGIST

LV-6-13

Mike Podlech
Aquatic Ecologist
1804 Pine Flat Road
Santa Cruz, CA 95060
31) 458-4144
mpodlech@sbcglobal.net

memorandum

date October 23, 2008

to Wendy Lockwood, Sirius Environmental

from Mike Podlech, Aquatic Ecologist

subject Assessment of Potential Impacts to Steelhead Described in the Laetitia Agricultural Cluster DEIR

Background

The Draft EIR (**BIO Impact 7**) indicates that the proposed project would result in a decrease in water quality and quantity within Los Berros Creek and steelhead critical habitat. The Draft EIR then stipulates that Mitigation Measures BIO/mm-1 through BIO/mm-13, BIO/mm-28, WAT/mm-1 through WAT/mm-8, and WAT/mm-11 through WAT/mm-14 shall be implemented. Nevertheless, the Draft EIR concludes that: **LV-6-13-1**

> "Implementation of the above mitigation measures will minimize the proposed project's effects on water quality within Los Berros Creek; however, does not address the decrease of surface water in the creek associated with increased water demands. Potential impacts associated with the decrease in water quality and quantity in steelhead critical habitat would be considered *significant and unavoidable, Class I.*"

The following summarizes the findings of my review of the DEIR and my qualitative assessment of the significance of potential water quantity and quality impacts to federally threatened steelhead and federally designated critical habitat.

Assessment Results

The Draft EIR is correct in identifying the presence of designated critical habitat in Los Berros Creek within the proposed project area. However, the applicant intends to implement a mitigation measure that would restrict water pumping to wells that do not have a direct hydrologic connection to Los Berros Creek (see letter from Cleath and Associates) and would therefore not have a water quantity impact on steelhead and/or critical habitat. **LV-6-13-2**

The Draft EIR identifies several potential impacts (e.g., **WAT Impacts 5, 6, 7 and 10**) that may affect water quality in Los Berros Creek. Numerous mitigation measures are identified in the Water Resources section of the

Draft EIR to address potential surface water quality impairment. For each of these impacts, the Draft EIR concludes, and I concur, that potential impacts to water quality are less than significant after implementation of the mitigation measures. However, if water quality impacts to Los Berros Creek are considered less than significant with implementation of the mitigation measures, then water quality-related impacts to steelhead and critical habitat present in Los Berros Creek are, by extension, also less than significant. In addition, the equestrian facility proposed adjacent to Los Berros Creek is being eliminated from the project. Thus, in my professional opinion as a fisheries biologist with extensive experience in CEQA analyses, potential impacts to water quality in steelhead critical habitat would be mitigated by the proposed water quality measures identified in the Draft EIR.

LV-6-13-2 (cont'd)

Due to the elimination of wells that are hydrologically connected to Los Berros Creek, the adequate mitigation of water quality impacts to Los Berros Creek, and the elimination of the equestrian facility, **BIO Impact 7** should be identified as a *less than significant, Class II* impact in the Final EIR.

LV-6-13-3

The Draft EIR also indicates that potential secondary biological impacts could result from traffic mitigation, including roadway improvements to Upper Los Berros Road (TR/mm-10) immediately adjacent to Los Berros Creek. A number of biological mitigation measures to protect listed species (BIO/mm-1 though 12, BIO/mm-14 through 16, BIO/mm-19 and 20, WA/mm-11 through 14) are included in the Draft EIR. I concur that these measures would reduce potential impacts to steelhead and designated critical habitat to a less than significant level, and the Draft EIR correctly indicates that the secondary biological impacts associated with improving local roadways including Upper Los Berros Road would be Class II.

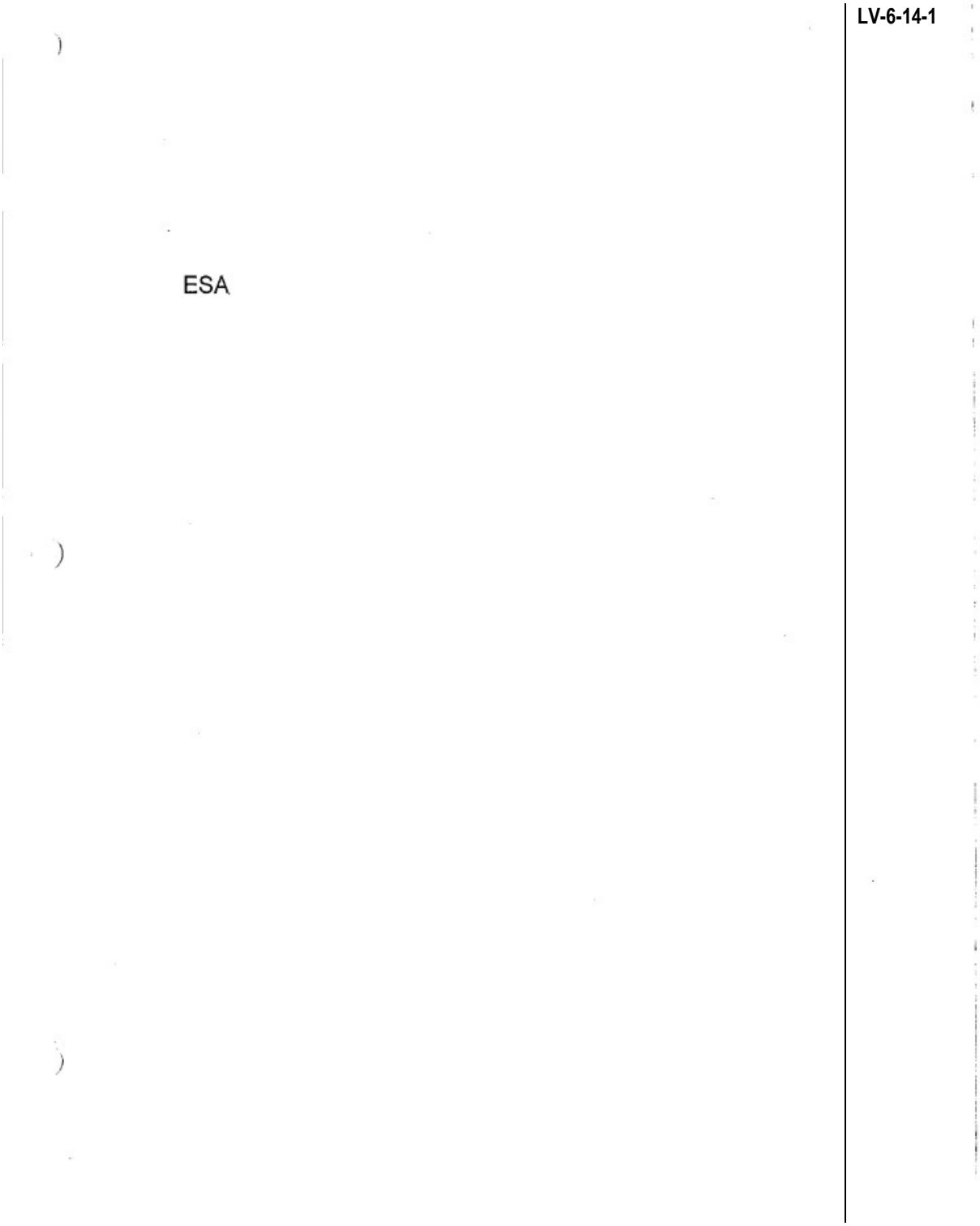
LV-6-13-4

Responses to John Janneck's Comments: Memo from Aquatic Ecologist (LV-6-13)

Comment No.	Comment
LV-6-13-1	Comments noted; please refer to the Revised EIR (2013) and Final EIR Section V.E. Biological Resources.
LV-6-13-2	Please refer to the Revised EIR (2013) and Final EIR Section V.E. Biological Resources. These documents were revised to incorporate additional analysis of water resources, and proposed project wells' influence on base flow within Los Berros Creek.
LV-6-13-3	Please refer to Revised EIR (2013) and Final EIR Section V.E. Biological Resources, which incorporate proposed project changes related to domestic well production, and implementation of yield restrictions on wells that may be influenced by Los Berros Creek. Based on implementation of water conservation measures, water use monitoring, and noted yield restrictions, BIO Impact 7 is identified as less than significant.
LV-6-13-4	Comment noted; please also refer to the Revised EIR (2013) and Final EIR Section V.E. Biological Resources.

COMMENT AUTHORS
FIRM QUALIFICATIONS
INDIVIDUAL RESUMES

LV-6-14


LV-6-14-1
ESA

ESA

LV-6-14-1 (cont'd)

San Luis Obispo and Vicinity Qualifications

Woodlands Specific Plan EIR

ESA prepared a Constraints Analysis and EIR for the Woodlands Specific Plan in San Luis Obispo County. The proposed project would develop approximately 957-acres near the community of Nipomo. The analysis included construction of a 63-hole golf course, up to 900-units of single-family and multi-family residences, a resort/hotel complex of up to 700-rooms, and a neighborhood "village core" area that would include public services and school facilities. The environmental constraints analysis considered visual sensitivity, sensitive habitats, noise, traffic/circulation/ transportation, water availability, agricultural conflicts, topographic alteration/limitations (drainage and erosion), and archaeological resources. Ultimately the analysis helped develop alternative project designs that would avoid or mitigate any constraints identified as significant. Major issues addressed in the EIR included water resources/wastewater, traffic and circulation, noise, air quality, public services, biological resources (including impacts on the monarch butterfly), archaeology, agricultural compatibility, hazardous materials, aesthetics, and drainage, erosion, and sedimentation.

Additionally, ESA prepared a Supplemental EIR (SEIR) for the Specific Plan that included additional review of potential impacts to local groundwater. The Department of Water Resources (DWR) had prepared a draft report on the condition of the groundwater basins in the southern portion of the county, including the Santa Maria Basin and the Nipomo Mesa Basin. The SEIR summarized the conclusions of the DWR report and other reports and groundwater modeling efforts that had been conducted since the original EIR had been adopted. The county certified the SEIR in January 2002.

Nacimiento Environmental Monitoring and Reporting Services

ESA provided regulatory permitting, supplemental environmental analysis, compliance monitoring and reporting services for the Nacimiento Water Project, a 45-mile water transmission pipeline in San Luis Obispo County. ESA secured permits and authorizations from the Corps, Central Coast RWQCB, CDFG, NOAA Fisheries and USFWS. ESA prepared a total of 10 Lake and Streambed Alteration Agreements (SAAs) for the project grouping the SAAs by project location, impact, duration of impact and resources affected. ESA also provided additional environmental review under CEQA and NEPA. When faced with potential bid award delays, ESA worked with CDFG to draft the SAAs so that these authorizations could be issued on time. ESA Team prepared the Section 106 Technical Report, archeological testing plan, the archeological recovery and date treatment plan (ARDTP) and the Memorandum of Agreement (MOA) between the Corps, California National Guard, and SHPO. Currently, ESA is providing compliance monitoring services for the project including pre-construction and construction monitoring for biological resources and cultural resources.

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LV-6-14-1 (cont'd)

Other Qualifications

Beringer Wine Estates EIR

ESA prepared the EIR for an integrated winery processing, bottling, and distribution facility proposed by Beringer Wine Estates in Napa County. The 218-acre project site is south of the Napa County Airport and west of State Route 29. The project includes 1.4 million square feet of new structures, 120-acres of vineyards, protected wetland and riparian areas, and wastewater treatment and storage ponds. The EIR focused on traffic and parking demand, visual quality, biological resources, air quality, potential sources of stormwater pollution, threats to health and safety due to geologic hazards and an adjacent airport, as well as the demand for water, sewage treatment, and other public services. As the largest structure ever to be proposed in Napa County, and one that would be situated within the highly controversial and legally challenged Airport Industrial Park Specific Plan area, the EIR was prepared with exceptional breadth, depth, and detail in order to withstand intensive legal scrutiny.

Clos de la Tech Winery EIR

ESA prepared an EIR for San Mateo County that analyzes the impact of the construction, planting, and operation of a 173-acre winery in the unincorporated area of San Mateo County, northeast of the Town of La Honda. The report evaluates the potential for erosion during construction and operation of the vineyards, possible slope failure, and potential impacts to biological resources and water quality. The Clos de la Tech Winery includes winery operations (crushing, bottling, and storage), winery offices, and living quarters for up to six people. Grapes would be grown on approximately 80 acres of the site and would be planted in a phased schedule. Facilities for composting wine waste and a private residence are proposed for development on the project site. The project includes a zoning text amendment to San Mateo County's zoning regulations that would expand the regulated definition of wineries to include "Scenic Wineries" defined as any winery in San Mateo County at elevations of 1,500 feet or more. The annual bottling capacity for such wineries would be increased from 2,500 cases to 13,000 cases.

Rutherford Hills Winery Geological Assessment

ESA performed third party technical review concerning geologic issues related to the proposed installation of a wastewater leach system over the wine storage caves at the Rutherford Hill Winery, in Rutherford, California. The project involves geologic and hydrologic assessment of wine storage caves constructed in Franciscan Bedrock in Napa County. Primary issues include location of shear zone as groundwater conduit, structural integrity of cave walls, geology and groundwater interactions.

Saintsbury/Hudson Winery Erosion Control Plans

ESA prepared an EIR on the proposed Erosion Control Plans (ECPs) for the development of 169.5-acres of vineyards for Hudson Vineyards and Saintsbury Winery in the Carneros region of Napa County. The properties are located along Henry Road, north of Highways 121/12, and west of the City of Napa. In addition to evaluating the effects of implementing the ECPs, the EIR also evaluated the environmental impacts of the construction or enlargement of three water storage

LV-6-14-1 (cont'd)

facilities, modification to some watercourses, water rights amendments, and vineyard operations and maintenance. Environmental issues examined included air quality, biological and cultural resources, hydrology/water quality, transportation/traffic, watershed and cumulative impacts of vineyard development in the Carneros Creek watershed.

Carter Estates Winery Resort and Spa EIR

ESA is preparing the EIR for Carter Estates Winery Resort & Spa Project in the county of Riverside. The Carter Estates project site is located northwest and adjacent to the intersection of Newton Avenue and Rancho California Road in Riverside County, west of the intersection of Anza Road and Rancho California Road. Regional access to the site is provided by Interstate 15, located approximately six miles to the east of the project, and State Highway 215 located to the northeast of the site. The proposed project is located in the Southwest Area Plan – Agriculture, Citrus, and Vineyard Policy Area of the County of Riverside's General Plan. The proposed Carter Estates project would include the construction of a vineyard, and associated winery, resort, and spa. In addition, other ancillary facilities would include an amphitheater, two pools, and indoor and outdoor wedding facilities. The project would be constructed on a 109-acre site located in the County of Riverside's wine country. The project site is currently planted with actively cultivated vineyards and has areas of open space. Apart from the wine vineyards, the project site mainly consists of bladed areas with non-native vegetation. The Draft EIR is currently in process.

Dry Creek Vineyard Estates, Twelve Oaks Development Planning and CEQA Compliance

The Twelve Oaks Development project includes development of approximately 226 residential estate lots, each with a minimum of ¼ acre of planted vineyard and a ¼ acre building pad on the project site and to evaluate various alternative wastewater disposal options. The project has been designed to avoid impacts to the numerous onsite drainages and will be developed in 3 phases. Average home sizes will be 4,000 SF. ESA is providing development planning/entitlement services and will be preparing a mitigated negative declaration for the construction of the 4½ mile offsite Borel Road and related sewer trunk line. Over 60% of the project site has been dedicated as permanent open space and has been found to be in conformance with the Multi Species Habitat Conservation Plan. The project will be gated and onsite amenities include a production winery, a community center and extensive landscaping. The project to be evaluated by the Initial Study / MND specifically includes the construction of Borel Road between the intersection of Borel Road /Warren Road, westerly to the intersection of Washington Street and Benton Road. The conceptual design of Borel Road has been completed by Stantec and this design will be the basis for the impact analysis contained in the Initial Study.

Chase Knolls Apartments EIR and Supplemental EIR

ESA completed a Draft EIR for the 260-unit Chase Knolls Apartments complex in the Sherman Oaks community of Los Angeles, California. The developer proposed to add 141-units to the 13.9-acre site in five new apartment buildings located along the project site's interior roadway, and to add recreation amenities and parking. The project site, which occupies nearly a city block, and is a City of Los Angeles Historical-Monument, is eligible for the National Register of

LV-6-14-1 (cont'd)

Historic Places, and is subject to a Mills Act contract. The site is considered an intact example of the Garden City concept, used in the design of some federally-funded apartment complexes built in the late 1940s and early 1950s. The project is extremely controversial with adjacent land uses including single-family residences, a private high school, and commercial uses. Nearby uses include U.S. 101, which is one-half mile away, and the Sherman Oaks Fashion Mall, located a few blocks away.

Caruso-Burton Way Mixed-Use MND

ESA prepared the Initial Study and Environmental Assessment Form pursuant to the applicable provisions of the California Environmental Quality Act (CEQA) for the City of Los Angeles (the City). ESA is currently preparing a Mitigated Negative Declaration for the proposed project. The located of the proposed project is at 8500 Burton Way, in the western portion of the City of Los Angeles, adjacent to the City of Beverly Hills (south and west of the project site) and in the vicinity to the City of West Hollywood (north of the project site).The IS/MND will examine potential physical impacts to the environment as a result of the proposed adoption and implementation of the Burton Way Mixed-Use Development Project. This IS/MND is intended to inform the City, responsible agencies, and the public of the proposed project's environmental effects by publicly disclosing those impacts that may be significant and adverse, and by describing possible measures that would mitigate or eliminate such impacts. This mixed use project consists of approximately 90 residential units and 15,000 square foot commercial space, along with associated parking.

Costello Pool and Bathhouse Replacement Project

ESA is currently preparing an Environmental Impact Report (EIR) for the City of Los Angeles Department of Recreation and Parks (the City) Lou Costello Recreational Center. The City of proposed to replace the existing pool and bathhouse at the Costello Recreation Center, located on East Olympic Boulevard in East Los Angeles. The pool and bathhouse facilities are considered Historically Significant, and ESA has work closely with the City to develop alternatives that would preserve such resources. The new swimming pool would provide a modernized swimming and diving pool (approximately 75 feet [ft.] x 45 ft.) including a wash pad complete with shower towers. The new bathhouse facility would include a staff entry pavilion with reception desk, outdoor changing stalls, benches, outdoor lavatory, and large storage pavilion. The proposed project would also include resurfacing the two basketball courts adjacent to and east of the pool and landscaping improvements.

Westshire Residential Project Supplemental EIR

ESA prepared a Supplemental EIR for the Westshire residential project in Los Angeles County. The project includes the development of 165-condominium units on approximately 9.2-acres. The project site is located within Planning Area 9 of the Canyon Park Specific Plan (also know as Specific Plan No. 1). The site was approved for a neighborhood commercial site and the project applicant is requested a Specific Plan Amendment to change the current designation to allow for residential uses. Potential impacts addressed included geotechnical hazards, flood hazards, fire hazards, noise hazards, water quality, air quality and health risk assessment (due to the location of

LV-6-14-1 (cont'd)

the site adjacent to SR-14), visual, traffic access, land use, and services/utilities. ESA also prepared a Specific Plan Conformance Report for the project.

Baldwin Park Specific Plan EIR/EIS

ESA is providing environmental services for an EIR for a downtown specific plan in Baldwin Park that would encompass over 120 acres and result in development of between 6,000 and 8,000 new condominiums, and approximately 1.5 million square feet of commercial development. This project, which is in the preliminary planning stages, will require the extensive use of eminent domain; and will also require amendments to the General Plan, Zoning Map, and Redevelopment Plan. Environmental issues include land use, traffic, air quality, aesthetics, hazardous materials, historic resources, utilities and service systems, public services, and potential urban decay issues.

City of Temecula General Plan Housing Element

ESA prepared the City of Temecula General Plan Housing Element update to incorporate new legislative requirements since the element was originally adopted. The City requested for Planning Department staff to complete the bulk of the tasks related to updating, producing and processing the housing element update through the Department of Housing and Community Development. ESA's role was to review certain aspects of the Housing Element update program and advise staff with regards to recent housing element update requirements, evaluate compliance with said requirements and suggest ways to improve the Housing Element update goals, objectives and policies. ESA provided strategic update evaluation and recommendations to the city for incorporation into the housing element, and did not be prepared or produced the actual Housing Element.

Fresh & Easy Riverside Facility

ESA is currently working with Tesco regarding preparation and support for their Fresh & Easy Distribution Center located at the March Business Center in Riverside County. ESA is providing technical support for Phase I of the project, which includes over 700,000 square feet of warehouse and manufacturing space to support their Fresh & Easy retail stores to be located throughout the west. Technical support includes air quality and traffic analysis, in addition to documenting mitigation measures and compliance with the March Business Center Design Guidelines. ESA is also preparing the EIR for Phase II of the Riverside facility, which will expand on the Phase I facility and include a distribution and food manufacturing facility for receiving, sorting , repackaging, storing and distributing food and household items. Environmental issues include traffic, air quality/ greenhouse gas emissions, water quality/hydrology, hazards/hazardous materials, noise, and utilities and service systems.

Lancaster Commercial Shopping Center EIR

ESA was selected to prepare an EIR for a 140,000 sf shopping center, located on Lancaster's urbanized edge. The project would include three fast food restaurant pads and a gas station/car wash. The project would require a General Plan Amendment to change the land use classification from UR (Urban Residential) to C (Commercial) and a rezoning.

LV-6-14-1 (cont'd)

Palmdale Water Reclamation Plant 2025 Facilities Plan Program EIR.

ESA prepared the Palmdale Water Reclamation Plant (PWRP) 2025 Facilities Plan Program EIR and alternatives screening analysis for the County Sanitation Districts of Los Angeles County, District 20. The primary goal of the PWRP 2025 Plan is to identify the wastewater treatment and effluent management facilities to meet the needs of the District No. 20 service area through the year 2025 in an environmentally-sound and cost effective manner. The PWRP provides secondary treatment in six oxidation ponds, which have a total wetted surface area of 149 acres and an average dept of approximately 3.5 feet for Ponds 2 and 3 and five feet for Ponds 4 through 7. The 2025 Facilities Plan will be performed in two phases. During the first phase, the wastewater treatment and effluent management capabilities of the PWRP will be upgraded, and in some areas expanded, if necessary, primarily to meet the regulatory requirements to ensure that land application of effluent ceases by October 15, 2008, and the effluent management capacity meets the available plant treatment capacity, which is sufficient through the year 2014. The second phase will consist of the expansion facilities needed to treat and manage the projected 2025 flow rate of 22.4 mgd.

Lancaster Water Reclamation Plant 2020 Facilities Plan Program EIR

ESA conducted preliminary cultural resource tasks for the Lancaster Water Reclamation Plant 2020 Plan. These tasks were conducted to facilitate compliance with Section 106 of the national Historic Preservation Act and compliance with mitigation measures identified in the EIR prepared for this project. ESA Reviewed and compiled existing cultural resources data for the project area, formulated an inventory strategy, and initiated consultation with the State Historic Preservation officer. The project area is approximately 10 square miles.

Lancaster WRP Storage Reservoir Biological Consulting Services

ESA conducted preliminary investigations for Lancaster Water Reclamation Plant Storage Reservoir and Eastern Agricultural Sites project. ESA's cultural resources staff, including archaeologists and an architectural historian, have conducted two field visits to determine the sensitivity of the project area for the presence of archaeological resources and for potentially significant historic architectural resources, prepared an archaeological sensitivity analysis, and conducted an inventory of historic architectural buildings. These studies were conducted to determine the appropriate level of cultural resources inventory, and the resulting recommended strategy was approved by cultural resources staff of the SWRCB in consultation with ESA and District's staff.

City of Ventura Water and Sewer Main Replacement Project

ESA provided on-call cultural resources monitoring services to the City of Ventura. The project involved the replacement of deteriorated water and sewer mains along city streets in the City of Ventura. Tasks included ensuring compliance with project mitigation measures and relevant regulations, documentation of the project including a daily monitoring log and photographs, and analysis of cultural materials found during the course of construction.

ESA

LV-6-14-1 (cont'd)

DEBORAH H. KIRTMAN, AICP

Senior Managing Associate

Ms. Kirtman has over 15 years of planning experience including management of environmental documentation, such as initial studies, EAs, and EIRs, for general plans, specific plans, and mixed-use and residential development projects in Northern and Southern California. Her experience includes projects that involve the conversion of industrial land to mixed-used and residential uses. Her experience also includes several controversial projects involving the conversion of industrial land to other uses, trails, open space land swaps, residential development (including lofts, townhomes, apartments, affordable housing, and senior housing), downtown projects, mixed-use projects, schools, and work on several pipeline and refinery projects. She has a broad-based understanding of local government issues, with an emphasis on visual quality, public utilities and services, population and housing, and land use.

Education

B.A., Political Science, Stanford University

M.C.P., City and Regional Planning, University of California, Berkeley

Years of Experience: 15

Certifications / Registrations

American Institute of Certified Planners (AICP)

Professional Affiliations

American Planning Association

Relevant Experience

Beringer Wine Estates EIR. ***Prepared Key Sections.*** ESA prepared the EIR for an integrated winery processing, bottling, and distribution facility proposed by Beringer Wine Estates in Napa County. The 218-acre project site is south of the Napa County Airport and west of State Route 29. The project included 1.4 million square feet of new structures, 120 acres of vineyards, protected wetland and riparian areas, and wastewater treatment and storage ponds. The EIR focused on traffic and parking demand, visual quality, biological resources, air quality, potential sources of stormwater pollution, threats to health and safety due to geologic hazards and an adjacent airport, as well as the demand for water, sewage treatment, and other public services. As the largest structure ever to be proposed in Napa County, and one that would be situated within the highly controversial and legally challenged Airport Industrial Park Specific Plan area, the EIR was prepared with exceptional breadth, depth, and detail in order to withstand intensive legal scrutiny. Deborah prepared the public services, public utilities, aesthetics, and land use sections of this EIR, and participated in overall review of the document.

Chase Knolls Apartments EIR and Supplemental EIR, City of Los Angeles (Sherman Oaks). ***Project Manager.*** Deborah coordinated completion of an EIR for expansion of the Chase Knolls Apartments complex in Sherman Oaks that was determined to be eligible for the National Register. This very controversial expansion was also determined to be consistent with the Secretary of the Interior's standards, but was fought by the residents. ESA coordinated with the Cultural Heritage Commission and its staff, prepared a written report, summarized available data including plans, historic and contemporary photographs, and background information on the project architect, and other relevant data. Deborah prepared and managed all noticings and filings – which included 70 agency staff and over 400 residents.

Lancaster Commercial Shopping Center EIR, Lancaster. ***Project Manager.*** Ms. Kirtman.is coordinating completion of an EIR for a 140,000-sf commercial shopping center, located on Lancaster's urbanized edge. The project would be

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Relevant Experience (Continued)

anchored by a home improvement store with a garden shop, and would include restaurants, and other shops. The project would also require a General Plan Amendment to change the land use classification from UR (Urban Residential) to C (Commercial) and a rezoning, and is located adjacent to residential development. The controversy that surrounds this project focuses on traffic, water, aesthetics, and noise.

Westshire Residential Project Supplemental EIR, Canyon Country. ***Deputy Project Manager.*** Ms. Kirtman is coordinating preparation of a Supplemental EIR for the Westshire residential project in Los Angeles County. The project includes the development of 165 condominium units on approximately 9.2 acres. The project site is located within Planning Area 9 of the Canyon Park Specific Plan (also know as Specific Plan No. 1). The site was approved for a neighborhood commercial site and the project applicant is requesting a Specific Plan Amendment to change the current designation to allow for residential uses. ESA is also preparing a Specific Plan Conformance Report for the project.
Baldwin Park Specific Plan EIR, Baldwin Park. ***Project Manager.*** Ms. Kirtman is coordinating the completion of an EIR for the proposed a downtown redevelopment project that will require amendments to the Baldwin Park General Plan, Zoning Ordinance, and two redevelopment plans. This transit-oriented project encompasses approximately 120 acres and would result in maximum development of 8,000 new condominiums, approximately 1.5 million square feet of commercial development, and approximately 0.5 million square feet of retail space. This project will also include new roadways, a charter school, a new hotel, infrastructure improvements, and limited use of eminent domain. The dominant issues are traffic and the water demand for this project.

Fresh & Easy Riverside Facility. Moreno Valley, CA. ***Senior Technical Analyst.*** Ms. Kirtman is currently reviewing all sections of this full EIR for technical compliance with CEQA, as well as with the specialized format required to address three environmental documents. ESA is currently working with Tesco regarding preparation and support for their Fresh & Easy Distribution Center located at the March Business Center in Riverside County. ESA is providing technical support for Phase I of the project, which includes over 700,000 square feet of warehouse and manufacturing space to support their Fresh & Easy retail stores to be located throughout the west. ESA is also preparing the EIR for Phase II of the Riverside facility, which will expand on the Phase I facility and include a distribution and food manufacturing facility.

Napa County Mal/Chardonnay Resort EIR. ***Prepared Key Sections.*** Prepared the visual quality, public safety and public services/utilities section of a controversial EIR that would convert a scenic site to a resort in Napa County. This EIR was prepared for Napa County, and addressed construction of a 450-room hotel and restaurant, a conference center, clubhouse, offices, retail shops and health spa. The public services, utilities sections, and traffic sections were the most controversial of the issues, because the area is currently not served by substantial infrastructure.

LV-6-14-1 (cont'd)

ESA

PAUL MILLER, REA

Senior Managing Associate

Paul Miller is an environmental professional with more than 30 years of experience in providing services primarily to City, County, and State government agencies in California. With a broad range of environmental skills, since 1986 he has applied his background to National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) environmental assessments. Mr. Miller has had major roles in the preparation of over 100 CEQA and NEPA environmental documents, including project manager for more than 15 major Environmental Impact Reports (EIRs). He was the project manager for two state agencies (California Public Utilities Commission [CPUC] and California Integrated Waste Management Board [CIWMB]) on projects of statewide importance. He has managed numerous EIR documents in Counties throughout California for proposed integrated waste management facilities (new landfills, landfill expansions, landfill permit revisions, MRFs and composting facilities). He also managed several EIRs for the vast majority of utility-owned power plants in California that were divested by Pacific Gas and Electric Company, Southern California Edison Company and San Diego Gas and Electric Company. In addition, he has been ESA's West Coast coordinator since 2002 for ESA's air quality and noise programs.

Education

M.S., Zoology and Entomology, Colorado State University

B.A., 1974, Zoology, Miami University

Years of Experience: 32

Specialized Training

40-hour health and safety training course, complying with OSHA regulations for hazardous waste site activities, and annual 8-hour updates

Certificate of Integrated Waste Management 1992, San Francisco State University

Professional Affiliations

Association of Environmental Professionals

California Registered Environmental Assessor (REA #00926)

Air and Waste Management Association

Relevant Experience

Nacimiento Water Project. San Luis Obispo, CA. ***Air Quality and Noise Task Leader.*** ESA will target the necessary environmental regulatory processes, permits and mitigation plans for the Nacimiento Water Project, a proposed regional transmission facility that will deliver water from Lake Nacimiento to communities throughout San Luis Obispo County. The project consists of 45 miles of pipe, 3 storage tank sites, 3 pump stations, and an intake tower at Nacimiento Dam. ESA will develop permit strategies, support district negotiations with regulatory agencies, prepare necessary biological and cultural assessments, assist with mitigation planning, and develop master mitigation and permit database.

PG&E Environmental Review of Power Plant Sale. San Luis Obispo, CA. ***Project Director/Manager.*** Mr. Miller was a key participant in the environmental review of the sales of power plants by PG&E (A.96-11-020) and Southern California Edison (A.96-11-046). He was ESA's project director throughout the project and was also project manager during the final two months leading up to the CPUC approval of the mitigated negative declarations (MNDs) in October 1997. In addition, Mr. Miller was the task leader for the air quality and noise analyses in both MNDs. He coordinated the overall environmental approach for ESA, conducted initial public agency scoping meetings in San Luis Obispo, Morro Bay, and Ventura, made technical presentations in Pasadena and Monterey on air quality aspects of the projects, frequently met with CPUC Energy Division staff and ESA subconsultants, and presented project information to the assigned Commissioners at key decision points. Mr. Miller helped to keep communication lines open and amicable throughout the project between the key parties including the applicants.

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Relevant Experience (Continued)

Lancaster Commercial Shopping Center EIR, Lancaster, CA. ***Air Quality and Noise Task Leader.*** Mr. Miller directed noise and air quality sections of the EIR. ESA was selected to prepare an EIR for a 140,000 sf shopping center, located on Lancaster's urbanized edge. The project would include three fast food restaurant pads. The project would require a General Plan Amendment to change the land use classification from UR (Urban Residential) to C (Commercial) and a rezoning.

Baldwin Park Specific Plan EIR, Baldwin Park, CA. ***Air Quality and Noise Task Leader.*** ESA has been asked to provide environmental services for an EIR for a downtown specific plan in Baldwin Park that would encompass over 120 acres and result in development of between 6,000 and 8,000 new condominiums, and approximately 1.5 million square feet of commercial development. This project, which is in the preliminary planning stages, will require the use of eminent domain; and will also require amendments to the General Plan, Zoning Map, and Redevelopment Plan.

Pasadena Art Center College of Design Master Development Plan EIR, Pasadena, CA. ***Air Quality and Noise Task Leader.*** ESA is preparing an EIR for the Master Development Plan for the Pasadena Art Center College of Design. The plan would be implemented over 25 years from the date of approval, and would provide for the modernization and updating of the Hillside Campus. The City of Pasadena has prepared this EIR for the proposed project, in accordance with CEQA, the CEQA Guidelines and City requirements. Key issues are traffic and potential view impacts from neighboring or nearby residential areas.

Department of Water Resources On-Call Environmental Services, East Branch Extension Phase II EIR, San Bernardino and Riverside Counties, CA. ***Air Quality and Noise Analyst and Reviewer.*** Mr. Miller directed noise and air quality sections of the EIR. ESA is preparing an EIR for the East Branch Extension Phase II that will install 6 miles of pipeline across the Santa Ana River east of the City of San Bernardino through highly sensitive habitat conservation areas.

Esparto Orciuoli Residential EIR. ***Project Director and Senior Reviewer for Air Quality and Noise.*** ESA provided environmental consulting services for the preparation of an Initial Study and an EIR for the proposed Orciuoli Residential Subdivision Project located adjacent to the town of Esparto. Mr. Miller served as Project Director and provided senior review for the noise and air quality analyses. The noise analysis focused on setback distances from Highway 16 at the proposed residences.

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ESA

MITCH MARKEN, Ph.D.

Director of Archeological and Cultural Resources

Dr. Mitch Marken directs ESA's Cultural Resource Practice out of our Los Angeles office. He has over 18 years of archaeological management experience. Dr. Marken manages projects, supervises field work, and conducts: environmental monitoring, cultural resource planning, report writing, quality assurance of regulatory reports, project evaluation, underwater surveys, site mitigation, excavation, artifact analysis, mapping, research design, and team training. Dr. Marken coordinates with state and federal agencies, facilitates permit acquisition strategies and participates in public involvement programs. Since 1990, he has managed large-scale cultural resource and environmental projects for public utility companies, energy and mining companies, and private developers throughout Western U.S. In particular, Dr. Marken has served as cultural resources director for a variety of water projects throughout the state of California and Nevada. He has also worked for the Nevada *Bureau of Land Management* assessing Native American sensitivity with regards to development of known geothermal resource areas on federal lands.

Education

Ph.D., Archaeology, University of St. Andrews, Scotland, 1991

Dpl., Archaeology and Ethnology, Maritime Studies, University of St. Andrews, Scotland, 1985

Years of Experience: 18

Continuing Education

Riverside County Archaeology and Cultural Sensitivity Training Program, 2007

SB 18 Training through the California State Clearing House and Native American Heritage Commission

Section 106 Compliance Training (GSA Interagency Training Center)

FERC Environmental Compliance Training

Professional Affiliations

Society for American Archaeology

Relevant Experience

Nacimiento Water Project Design-Phase Environmental Services, San Luis Obispo, CA. ***Cultural Resource Task Leader.*** Dr. Marken is coordinating permit strategies, supporting district negotiations with regulatory agencies, cultural resource assessments, technical studies, and surveys for this project that includes 45 miles of pipe, 3 storage tank sites, 3 pump stations, and an intake tower at Nacimiento Dam. The project modifications include pipeline realignments, new turnouts, pump stations and reservoirs, and new water customers. ESA will assist with mitigation planning, and develop master mitigation and permit database. ESA will prepare environmental specifications, follow-up CEQA/NEPA documentation, permit applications and obtain permits.

Los Angeles County Sanitation Districts, Palmdale Water Reclamation Plant 2025 Plan Expansion Section 106 Compliance Cultural Surveys, Antelope Valley, CA. ***Project Manager.*** Dr. Marken led the ESA team in conducting contractor training and developing Unexpected Discovery Plans in the event that construction inadvertently impacted below ground resources. Palmdale's 2025 WRP includes upgrading to full tertiary treatment and increasing agricultural and municipal reuse. ESA surveyed a large area to identify suitable locations for new storage reservoirs and increased agriculture. Controversial issues included groundwater quality, groundwater recharge alternatives, and land acquisition.

Riverside Water Quality Control Plant Expansion Plan EIR, City of Riverside, CA. ***Cultural Resources Task Leader.*** Dr. Marken and his staff prepared the cultural resources section for the Master Plan using existing data, the relocation of sites in the field and updated records searches. The City of Riverside's Regional Water Quality Control Plant (RWQCP) has prepared a facilities plan that would increase the capacity of the plant by approximately 10

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Relevant Experience (Continued)

Qualifications

- Santa Barbara County Approved
- CA State BLM Permitted
- Arizona State Permitted
- Exceeds Secretary of Interior Standards (USA)

mgd. The upgrade would include three main components: the Plant 1 Primary Expansion, the Plant 1 Membrane Bioreactor (MBR) Facilities, and the Acid Phase Digester. Key issues in the CEQA analysis include consistency with the recently updated City General Plan, construction impacts, local land uses including the municipal airport, growth inducement, and discharge water quality.

Department of Water Resources On-Call Environmental Services for Upgrades to the California Aqueduct East Branch, Riverside and San Bernardino Counties, CA. ***Cultural Resource Task Leader.*** Dr. Marken is managing ESA's cultural resources studies, reports and archaeological surveys for DWR Southern California Division's upgrade to the California Aqueduct East Branch. Tasks Orders Include: 1) East Branch Extension Phase II; 2) Perris Lake Dam Seismic Retrofit; 3) and the Crafton Hills Reservoir Enlargement. **The Perris Dam Seismic Retrofit** project includes the mining of over 1.2 million cubic yards of rock and soil from local borrow pits, grading a haul road for the material, constructing a dam abutment, and constructing a new 1500 cfs outlet canal leading to the local storm drain in western Riverside County. **The Crafton Reservoir Expansion** project involves the mining of over 300,000 cubic yards of material from a local borrow pit and constructing a new dam in an open space ravine adjacent to the existing reservoir. **The East Branch Extension Phase** II involves constructing a pipeline across the Santa Ana River and excavating 1.8 million cubic yards of material to create a new storage reservoir. Dr. Marken has overseen CEQA compliance, technical studies, archaeological surveys, and permitting agency coordination process for each of these projects.

North Shore Yacht Club Historic Assessment. Temecula, CA. ***Project Director.*** Dr. Marken is preparing the historic resources Assesment of the abandoned North Shore Yacht Club. ESA is currently working with Riverside County Department of Facilities Management (RCDFM) for the North Shore Yacht Club Community Center project, located at 99-155 Sea View Drive, in the unincorporated community of North Shore/Mecca, California. The RCDFM proposed to rehabilitate and develop the site with a community center facility to meet the needs of the residents in the project vicinity. ESA is currently preparing a IS/MND under a separate contract.

SFPUC WSIP Pulgas Discharge Channel, San Mateo County, CA. ***Cultural Resource Task Leader.*** Dr. Marken and his staff conducted extended survey, site testing, and developed monitoring plans to assist the SFPUC in their cultural resources compliance. ESA is providing environmental analysis services for the San Francisco Public Utilities Commission Water System Improvement Program Pulgas Discharge Channel Modifications project. The purpose of the project is to ensure the structural integrity of the Pulgas Discharge Channel and therefore water delivery reliability. The project is needed to correct operational deficiencies of the channel and repair the sub-drain pipe beneath the channel..

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Sirius Environmental

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Sirius Environmental

WENDY LOCKWOOD, REA

Environmental Consultant

Ms. Lockwood is an environmental consultant with 25 years experience in the preparation of environmental documents pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). She has been the Project Manager for major projects and technical task leader on technically complex projects involving noise, air quality, energy, and hazardous wastes/materials issues. Ms. Lockwood is thoroughly conversant with local planning regulations and regional planning documents in Southern California. She was with ESA, a premier environmental consulting firm in California, where she headed the Los Angeles office for over 15 years. She has participated in the preparation of environmental documentation for well over 500 projects.

In January 2006, Ms. Lockwood started the small environmental consulting firm of Sirius Environmental (Sirius). Sirius (WBE/DBE/SBE) is an environmental consulting firm that provides CEQA and NEPA related services. Sirius Environmental was formed to focus on project and program management of projects and programs requiring a detailed understanding of CEQA and/or NEPA and requiring responsive, individualized management. Sirius Environmental provides support to consulting firms and public agencies in the preparation of clear, accurate technical reports and documents that meet the increasingly demanding needs of communities and their decision makers in the southern California region.

Education

Sussex University, England, 1982, Chemistry, concentration in Environmental Science

Masters Degree, Candidate, Environmental Management, University of San Francisco

Certification

Registered Environmental Assessor State of California (No. 03767)

Professional Affiliations

Los Angeles Headquarters Association

Southern California Waste Management Forum

Los Angeles Conservancy

Southern California Planning Congress

American Planning Association

Association of Environmental Professionals

Harbor Association of Industry and Commerce

Ms. Lockwood's areas of technical specialty are noise, air quality, and hazardous materials. She has overseen the preparation of numerous noise, air quality, and hazardous materials analyses of

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complex projects. She is also quite familiar with land use regulation and prepares Land Use analyses for projects in complex regulatory environments.

Ms Lockwood is an experienced CEQA/NEPA project manager. She has overseen the preparation of comprehensive environmental documents for a variety of different projects, providing advice to clients, communities and lead agencies on CEQA and NEPA compliance in complex regulatory environments. She is familiar with recent case law. She has undertaken public outreach for controversial projects in sensitive communities throughout California.

Ms Lockwood emphasizes quality and responsiveness in her work. She works closely with clients to ensure that information presented in the documents she oversees is complete, accurate, concise, and understandable to the average reader.

The selected experience below provides a representative cross section of Ms. Lockwood's experience.

Selected Recent Experience

Las Lomas. Sirius Environmental is preparing an EIR for this large (5,000 residential units, 2.5 million square feet of commercial space, plus a school, hotel and civic uses), controversial mixed-use project at the northern end of the City of Los Angeles. Key issues include annexation/land use compatibility, traffic, biological resources, air quality and public services and utilities.

Del Valle. Sirius is preparing an EIR for this approximately 100-unit project located in northern Los Angeles County. Key issues include land use compatibility, aesthetics and biological resources.

Hasley Ranch Estates. Sirius is preparing an EIR for this 75-unit project located in northern Los Angeles County. Key issues include land use compatibility, aesthetics and biological resources.

Wiseburn School District. Under contract to Terry A. Hayes Associates (TAHA), Sirius is providing expert CEQA advice on the formation of this new school district. The formation of the new district is controversial because of the potential to draw students from another district. The new district does not yet have facilities, making the alternatives analysis particularly challenging.

Occidental College Master Plan. Ms. Lockwood is managing the preparation for a Master Plan for the historic Occidental College campus.

Ambassador Hotel, Los Angeles. Ms Lockwood oversaw a preparation of a variety of environmental documents for proposed projects on this historic site, first for private sector development, then for the Los Angeles Unified School District.

Southern California Association of Governments 2001, 2004 and 2008 Regional Transportation Plan (RTP) EIR's. ***Project Manager.*** All three EIRs analyzed impacts associated with 20 to 25 years of anticipated regional transportation improvements and associated growth. The 2001 EIR evaluated five operational scenarios at the 12 regional airports. The complex evaluations looked at noise and environmental justice issues across the SCAG six county region, focusing on areas in close proximity to airports. Ms. Lockwood oversaw the completion of a regional and county-by-county analyses of the 2001, 2004 and 2008 RTP Updates, making extensive use of GIS to examine population, housing, employment, land use, transportation, air quality, noise, aesthetics and views, biological resources, cultural resources,

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geology, energy, water resources, and public services and utilities. Ms. Lockwood also analyzed the potential displacement or relocation of residences and businesses through acquisition of land and buildings necessary for highway, arterial, and transit improvement; effects of RTP projects on residences, educational facilities, medical facilities, and places of worship; and disturbance and loss of open space areas and agricultural lands.

Centermark Warner Center EIR. ***Project Manager.*** This was a large and controversial project in the Warner Center area of Los Angeles. The area was subject to an interim control ordinance while the City prepared a Specific Plan and EIR. Homeowner groups closely monitored progress of the Specific Plan. Ms. Lockwood oversaw the preparation of this EIR for the expansion of Topanga Plaza Shopping Mall and commercial development of a "super" block to the south of the mall. The EIR examined traffic impacts on the local and regional transportation systems, air quality, risk of upset from an existing contaminated groundwater plume, jobs/housing balance, public services and utilities, and aesthetics. Air quality and noise impacts on nearby schools were of particular concern.

City of Long Beach Seaport Marina EIR. ***Project Director.*** Preparation of an EIR for the proposed Seaport Marina mixed-use development in the City of Long Beach. The site is approximately ten acres in size and is currently developed with the Seaport Marina Hotel and associated surface parking. The project applicant (Lennar Homes of California) proposes to redevelop the site with a three-story mixed-use development consisting of approximately 425 residential units, and approximately 170,000 square feet of retail space. Demolition of the existing on-site buildings (164,736 square foot hotel) would be required. The proposed residential and retail components would be primarily integrated with a mix of retail/commercial uses on the ground floor and residential uses above.

Chase Knolls Apartments Cultural Resource Evaluation. ***Project Manager.*** Ms. Lockwood, together with a team of architectural historians prepared an evaluation of the Chase Knolls Apartments. The project site, which occupies nearly a city block, was later designated a City of Los Angeles Historical-Monument, is eligible for the National Register of Historic Places, and is subject to a Mills Act contract. The site is considered an intact example of the Garden City concept, used in the design of some federally-funded apartment complexes built in the late 1940s and early 1950s. The project was extremely controversial.

City of Beverly Hills 9200 Wilshire Residential EIR. ***Project Manager.*** As a contractor to ESA Ms. Lockwood is currently overseeing the preparation of an EIR for a mixed-use development in the City of Beverly Hills. The project applicant, Legacy Partners Residential, proposes to build a mixed-use development at 9200 Wilshire Boulevard in the City of Beverly Hills. The site is slightly less than one acre in size and is currently vacant. The project includes the development of 54 condominium units (44 two-bedroom units and 10 three-bedroom units) and approximately 14,000 square feet of retail and/or restaurant uses. The building would be six stories in height plus a rooftop pool and fitness center. Issues to be examined include aesthetics, air quality, traffic, hydrology, land use compatibility and noise.

Woodlands Specific Area Plan Constraints Analysis and EIR, San Luis Obispo County. ***Project Manager.*** The proposed project would develop approximately 957 acres near the community of Nipomo. It includes construction of a 63-hole golf course, up to 900 units of single-family and multi-family residences, a resort/hotel complex of up to 700 rooms, and a neighborhood "village core" area that would include public services and school facilities. The environmental constraints analysis considered visual sensitivity, sensitive habitats, noise, traffic/circulation/ transportation, water availability, agricultural conflicts, topographic alteration/limitations (drainage

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and erosion), and archaeological resources. The analysis helped develop alternative project designs that would avoid or mitigate any constraints identified as significant. Major issues addressed in the EIR included water resources/wastewater, traffic and circulation, noise, air quality, public services, biological resources (including impacts on the Monarch Butterfly), archaeology, agricultural compatibility, hazardous materials, aesthetics, and drainage, erosion, and sedimentation.

New South Coast County Golf Course DEIR, Rolling Hills Estates, CA. ***Project Manager.*** The golf course design and development was intended to minimize the Sanitation Districts' potential cost to bury and/or replace ground pipes used to collect and control landfill gas. An existing equestrian center on the site was proposed to be demolished and re-graded. The construction of the new equestrian center, on a seven-acre parcel, was proposed to be completed prior to site preparation and development of the golf course.

Bel Jardin Hotel EIR, Beverly Hills, CA. ***Project Manager.*** Issues of concern included motor court and loading dock operations and project-generated traffic and compatibility with adjacent multi-family residences. The EIR analyzed the full range of urban environmental impacts, including land use and zoning, urban design, shade and shadow, air quality, parking, noise, and traffic.

San Ysidro Border Crossing Facility Reconfiguration EIR/EIS. ***Project Manager.*** As a contractor to ESA, Ms. Lockwood is working with the General Services Administration, California Department of Transportation, and Federal Highway Administration to prepare the EIS/EIR for the upgrade and expansion of the existing San Ysidro Border Station. The EIS/EIR will address the potential environmental impacts of the potential development alternatives of the proposed project including aesthetics, air quality during construction and operation, geology and soils, hazards and hazardous materials, hydrology and water quality, land use, noise during construction and operation, public services and utilities, and traffic along Interstate 5 and surrounding roadways; and the socioeconomic effects of the potential expansion of the San Ysidro Border Station.

Metromedia Fiber Optic Network, Los Angeles. ***Project Director.*** Ms Lockwood was the Project Director for preparation of the proponents environmental assessment for the installation of fiber optic cabling in the Los Angeles area. The California Public Utilities Commission (CPUC) went on to prepare a Mitigated Negative Declaration based on this document.

MWD On Call Services. ***Project Director.*** Ms Lockwood was the contract director for the first three years of ESA's on-call services agreement with MWD. She oversaw the preparation of a number of Mitigated Negative Declarations including one for the Colorado River Aqueduct maintenance program. Also a variety of administrative services.

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Mike Podlech

LV-6-14-1 (cont'd)

MIKE PODLECH

Aquatic Ecologist

Mr. Podlech has over 15 years of experience in the investigation and management of biological, physical, and chemical conditions of streams, rivers, lakes, and lagoons throughout California. He has extensive experience in sensitive aquatic resource assessments, watershed management, stream restoration, impact analyses, and compliance monitoring. In addition to conducting applied research projects related to anadromous fisheries, Mr. Podlech has been the lead fisheries biologist on numerous large CEQA/NEPA projects and regularly engages in formal and informal Section 7 consultations, including the preparation of Biological Assessments (BA) and Action Specific Implementation Plans (ASIP). He is also highly experienced in all aspects of water rights applications and current guidelines for water diversion impact analyses.

Education

M.S., Aquatic Ecology, University of San Francisco 1996

B.S., Environmental Science, University of San Francisco 1994

Specialized Training

California Scientific Collecting Permit #801137-03

Current and past federal Section 4(d) and 10(a) Salmonid Research Permits

Fish Passage Evaluations at Stream Crossings

California Stream Bioassessment Procedure

Professional Affiliations

American Fisheries Society

North American Benthological Society

Professional Experience

Independent Consultant 2007 – current

Environmental Science Associates 1997 – 2007

Institute for Chemical Biology 1994 – 1997

University of San Francisco 1992 - 1994

Habitat Assessment, Restoration, and Management

Coast Dairies Long-Term Resource Protection and Access Plan
Prepared the fisheries portions of the Resource Protection and Access Plan for the Trust for Public Land (TPL) 7,000-acre Coast Dairies property in northern Santa Cruz County. Assessed steelhead and coho salmon populations, existing aquatic habitat conditions, and stream restoration potentials for six coastal watersheds. Key participant in the development of opportunities and constraints analyses, development of management goals and standards, and formulation of an adaptive management plan. Also conducted supplemental analyses in support of water rights applications and federal ESA enforcement actions.

Pescadero-Butano Watershed and Marsh Restoration Assessments
Completed habitat assessments and restoration recommendations for the Monterey Bay National Marine Sanctuary Foundation (Pescadero-Butano Watershed Assessment) and the Department of Parks and Recreation (Pescadero Marsh Restoration Assessment). Both projects involve integrated analyses of salmonids habitat conditions, sediment source and transport, and water quality leading to the identification and prioritization of habitat restoration sites.

McGrath State Beach Natural Resources Management Study
Conducted fisheries assessments for the Department of Parks and Recreation (DPR). The project included assessments of current estuary conditions leading to the formulation of management recommendations for several sensitive species, including steelhead and tidewater goby.

Travertine Springs Adaptive Management Plan
Currently developing an adaptive management plan for the National Park Service, Death Valley National Park. The plan will provide NPS with guidance on how to restore and manage the Travertine Springs system in a manner that will ensure the conservation of several endemic invertebrate species. The plan will also provide the basis for a future Conservation Agreement with USFWS.

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Habitat Assessment, Restoration, and Management (Continued)

Integrated Watershed Restoration Program (IWRP) San Vicente Creek Restoration Project
Prepared restoration designs and Biotic Assessment for a California Coastal Conservancy-funded IWRP project aimed at enhancing off-channel coho salmon rearing habitat on San Vicente Creek, Santa Cruz County. Worked in close collaboration with the Santa Cruz County RCD and the NMFS Restoration Center. Technical issues included the integration of hydrologic, geomorphic, and ecologic attributes to maximize habitat productivity and sustainability in support of federal coho salmon recovery effort while also assuring habitat suitability for steelhead and California red-legged frogs.

Shasta and Scott Watershed Off-Channel Rearing Habitat Enhancement Project
Advised the California Department of Fish and Game (CDFG) in the site selection, design, construction, and development of management recommendations for off-channel coho salmon rearing habitats in the Scott and Shasta River watersheds in the Klamath River basin. The off-channel rearing habitat units are intended to aid in the recovery of coho salmon in two watersheds affected by substantial agricultural water diversions.

Yosemite Falls Corridor Restoration Plan
Prepared instream portion of the Yosemite Falls Corridor Restoration Plan for the National Park Service. Responsibilities included a feasibility study for the removal of a large boulder dam at the base of Yosemite Falls and restoring Yosemite Creek to its natural course and floodplain.

Rodeo Lagoon, Lake, and Creek Biological and Water Quality Assessments
Conducted various studies characterizing the physical, chemical, and biological conditions of the Rodeo Lagoon, Lake, and Creek system within the Golden Gate National Recreation Area (GGNRA), Marin County, for the National Park Service. The project included the investigation of large-scale fish kills in the Lagoon, leading to the identification of toxic algal blooms and associated water quality deteriorations as the primary cause.

Lobos Creek Sewer Failure Assessment
Conducted a Habitat Equivalence Analysis for the National Park Service following a sewer failure and landslide that covered portions of Lobos Creek in the Golden Gate National Recreation Area (GGNRA) with sand and debris to depths of up to 20 feet. Designed instream portion of the restoration plan and developed a post-restoration monitoring plan.

Willow Creek Road Bridge Crossing Adaptive Geomorphic Plan
Conducted a fisheries habitat assessment of Willow Creek, tributary to the Russian River, for the Department Parks and Recreation. The report describes current habitat conditions for coho salmon and steelhead upstream of a road crossing that has contributed to large-scale channel aggradation and avulsion, and provides recommendations for adaptive management of the reach after the planned remediation of the road is completed.

San Francisquito Creek Bank Stabilization and Revegetation Project
Assessed fisheries habitat conditions in San Francisquito Creek in support of the Joint Powers Association (JPA) Bank Stabilization and Revegetation Master Plan. Provided recommendations aimed at optimizing bank stabilization and revegetation design for steelhead habitat enhancement.

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Habitat Assessment, Restoration, and Management (Continued)

City of Watsonville Corralitos Creek Project
Prepared a feasibility analysis for a proposed surface water diversion on Corralitos Creek for the City of Watsonville. Assessed potential adverse impacts to steelhead habitat, established minimum bypass flows, and review of proposed fish screening alternatives.

Zone 7 Water Agency StreamWISE Program
Conducted fish migration barrier assessments on Arroyo de la Laguna, Arroyo Mocho, and Arroyo del Valle for Zone 7 Water Agency. Responsibilities include geomorphologic surveys of channel and grade control structures, hydrologic modeling of migration flows, and recommendations for barrier remediation.

Public Trust Resources Assessments
Conducted numerous public trust resources assessments in support of SWRCB water rights applications. Assessments typically consist of reconnaissance-level aquatic habitat surveys, reviews of Water Availability Analysis (WAA) and Cumulative Flow Impairment Indices (CFII) results, and qualitative assessments of potential impacts to aquatic resources, primarily special-status species. Details of individual projects available upon request.

Research and Monitoring

San Vicente Pond and Creek Smolt Outmigrant Study
As the project manager and lead Researcher, designed and conducted an outmigrant smolt study of endangered coho salmon and threatened steelhead on San Vicente Creek in Santa Cruz County. The primary focus of the study was to provide NMFS with sound scientific data on the potential salmonid habitat values of a defunct agricultural pond.

Squaw Creek Aquatic Monitoring Program
Project manager and lead researcher for ongoing, long-term fisheries monitoring programs in the Squaw Creek watershed of the Russian River Basin, Sonoma County. Now in its twenty-fifth year, the program includes annual assessments of steelhead populations, water quality parameters, and sediment composition.

Bear Canyon/West Ford Flat Aquatic Monitoring Program
Project manager and lead researcher for ongoing, long-term fisheries monitoring programs in the Anderson Creek watershed of the Putah Creek Basin, Lake County. Now in its twenty-first year, the program includes annual assessments of fish populations, water quality parameters, benthic macroinvertebrate populations, and sediment composition.

Russian River Seasonal Bridge Assessment
Designed and implemented a technical study for the Sonoma County Department of Public Works analyzing the impacts of the yearly construction and removal of three seasonal bridges across the Russian River. Sample parameters included fish, amphibian, reptile, and invertebrate surveys, habitat assessments, and thalweg mapping.

LV-6-14-1 (cont'd)

Research and Monitoring (Continued)

Livermore-Amador Valley Water Management Agency Emergency Pipeline Discharge
Conducted steelhead surveys and prepared a Biological Assessment for the Livermore-Amador Valley Water Management Agency's proposed pipeline replacement emergency discharge project. The project analyzed historic and current steelhead distribution in the San Lorenzo Creek watershed and the potential impacts of the project on sensitive salmonids.

North Slough Baseline Monitoring Program
Conducted three-month monitoring study of baseline aquatic resources in North Slough, tributary to the Napa River, for a proposed wastewater discharge project. Monitored parameters included fish and invertebrate populations.

Dry Creek Rancheria Rapid Bioassessment
Project manager and lead researcher for a rapid bioassessment of two tributary drainages to the Russian to assess and document baseline conditions prior to the proposed discharge of tertiary treated wastewater. Utilized the California Stream Bioassessment Protocol (CSBP) to assess aquatic habitat conditions and benthic macroinvertebrate indices.

CEQA/NEPA Review and Permitting

Fisheries Aquatic Habitat Collaborative Effort (FAHCE) EIR/EIS
Currently working as the lead fisheries biologist on the preparation of an EIS/EIR for the SCVWD's Fisheries and Aquatic Habitat Collaborative Effort (FAHCE) Habitat Conservation Plan (HCP). The project assesses the potential effects of significant changes to the release schedules and quantities at several reservoirs, seismic dam retrofits involving complete reservoir drawdown, downstream habitat restoration, remediation of migration barriers, and other SCVWD management and restoration activities on steelhead, Chinook salmon, and Pacific lamprey.

Shasta and Scott Watersheds Permitting Programs EIRs
Lead fisheries biologist for two separate EIR's for permitting programs aimed at restoring the coho salmon fishery on two Klamath River tributaries: The Scott River and the Shasta River. The permitting programs will facilitate CDFG's issuance of master Incidental Take Permits (ITP) and master Streambed Alteration Agreements (SAA) and promote the adoption of stream management practices by private landowners to improve spawning, rearing and migration habitat for coho salmon, Chinook salmon, and steelhead.

Pajaro Valley Water Management Agency (PVWMA) Basin Management Plan 2000 EIR/EIS and Permitting
Prepared the fisheries impact analysis of the Basin Plan EIR/EIS and a Biological Assessment in support of formal Section 7 consultation with NMFS for PVWMA's Import Pipeline and Coastal Distribution System project. Analyses included evaluations of the potential impacts of various pipeline crossings and decreased water flows on steelhead and other sensitive aquatic resources. Worked closely with CDFG and NMFS personnel on establishing operational withdrawal procedures to facilitate steelhead migration throughout the Pajaro River watershed.

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CEQA/NEPA Review and Permitting (Continued)

San Luis Obispo County Nacimiento Water Project Environmental Services
Lead fisheries biologist for the permitting phases of the Nacimiento Water Project (NWP), a 45-mile water delivery pipeline. Prepared the BA and conducted informal Section 7 consultation with NMFS. Technical issues included construction in steelhead critical habitat and evaluation of instream flow effects of the project.

Known Geothermal Resources Area (KGRA) of Sonoma and Lake Counties IS/MND.
Prepared an IS/MND for the CDFG pertaining to the Department's proposed issuance of Section 1603 Agreements for 20 surface water diversion sites. Assessed potential site-specific and cumulative impacts on steelhead and other aquatic resources based on NMFS and CDFG guidelines, and established minimum instream flow requirements for various life stages of steelhead.

Reconstruction of the Furnace Creek Water Collection System EIS
Prepared the wildlife and special-status species sections of the EIS. Guided the NPS through Agency consultation with the USFWS pursuant to Section 7 of the federal Endangered Species Act. Developed a reasonable range of alternatives that met human-use needs in the Furnace Creek area of Death Valley National Park while protecting the park's unique natural resources. The water sources affected by the project support desert riparian habitats occupied by several water-dependent special-status species. Currently preparing an Adaptive Management Plan aimed at the conservation of endemic aquatic invertebrates within the park.

Caltrans Navy Drive Bridge Replacement NES and BA
Prepared Natural Environment Study (NES) and BA for Section 7 consultation with USFWS and NMFS for the replacement of a bridge across the San Joaquin River. Analyses included construction effects on delta smelt, steelhead, Chinook salmon, and green sturgeon.

Meridian Farms Water Company Fish Screen ASIP
Prepared the fisheries portion of an Action Specific Implementation Plan (ASIP) analyzing the potential environmental effects of the Meridian Farms Water Company (MFWC) proposed construction of a positive barrier fish screen diversion on the Sacramento River in Sutter County. The analysis is focused on the potential effects of proposed construction activities on steelhead, Chinook salmon, delta smelt, Sacramento splittail, and green sturgeon.

Broderick Park Boat Launching Facility BA
Prepared the fisheries portion of BA in support of formal Section 7 consultation for the City of West Sacramento's proposed improvement and expansion of the Broderick Park Boat Launching Facility on the Sacramento River. The analysis is focused on the potential effects of proposed construction activities on steelhead, Chinook salmon, delta smelt, and green sturgeon.

Contra Costa Water District, Expanded Los Vaqueros Reservoir Project EIS/EIR and ASIP
Currently preparing fisheries impact analysis for the EIS/EIR and ASIP in support of Federal and State Endangered Species Acts compliance related to the proposed expansion and operation of CCWD's Los Vaqueros Reservoir. The analysis is focused on the potential effects of proposed construction activities and water diversions on a wide variety of listed and sensitive Delta fisheries resources.

LV-6-14-1 (cont'd)

CEQA/NEPA Review and Permitting (Continued)

California Public Utilities Commission (CPUC) Coastal Water Project CEQA Review
Currently working as lead aquatic ecologist in the preparation of CEQA documentation for the CPUC on the California American Water Company's (CalAm's) Coastal Water Project (CWP). CalAm's CWP proposal consists of a desalination plant near the Moss Landing Power Plant, 19-miles of conveyance pipelines, aquifer storage and recovery facilities at Fort Ord, and related facilities. Technical issues for the preparation of the EIR include the effects of increased flows on the Carmel River fisheries resources and the effects of desalination ocean water intakes and brine discharges.

Zone 7 Water Agency Stream Maintenance Master Plan EIR
Prepared the fisheries portion of Master EIR for the Zone 7 Water Agency SMMP, including impact analyses for 45 stream management and flood control projects in three cities (Dublin, Pleasanton, and Livermore) in Alameda County. Conducted technical evaluations of potential fisheries impacts associated with several large-scale project components, such as the proposed diversion of flood flows to the Chain of Lakes Complex.

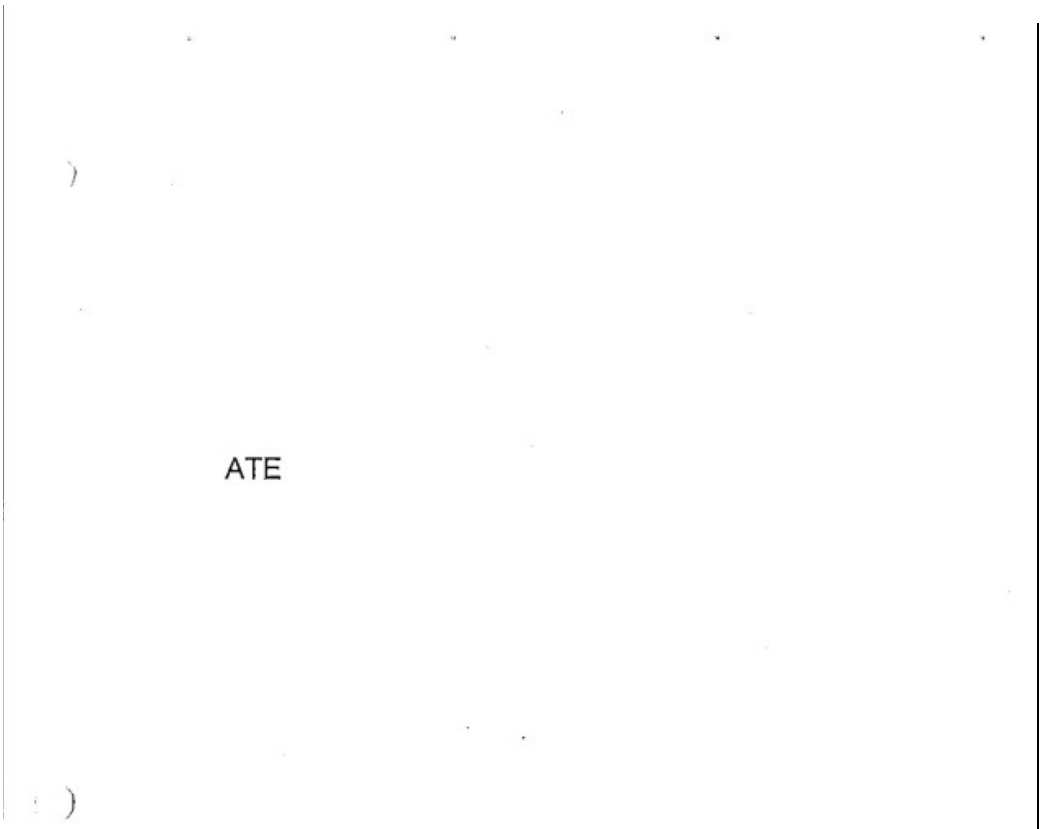
Bay Point Waterfront Strategic Plan EIR
Prepared the fisheries portion of Draft EIR for the Contra Costa County Redevelopment Agency's Bay Point Waterfront Strategic Plan Area. Analyzed the potential impacts of developing and operating a full-scale marina on sensitive aquatic resources utilizing Suisun Bay, including delta smelt, Chinook salmon, steelhead, and green sturgeon.

Department of Water Resources (DWR) Perris Dam Remediation Project
Prepared an assessment of the past effects of an extended water storage drawdown on the fisheries resources of Lake Perris, DWR's terminal State Water Project (SWP) reservoir in Riverside County, and developed restoration recommendations.

California Public Utilities Commission (CPUC) Divestiture Projects EIRs
Performed several impact analyses for the biological resources sections of EIRs and Initial Studies for the CPUC. Projects included the proposed divestitures of power generating assets by Pacific Gas & Electric and San Diego Gas & Electric, including the Contra Costa, Pittsburg, Moss Landing, and Encina Power Plants. As part of these projects, conducted detailed analyses of the potential impacts of cooling water intake and discharge, as well as potential impacts to special-status species.

City of Monterey's Cannery Row Project EIR
Analyzed potential impacts to the marine resources of the Monterey National Marine Sanctuary from a proposed development project on the City of Monterey's historic Cannery Row. As part of this project, analyzed the potential impacts of a desalination plant.

Foundation for the Junior Blind (FJA) Camp Bloomfield Renovation Project EIR
Prepared fisheries resource assessment in support of an EIR for the renovation of Camp Bloomfield in Los Angeles County. The assessment included an evaluation of potential construction and operation-related impacts to Arroyo Sequit and federally endangered southern California steelhead.



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LV-6-14-1 (cont'd)

COMPANY BROCHURE / STATEMENT OF QUALIFICATIONS

ASSOCIATED TRANSPORTATION ENGINEERS

100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110-1666 • (805) 687-4418 • FAX (805) 682-8509

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COMPANY DESCRIPTION

Associated Transportation Engineers, Incorporated (ATE) is a full-service engineering consulting firm specializing in traffic engineering, transportation planning, traffic signal design, traffic signal timing optimization, and parking facility planning and design. Established in 1978, ATE has completed over 1,100 projects for a wide variety of clients located throughout California and the western United States. Representative clients include city, county, state and federal agencies (including the military), environmental and planning consulting firms, architects, attorneys, engineers, private development interests, and major commercial corporations.

Located in Santa Barbara, California, ATE is an association of one registered professional engineer, Richard L. Pool, and Scott A. Schell, a nationally certified planner (AICP). The two principals of the firm have more than ninety years of combined experience in the fields of traffic engineering, transportation planning and municipal civil engineering. Mr. Pool has served as transportation and/or civil engineer in a variety of public and private capacities and is capable of working on a diverse range of projects. Mr. Schell has specialized in transportation planning and modeling, traffic impact analysis, environmental and planning regulations, and traffic signal timing and optimization.

The two principals have a strong desire to remain directly involved with the engineering and planning work completed by the firm in order to provide a broad range of cost-effective and responsive services. ATE's basic philosophy is that efficient, economic and safe transportation must increasingly depend on more effective operation and management of existing transportation facilities. The primary goal for ATE is to provide a comprehensive, high-quality engineering product while maintaining a close working relationship with their clients during all phases of project completion. This close client relationship is developed through a strong emphasis on communication throughout the course of project development.

ATE has earned a reputation for creative problem solving through a team-oriented, consensus building approach. ATE staff have developed solid working relationships with city, county, and agency staff throughout the state, and have worked extensively with personnel in 9 of the 12 Caltrans districts statewide. ATE has demonstrated the capability of developing innovative solutions and providing quality services at competitive costs. ATE has also established a solid record of completing projects on-time and within budget.

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CONSULTING SERVICES

ATE provides traffic engineering, transportation planning, and civil engineering consulting services to governmental agencies, consulting firms, engineering firms, architects, private companies and individuals in the following areas:

Traffic Engineering
- Traffic Impact Studies (CEQA/NEPA)
- Street and Intersection Design
- Striping and Signing Plans
- Traffic Engineering Assistance for Local Agencies
- Traffic Control Device Inventories
- Traffic Counting
- Bikeway and Pedestrian Facility Design
- Traffic Accident Studies
- Safety Program Development and Evaluation

Transportation Planning
- Traffic Modeling
- General Plan Circulation Elements
- Specific Plans
- Site Access and Circulation Studies
- Transportation Demand Management (TDM) Programs
- Traffic Improvement Fee Programs

Traffic Signal Design and Optimization
- Traffic Signal Design
- Traffic Signal System Design
- Traffic Signal Modifications
- Traffic Signal Preempt Systems
- Traffic Signal Timing Optimization
- Interconnect Systems
- FETSIM Signal Timing Studies

Parking Facility Planning and Design
- Parking Lot Design
- Parking Demand Studies
- Parking District Consulting
- Parking Management Programs
- Parking Facility Feasibility Studies

PUBLIC SECTOR CLIENTS AND AREAS WITH PROJECT EXPERIENCE

The following is a partial list of public sector clients and areas in which ATE has completed projects.

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Agencies/Districts/Colleges
Arizona Department of Transportation
California Department of Transportation
Coalinga Hospital District
Goleta Union School District
Metropolitan Transportation District (Santa Barbara)
Metropolitan Water District of Southern California
Montecito Fire District
Nevada Department of Transportation
Oxnard Union High School District
Santa Barbara Community College
Santa Barbara County Association of Governments
Santa Barbara Redevelopment Agency
U.S. Navy
University of California Santa Barbara
Ventura Harbor District
Westmont College
Yuma Metropolitan Planning Organization

Counties
County of Butte
County of Del Norte
County of Fresno
County of Imperial
County of Kern
County of Lake
County of Los Angeles
County of Madera
County of Merced
County of Monterey
County of Riverside
County of San Diego
County of San Joaquin
County of San Luis Obispo
County of Santa Barbara
County of Tulare
County of Ventura

Cities/Communities/Towns
City of Angels
City of Antioch
City of Arroyo Grande
City of Atascadero
City of Bakersfield
City of Barstow
City of Big Bear Lake
City of Buellton
City of Calabasas
City of Camarillo
City of Carpinteria
City of Clovis
City of Coalinga
City of Costa Mesa
City of Crescent City
City of Cypress
City of El Centro
City of El Cajon
City of El Monte
City of El Paso de Robles
City of El Toro
City of Fillmore
City of Fontana
City of Fort Bragg
City of Fremont
City of Fresno
City of Gilroy
City of Glendale
City of Grass Valley
City of Hanford
City of Hemet
City of Hollister
City of Lake Elsinore
City of Lakeport
City of Lancaster
City of Lompoc
City of Long Beach
City of Los Angeles
City of Los Banos
City of Manteca
City of Milpitas
City of Montebello
City of Moorpark
City of Morro Bay
City of Oakdale
City of Ojai
City of Oxnard
City of Palmdale
City of Pismo Beach
City of Port Hueneme
City of Salinas
City of San Diego
City of San Luis Obispo
City of Sand City
City of Santa Barbara
City of Santa Maria
City of Santa Paula
City of Simi Valley
City of Solvang
City of Stockton
City of Taft
City of Tehachapi
City of Thousand Oaks
City of Twenty Nine Palms
City of Ukiah
City of Ventura
City of Victorville
City of Visalia
City of Wasco
City of Watsonville
City of Yuma
Community of Agoura Hills
Community of Goleta
Community of Granada Hills
Community of Orcutt
Community of Santa Ynez
Community of Summerland
Community of Volta

LV-6-14-1 (cont'd)

PRIVATE SECTOR CLIENTS

The following is a partial list of private sector clients which have utilized ATE's services.

Environmental/Planning Consultants

Cotton/Beland Associates	Interface	Rincon Consultants
Dames & Moore	JM Consulting	RRM Design Group
Denise Duffy & Associates	Land Plans	SAIC
EIP Associates	Land Use Planners	Spectra
EMCON Associates	Max P. Bacerra & Associates	The Morro Group
Envicom Corporation	Michael Brandman Associates	The Planning Corporation
Environmental Science Assoc.	Ogden Environmental	Urban Planning Concepts
Fugro West, Inc.	Perspective Planning	Woodward Clyde
Impact Sciences	Radian Corporation	Zucker Systems

Private Development Interests

American Tradition Co.	Kmart Development Corp.	Santa Barbara Capitol
Antioch University	Laguna Pacific Development	Santa Barbara Research Co.
Bank of America	Laughlin Company	Security Pacific Realty
Beaver-Free Corporation	Leisure Technology, Inc.	Smart & Final Iris
Big Bear Markets	Longs Drug Stores	Snyder/Langston Builders
CB Commercial	Lucky Supermarkets	So. Ca. Edison Company
Chevron Land & Devel. Co.	MacElhenny Group	St. Francis Hospital
Cottage Hospital	Mercury Casualty Company	State Farm Insurance
DBO Development	Michael Towbes Construction	Texaco
Eastern Pacific Corp.	Moss & Company	TOLD Corporation
General Franchise Company	Nautilus of California	Trammel Crow Company
General Research Corporation	Pacific Gas & Electric	Trans-Calif. Development Co.
Gold Coast Recycling, Inc.	Raytheon Corporation	Triad Industries
Golden West Development Co.	Raznick & Sons, Inc.	Unocal
GTE	Red Lion Inns	Westland Company
Home Depot	Robinson's Depart. Stores	Walric Investments
Hyatt Hotels Corporation	Safeway Stores Inc.	Waste Mgmt. of N. America
Investec	S.B. Medical Found. Clinic	Williams Brothers Realty
Kaufman & Broad	S.B. News Press	World Savings

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Engineers and Architects

Architects West	Fred Schott Engineers	Los Padres Engineers
Berkus Group Architects	Garcia Architects	MNS Engineers, Inc.
Bialosky Associates	Grant Pedersen Phillips	Midstate Engineers
Bissel & Karn	Haaland & Assoc. Engineers	Moffatt & Nichol, Engineers
Cearnal-Ehlen Associates	Hall, Hurley, Deutsch Arch.	Penfield & Smith Engineers
Cunningham Black Design	HDR Engineering	POD, Inc.
Dennis Bethel Engineers	JHK & Associates	Rafael Franco & Associates
Design Arc	James Stewart Polsheck	Ramseyer & Associates
Designworks	Kaku Associates	Rochlin Baran & Balbona
Dickerson, Thompson & Rose	Ketzel & Goodman Architects	Sharpe Mahan Architects
EDA Associates	Kruger, Bensen, Ziemer Arch.	Sid Goldstien Engineers
Edwards & Pitman Architects	Kulwiec Group	Skyway Engineering
Flowers & Associates	Lars Andersen & Associates	VCE Services
Fred Fiedler & Associates	Lenvik & Minor Architects	Warner Engineering

REPRESENTATIVE PROJECT EXPERIENCE
Traffic Engineering

ATE specializes in all aspects of traffic engineering, focusing on analyzing and solving urban and rural transportation problems and facilitating the management of complex transportation systems. ATE staff have completed a wide variety of traffic engineering projects including traffic impact studies for specific development proposals, transportation and circulation subsections for EIR and EIS documents, roadway and intersection improvement designs, freeway interchange designs, traffic capacity and operations assessments, traffic surveys and traffic counts, pedestrian and bikeway facility designs, and site access and circulation studies. ATE has demonstrated the ability to work successfully with various city, county and state agencies (including Caltrans) in completing traffic analyses and designing and implementing a variety of traffic engineering solutions. A brief description of representative transportation engineering projects completed by ATE is presented below.

Sphere of Influence Study - Santa Maria, California

ATE was responsible for preparing the traffic impact assessments and transportation infrastructure designs developed in conjunction with the City of Santa Maria Sphere of Influence Study. The Sphere of Influence expansion project proposed the annexation of over 3,000 acres of adjacent lands to the City. The traffic study completed by ATE included an inventory and evaluation of existing traffic conditions and the development of future traffic forecasts based on several city-wide residential and commercial annexation-buildout scenarios. Existing and future levels of service at over 50 intersections were presented in the analysis, and roadway and intersection improvements were recommended. ATE also prepared the traffic infrastructure sections included in the Specific Plans developed for the individual annexation areas. The development of a computerized traffic model was of key importance to the study.

U.S. Route 101/Northcrest Drive Improvement Project - Crescent City, California

ATE prepared a traffic impact study which initially identified the need for the improvements implemented at this location. ATE was then responsible for the preparation of a combined

LV-6-14-1 (cont'd)

Project Study Report/Project Report and construction plans, specifications and estimates for the widening of U.S. Route 101, the modification of the U.S. Route 101/Northcrest Drive intersection (including modification of the existing traffic signal), and the installation of a traffic signal at U.S. Route 101/Cooper Avenue. The traffic signals were interconnected and a master controller was provided with an emergency vehicle pre-empt system. The project also included the design of a storm drain facility along the frontage of U.S. Route 101 and Cooper Avenue.

Traffic Control Device Inventory - Santa Maria, California

ATE developed a computerized traffic control device inventory data base for the City of Santa Maria Public Works Department. This inventory included the cataloging of over 3,500 traffic control devices within the City. A specialized software package developed by ATE for a prior project was used for this project. The software was installed at the City and City staff were trained on the use of the computerized system.

U.S. Route 95 (Avenue B)/32nd Street - Yuma, Arizona

ATE was responsible for preparing a detailed traffic and circulation impact study which identified the improvements required at this location. After the improvements were identified, ATE prepared the construction plans, specifications and estimates for the widening of U.S. Route 95 (Avenue B) for approximately 3,100 feet and 32nd Street for approximately 1,500 feet with curb, gutter, sidewalk, drainage facilities, street section, traffic signal modification, signing and marking. Avenue B is an Arizona state highway and 32nd Street is a Yuma city street. This $700,000 construction project was successfully implemented in 1993.

UCSB Student Affairs and Administrative Services (SAAS) Building EIR - Goleta, California

ATE prepared the traffic and parking impact sections of the EIR completed for the 73,000 square-foot SAAS building proposed on the Main Campus of the University of California, Santa Barbara. The study also reviewed bicycle and pedestrian circulation in the vicinity of the project site. Existing and future transportation conditions were analyzed for the major roadways, intersections and bikeways located both on- and off-campus, and appropriate improvements were recommended. Estimates of the peak parking demand generated by the proposed building were also forecast and the ability of the campus parking facilities to accommodate the future demands were determined.

State Route 126/Peck Road Interchange - Santa Paula, California

ATE completed the initial traffic and circulation study for the project, then was retained by Kmart Corporation to complete the draft Project Study Report and Project Report for use by Caltrans staff in processing the State Route 126/Peck Road interchange improvement project. ATE was responsible for preparing plans, specifications and estimates for project construction. The project included construction of Faulkner Road (a frontage road serving a previously land-locked area), and the relocation of the State Route 126 westbound on- and off-ramps at Peck Road. The design also included storm drain and roadway under-drain facilities and a traffic signal at the intersection of the frontage road with Peck Road. This $1 million construction project was successfully completed in 1990.

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Factory Outlet Center - Oxnard, California

ATE prepared a traffic impact and improvement study for a 280,000 square-foot factory outlet commercial center proposed in the City of Oxnard. The study included an analysis of existing traffic conditions within the study area based on average daily, A.M. and P.M. peak hour traffic count data. Trip generation estimates were calculated for the project, and project-specific impacts were identified. A cumulative analysis was also completed analyzing future conditions within the study area based on traffic volumes generated by the City's computer traffic model. Detailed intersection and roadway improvement measures were developed for the identified project-specific and cumulative traffic impacts. A traffic study report was prepared pursuant to the City's standards.

REPRESENTATIVE PROJECT EXPERIENCE
Transportation Planning

ATE staff have extensive experience in a wide variety of transportation planning projects, ranging from city-wide Circulation Element traffic modeling to the development of Specific Plans for local and regional areas. Other transportation planning efforts completed by ATE include the development of Transportation Demand Management (TDM) plans, master plans, traffic improvement fee programs, area-wide and corridor studies, redevelopment plans, and transit studies. ATE staff are familiar with congestion management program policies and air quality and noise impact issues as they relate to transportation planning. A list of representative transportation planning projects completed by ATE is presented below.

Circulation Element Update and Traffic Fee Program - Santa Maria, California

ATE provided technical support to the City during the Circulation Element Update process. An area-wide computer traffic model was developed for the City during the course of updating the Circulation Element by downloading and manipulating over 16,000 records of parcel-based land use data from the City's Geobase system. The model was developed and used to test various General Plan Land Use Element buildout scenarios. ATE assisted City staff in developing and fine-tuning land use decisions for existing and future areas of the City. ATE also worked closely with City staff to develop a Traffic Fee Program. Preparation of the Traffic Fee Program involved the development of a comprehensive list of roadway and intersection improvement projects designed to provide acceptable capacity under General Plan buildout conditions.

Buellton Redevelopment Plan EIR - Buellton, California

ATE's involvement in the Buellton Redevelopment Plan EIR included preparation of the traffic and circulation section of the document. Existing traffic conditions in the City were quantified and existing roadway and intersection deficiencies were identified. City-wide traffic growth associated with General Plan buildout was quantified, and forecasts of future traffic volumes were prepared. Appropriate mitigation measures which would provide acceptable service levels were also developed. ATE developed a system of trip tables and a model street network to complete the technical forecasts.

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Harbor Master Plan - Santa Barbara, California

ATE provided comprehensive traffic and parking consulting services during the recent preparation of the City's Harbor Master Plan. An initial needs assessment was completed which identified existing deficiencies in the vicinity of the harbor and presented options for various parking and traffic flow improvements. An analysis of the traffic and parking impacts associated with the various harbor-area land use alternatives was prepared which examined peak hour impacts at 13 Waterfront-area intersections, and discussed impacts to existing harbor parking resources. Mitigation measures for all traffic and parking impacts identified in the analysis were developed.

Rivergate Specific Plan, Santa Maria, California

ATE participated in several aspects of the planning stages of this 194-acre Specific Plan. Access to City streets and the adjoining freeway were most important, as well as the selection of appropriate land uses. These tasks were completed with the aid of a computer traffic model developed by ATE. After appropriate access and lands uses were determined, ATE completed a comprehensive traffic and circulation study for the Specific Plan, analyzing the effects of the additional traffic generated within the Specific Plan on adjacent streets and highways, as well as developing an efficient circulation system within the site. Improvements required to accommodate traffic generated by the Specific Plan traffic were recommended as mitigation measures, and the traffic and circulation analysis was then incorporated into the Specific Plan EIR.

Salinas River Area Plan, San Luis Obispo County, California

ATE's involvement in this Area Plan included determining existing and future roadway operations, and recommending traffic circulation infrastructure requirements related to buildout of the Area Plan under existing and proposed land use designations. Residential, commercial, and industrial land uses located in both rural and urban locations within the Salinas River planning area were analyzed. The results of the study provided the County with valuable land use planning information for a 20-year buildout period.

TDM Plan for the Countrywide Office Project, Simi Valley, California

ATE conducted a comprehensive analysis of the travel mode patterns at an existing 621,000 square-foot regional office facility and then developed a TDM plan to be implemented in conjunction with expansion of the facility to 975,000 square feet. The goal of the TDM plan was to reduce the amount of new traffic generated by the proposed office space expansion. ATE quantified existing trip generation and mode splits at the site, and using that data coupled with employee survey information, developed a formal TDM plan tailored specifically for the office facility work force. The TDM plan included such measures as staggered and flexible work shifts, telecommuting, installation of on-site amenities, carpool incentives, vanpooling subsidies, parking fees for non-carpooling vehicles, and transit subsidies.

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Los Altos Center Redevelopment Project - Long Beach, California

ATE prepared a traffic, circulation and parking study for a 635,000 square-foot redevelopment expansion proposed for an existing 565,000 square-foot regional mall facility located in Long Beach. The study included an analysis of existing and Year 2000 traffic conditions within the study area with and without the proposed redevelopment project. Project impacts to intersections, freeways, parking facilities, adjacent neighborhoods, and pedestrian and bicycle facilities were identified and appropriate mitigation measures were recommended and presented graphically. The traffic study was also used in preparing the EIR for the project.

REPRESENTATIVE PROJECT EXPERIENCE
Traffic Signal Design and Optimization

ATE staff is highly skilled in the design of traffic signals and has a strong background in traffic signal timing optimization. ATE has completed over 150 traffic signal design projects throughout California and the western United States, and has worked extensively in 9 of the 12 Caltrans' statewide districts. ATE's engineers are capable of evaluating existing traffic signal controls and developing needed improvements, including plans, specifications and cost estimates. ATE is proficient in designing interconnect systems, street lighting systems, intersection striping, signal modifications, and preemption systems. ATE has also completed numerous traffic signal system timing optimization projects using state-of-the-art computer software programs, as well as setting timing for all types of actuated signal controllers. The following text provides a brief description of representative traffic signal design and timing projects completed by ATE.

Traffic Signal, Sign, and Striping Designs for Interchanges

ATE has participated with several civil engineering firms in preparing traffic signal, lighting, sign and striping plans and specifications for freeway interchange projects on California State Highways. These plans, prepared to Caltrans standards, involved new or modified traffic signals at freeway ramp terminals and nearby city arterial intersections, freeway safety and sign lighting, freeway and surface street traffic signs, striping and pavement markings. Three representative projects include the State Route 118/Madera Road interchange in Simi Valley, the U.S. Route 101/Borchard Road interchange in Thousand Oaks, and the State Route 101/Carmen Road interchange in Camarillo. All of these projects were reviewed and approved by Caltrans staff.

Traffic Actuated Signal Design

As noted earlier, ATE has designed over 150 traffic signals and signal modifications for state and local agencies, most of which were fully traffic actuated. We have found that each agency has certain preferences for design characteristics, which we identify prior to commencing the design. This simplifies plan checking by the agency and assures a minimum of plan and specification revisions. At the same time, we can identify areas to the local agency where improvements to the design can result in substantial cost savings both for construction and ongoing maintenance. Finally, ATE is fully qualified to set complex timing parameters in fully actuated volume density controllers, should the local agency so desire. In providing this service to local agencies over the years, we have maintained a current awareness of both federal and state requirements for signal design, as well as a

LV-6-14-1 (cont'd)

thorough understanding of new developments in state-of-the-art signal design and control. Finally, we pride ourselves in preparing signal plans which are clear and concise, eliminating guesswork by bidding contractors. In order to assure that we maintain a cutting edge in this regard, we routinely check with contractors and/or resident engineers following completion of construction to determine whether any problems arose, and their solutions.

Intersection Geometric and Traffic Signal Design Adjacent to Railroad Grade Crossings

ATE has designed several projects which were complicated by their location immediately adjacent to railroad grade crossings, necessitating a thorough analysis of traffic queuing and track clearance, signal pre-emption, truck turning radii requirements, and preparation of applications for PUC approvals and federal funding. These projects include the intersections of Los Angeles Avenue/Tapo Canyon Road in the City of Simi Valley, Ventura Boulevard/Wooley Road in Oxnard, Milpas Street/Indio Muerto in Santa Barbara, Stowell Road/Depot Road in the City of Santa Maria, and State Routes 152/165 in Los Banos. In each of these instances, ATE worked with state and/or local agencies in the development of the design, and provided engineering liaison with the railroad as the design progressed.

Traffic Signal Pre-Emption and Coordination

ATE has considerable experience in applying pre-emption and coordination techniques to traffic signal systems, large and small. Pre-emption may be required by an immediately adjacent railroad, as noted above, or may be desired for emergency vehicle or transit vehicle use. Coordination may, of course, involve city-wide systems or just two or three adjacent signals which require a timing relationship to allow traffic to flow smoothly. In this rapidly developing area, we keep ourselves informed of the latest technology in both pre-emption and coordination systems, in order to provide highly reliable and useful systems.

FETSIM Signal Timing Projects - Various Locations

ATE has participated in numerous FETSIM (Fuel Efficient Traffic Signal Management) Program signal timing projects throughout the Tri-Counties area. These projects include the timing and coordination of 50 intersections within the City of Santa Barbara, 25 intersections within the City of Santa Maria, 20 intersections within the County of Santa Barbara, and 10 intersections within the City of Ventura. The FETSIM projects involved the development of coordinated signal timing programs aimed at improving system-wide fuel efficiency and promoting smooth arterial progression. The computer programs PASSER II and TRANSYT-7F were used extensively in completing these projects. Before and after travel time studies were conducted and system performance was evaluated. ATE was also responsible for the development of the project reports required by the State.

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REPRESENTATIVE PROJECT EXPERIENCE
Parking Facility Planning and Design

ATE staff has extensive experience in the analysis and design of parking facilities. ATE's talented design staff are capable of providing maximum efficiency and utilization of existing and proposed parking resources. ATE has completed hundreds of parking lot designs, parking demand studies, parking management studies, and parking structure feasibility studies. The following text provides a brief description of representative parking facility planning and design projects completed by ATE.

Red Lion Resort Parking Lot Design - Santa Barbara, California

This project involved the design of the main parking lot at the Red Lion Resort located in Santa Barbara, California. The work included design of the on-site parking and circulation system, as well as related parking controls (kiosk locations, signing plans, etc.). Detailed parking lot striping plans were completed as part of the design project.

Mann Theater Project, Ventura, California

This project proposed to expand an existing theater complex by adding two new screens and 664 additional seats, with parking provided by increasing the existing on-site supply as well as entering into a shared parking agreement with an adjacent business park. Peak parking demands for the proposed expansion were forecast by correlating existing ticket sales information collected at the site with the results of a parking demand study performed by ATE, and the adequacy of the proposed parking supply was assessed. ATE also reviewed site circulation issues and patron access patterns. Several alternative configurations of the site's existing parking lot were designed by ATE to increase parking capacity and provide efficient operations for both automobiles and pedestrians.

Leadbetter Beach Parking Lot Improvement Project - Santa Barbara, California

This project involved redesigning the parking lot located adjacent to Leadbetter Beach in the City of Santa Barbara. The existing parking layout and circulation system was redesigned to maximize parking capacity, as well as improve circulation. Detailed striping plans were completed as part of the project.

Railway Plaza Project - Santa Barbara, California

ATE revised on-site circulation plans, prepared traffic and parking studies, and designed parking layouts for this project which proposed to modify an existing rail station complex in Santa Barbara. ATE also prepared parking control plans and programs for this Lower State Street area project.

LV-6-14-1 (cont'd)

REPRESENTATIVE PROJECT EXPERIENCE
Parking Facility Planning and Design (Continued)

Santa Barbara Zoological Gardens Parking Lot Reconstruction Project, Santa Barbara, California

ATE provided traffic and parking consulting services to the Zoological Gardens in conjunction with a parking lot expansion and reconstruction project. ATE prepared parking lot layout alternatives, including striping and signing plans, and examined several lot entrance layout and traffic control plans for the parking lot at the zoo.

Ventura Community Memorial Hospital Project, Ventura, California

This project proposed to construct a seven-story medical office building, with four floors containing 100,000 square feet of medical diagnostic and office space located over a five-level parking structure. The circulation and parking study completed by ATE included performing parking occupancy studies to determine existing parking demands at the site. Using this data, future parking demands were determined and the adequacy of the proposed parking supply was analyzed. ATE also provided an analysis of the operation of traffic flows in the parking structure, as well as the interface of proposed parking structure's access and circulation patterns with the existing on-site and off-site circulation systems.

Lower State Street Revitalization Project, Santa Barbara, California

ATE prepared initial traffic and parking studies, geometric layouts, traffic signal plans, lighting plans, striping and signing plans, and parking lot entrance/control equipment plans for the Lower State Street Revitalization Project.

Santa Barbara County Offices Employee and Juror Parking Study - Santa Barbara, California

This study examined existing and future parking conditions at Santa Barbara County's main offices in downtown Santa Barbara. Existing parking conditions were quantified through extensive field studies completed by ATE. The field data was analyzed and existing parking deficiencies were identified. ATE then devised a parking management program aimed at increasing parking supply through more efficient utilization of existing parking areas and development of new parking resources. The parking study also identified parking management measures which would reduce the parking demands generated by existing and future County employees.

LV-6-14-1 (cont'd)

ASSOCIATED TRANSPORTATION ENGINEERS

DAN L. DAWSON, PTP
Supervising Transportation.Planner

CERTIFICATION: Professional Transportation Planner

EXPERIENCE: Mr. Dawson joined ATE as Transportation Planner in 1989. Since that time he has participated in over 1,000 Transportation Planning/Traffic Engineering/ and/or Parking Studies throughout California, Nevada and Arizona. This work includes analyses of urban and rural transportation facilities in conjunction with circulation elements, general plans, redevelopment plans, specific plans, project study reports, and traffic impact assessments for individual development projects. Mr. Dawson has also participated in several traffic modeling studies using TMODEL2, including the City of Santa Maria Circulation Element and Traffic Fee Program, the City of Santa Maria Sphere of Influence Study, U.S. Highway 101 Widening Study in Montecito and Carpinteria, the Orcutt Community Plan and the Goleta Transportation Improvement Plan.

Prior to his employment with ATE, Mr. Dawson worked as a Transportation Planner for the City of Santa Barbara. In that position he was responsible for reviewing and preparing written summaries of traffic reports, recommendations and informational reports on site plans, EIR's, traffic studies and development plan proposals. He also examined development plans for compliance with City design standards. Mr. Dawson was a Transportation Staff member assigned to the SBCAG Transportation Technical Advisory Committee (TTAC) and also the City's Development Review Committee (DRC).

EDUCATION: B.A Economics, California State University at Chico, 1983

Continuing Education: University of California Institute of Transportation Studies, Fundamentals of Traffic Engineering and Traffic Congestion, TMODEL2 Traffic Modeling Workshop. CELSOC Future Leaders Program.

PROFESSIONAL AFFILIATIONS: Member of Institute of Transportation Engineers

LV-6-14-1 (cont'd)

ASSOCIATED TRANSPORTATION ENGINEERS

SCOTT A. SCHELL, AICP, PTP
Principal Transportation Planner

CERTIFICATION: American Institute of Certified Planners
Professional Transportation Planner

EXPERIENCE: Mr. Schell is a transportation planning specialist with a broad background in traffic operations, transportation planning theory and environmental regulations (CEQA, NEPA, etc.). Mr. Schell joined ATE as a Transportation Planner in 1983 and became a partner in the firm in 1992. During his tenure with ATE, he has been responsible for and participated in over 600 transportation planning studies, traffic impact reports, and parking studies for projects located throughout both northern and southern California. These projects include Circulation Element updates, Sphere of Influence Annexation proposals, and Environmental Impact Reports/Statements for large scale residential, commercial, and institutional developments, as well as Redevelopment Agency projects. Mr. Schell serves as a project manager responsible for the preparation, review, and public presentation of the various traffic impact reports and transportation planning studies.

Mr. Schell also participated in the California Energy Commission FETSIM (Fuel Efficient Traffic Signal Management) programs for the cities of Santa Barbara, Santa Maria, Ventura, and Goleta, thus gaining a working knowledge of the traffic signal timing optimization programs TRANSYT and PASSER II, as well as a solid background in traffic signal operations. Mr. Schell also has extensive knowledge of the TMODEL transportation modeling software program.

EDUCATION: B.A. Environmental Studies and Economics, University of California, Santa Barbara, High Honors, 1982

Continuing Education: University of California, Institute of Transportation Studies, Fundamentals of Traffic Engineering, Traffic Engineering Operations, Traffic Engineering Planning, and Traffic Engineering Modeling

PROFESSIONAL AFFILIATIONS: Institute of Transportation Engineers, Member
American Planning Association, Member
University of California, Santa Barbara, Guest Lecturer

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RRM

LV-6-14-1 (cont'd)

RRM Design Group

RRM Design Group's multidiscipline delivery of professional services—architecture, planning, landscape architecture, civil engineering, surveying, and urban design—infuses sustainability and economic vitality into community, civic, public safety, recreation, education, and urban revitalization projects throughout California.

Our expert team of over 130 professionals connects green solutions with advanced technologies to implement your visions.

And with offices in San Luis Obispo, Oakdale, San Clemente, and Sausalito, we build strong relationships between people, places, resources, and public agencies, Creating Environments People Enjoy® since 1974.

California's Central Coast (Headquarters)
3765 South Higuera Street, Suite 102
San Luis Obispo, CA 93401
P: (805) 543-1794, F: (805) 543-4609

California's Central Valley
210 East F Street
Oakdale, CA 95361
P: (209) 847-1794, F: (209) 847-2511

Southern California
232 Avenida Fabricante, Ste. 112
San Clemente, CA 92672
P: (949) 361-7950
F: (949) 361-7955

Northern California
10 Liberty Ship Way .
Sausalito, CA 94965
P: (415) 331-8282, F: (415) 331-8298

RRM Websites
www.rrmdesign.com
www.firestationdesign.com
www.biketraildesign.com

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LV-6-14-1 (cont'd)

Principals of the Firm
Victor Montgomery, AIA, NCARB
T. Keith Gurnee
John Wilbanks, AICP
Jeff Ferber, ASLA
Erik P. Justesen, ASLA
Jerry Michael, PE, LS
Greg Peters
Debbie Rudd, AICP
Warren McClung, ASLA
Mike Sherrod, ASLA
Tim Walters
Kirk Van Cleave, AIA, NCARB
Stacey White, AIA, LEED AP
Lynette Dias, AICP

Firm Size
Total staff of 130

Personnel by Discipline
17 California Licensed Architects
3 California Licensed Civil Engineers
12 California Licensed Landscape Architects
4 Certified Planners
5 Licensed Surveyors
11 LEED® Accredited Professionals
14 Architecture Designers
8 Engineering Designers
32 Planning and L/A Designers
2 Survey Technicians
32 Administrative and Secretarial
1 Construction Services
2 Exhibit Designers
2 CEQA Specialist

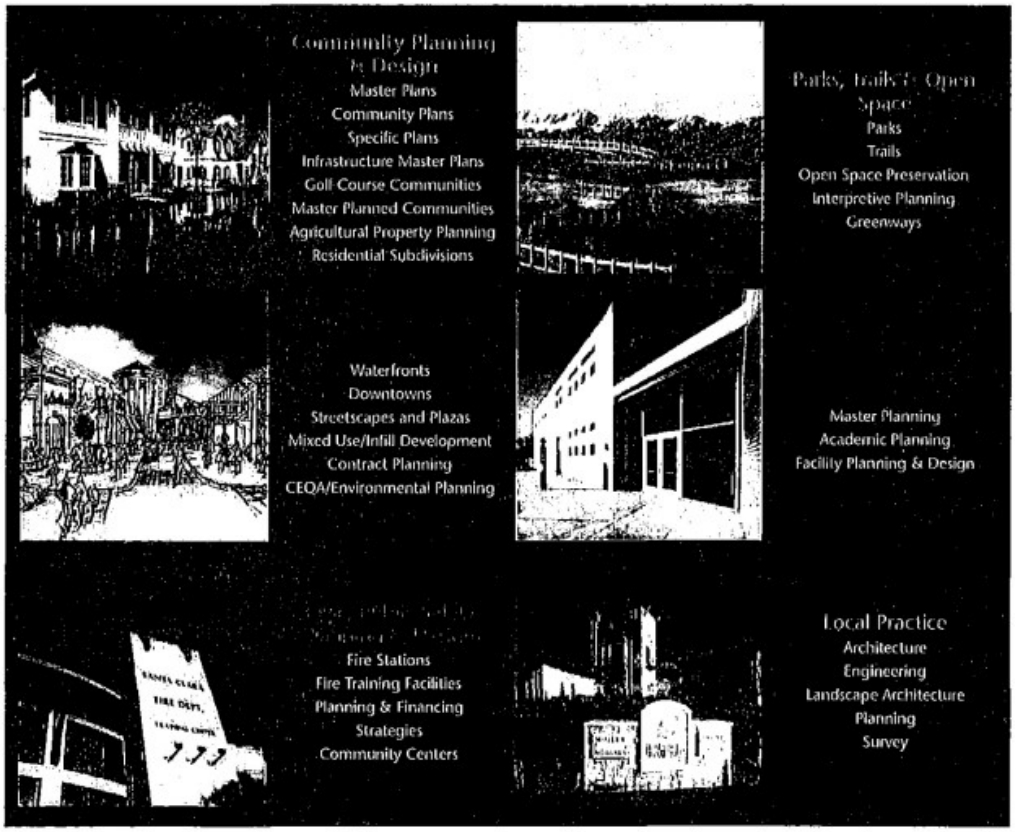
Professional Registrations & Certifications
Licensed Architects:
California, Arizona, Colorado, Illinois, Montana, Nevada, Pennsylvania, Oregon, Texas, Utah, Washington
Licensed Civil Engineers:
California, Alaska, Arizona, Hawaii, Virginia
Licensed Landscape Architects:
California, Virginia
Certified Planners:
California
Licensed Surveyors:
California, Arizona

Professional Affiliations
American Institute of Architects (AIA)
American Institute of Certified Planners (AICP)
American Planning Association (APA)
American Public Works Association (APWA)
American Society of Civil Engineers (ASCE)
American Society of Landscape Architects (ASLA)
Building Industry Association (BIA)
California Land Surveyors Association
National Council of Architectural Registration Boards (NCARB)
Society of College and Universtiy Planners (SCUP)
Urban Land Institute (ULI)
U.S. Green Building Council

www.rrmdesign.com

LV-6-14-1 (cont'd)

RRM's mission and passion is Creating Environments People Enjoy®. Through collaborative multidiscipline delivery of professional services —architecture, civil engineering, landscape architecture, planning, surveying— we infuse sustainability and economic vitality into new communities and revitalized urban areas; parks, trails and open space; and civic, public safety, and education projects across California. Our designs and our culture embody sustainability, collaboration, innovation, and execution.



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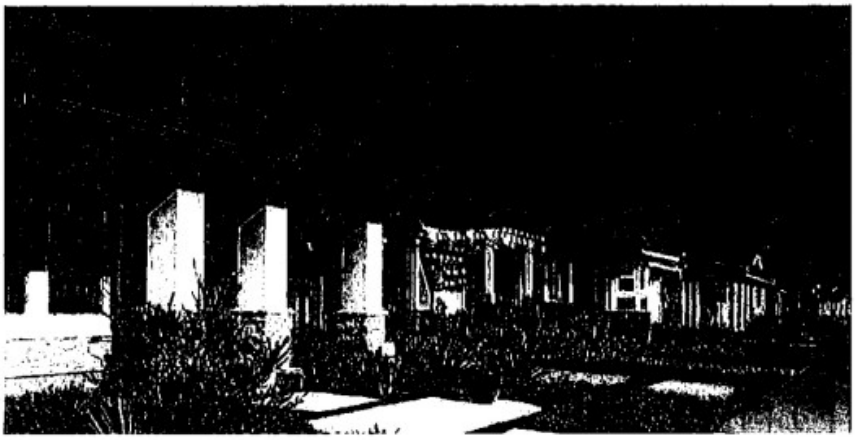
Community Planning & Design



Community making is both science and art. RRM is skilled in each, and proves it by creating a project or a place that does more than function. It lives, it breathes, it thrives. An RRM project beats with the heart of the people who live in and use it, melding imagination and pragmatism into a community that works. Growth and land use issues, open space and public service, circulation and community character are all accommodated in designs that capture civic spirit, jump regulatory hurdles and address unique political challenges. The RRM Community & Neighborhood Planning Team is rich in multidisciplinary skills and the on-the ground experience needed to create true community.

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LV-6-14-1 (cont'd)

Community & Neighborhood Planning Services:

- Community Plans
- Neighborhood Planning
- Land Use Planning
- Program Development
- Environmental Constraints Analysis
- Smart Growth
- 3D Visualization
- Design Guidelines
- Mitigation and Enhancement
- Outreach and Consensus Building
- Sustainable Design
- Conference Lectures and Presentations

"RRM Design's work is typified by quickly getting up to speed on the client's needs, identifying the critical issues, and then crafting creative solutions to those problems. RRM Design is also to be commended for advocating a higher quality built environment without losing sight of community expectations and market realities."

--Michael Cooke, AICP, Planning Manager, City of Turlock

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LV-6-14-1 (cont'd)

Civic & Public Safety

Public safety facilities are community icons – buildings that promise security and care through any crisis. RRM understands the interrelationship of community pride and the practical need for facilities that work. We understand as only a company that has designed and built more than 100 public safety facilities can. We've walked in your shoes, making our way through fire stations, headquarters facilities, 911 call centers, training facilities and emergency operations centers. We've worked side by side with public safety professionals in meeting community demands and addressing specific facility operations' needs. We're pros at efficiency, effectiveness and comfort. We can help with financing strategies, neighborhood issues and long-range planning needs. We can't suit up in ninety seconds or calm a hysterical 911 caller, but we can design a facility that works when you need it.

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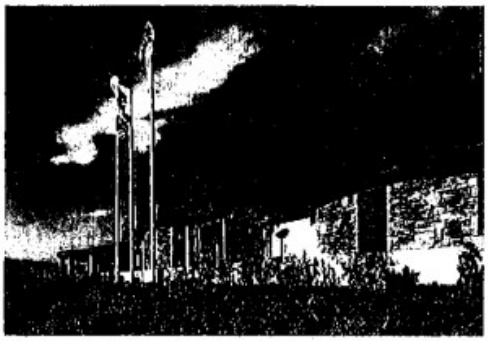

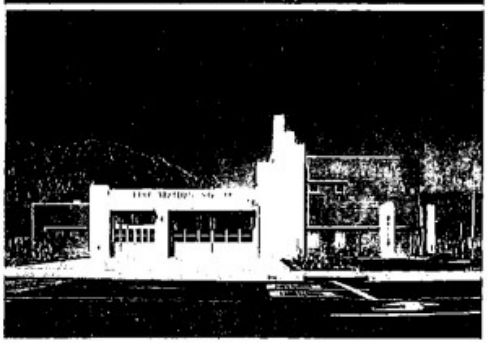

Public Safety Planning & Design Services:

- Site Assessment
- Project Programming and Budgeting
- Conceptual Design
- Schematic Design
- Design Development
- Construction Documents
- Construction Bidding
- Construction Administration
- Post Occupancy Evaluation
- 3D Visualization
- Massing Studies
- Perspective Rendering
- Peer Review
- Community Outreach/Consensus Building
- Sustainable Design and LEED Certification
- Interior Design
- Furniture Selection and Specification
- Strategic Planning
- Department-Wide Facilities Planning
- Master Facilities Standards and Specifications
- Prototype Facilities Design and Budgeting
- Resource Allocation Strategies
- Funding/Bond Program Development

"RRM has been thorough and comprehensive in their approach to this complex project. The building must not only meet essential service and dispatch requirements but also have comfortable living areas for de-stressing in this twenty-four hour shift operation. The Fire District would highly recommend [RRM] to other public agencies. You may be able to find a firm that proposed a lower fee; however, our experience is that you get what you pay for. The Fire District intends to continue its work with [RRM] as other projects come on line."

~Abbe Berns, Assistant Director Fire Services
Ventura County Fire Protection

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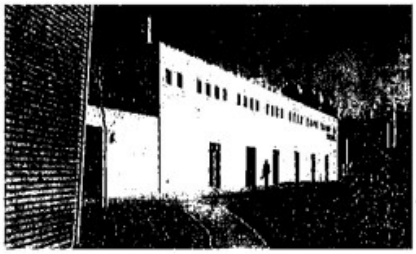
LV-6-14-1 (cont'd)

Education



Who better to design educational facilities than professionals who understand the joy of learning? The RRM team of designers, planners, architects and engineers are multi-disciplinary in their professional skills, but of one mind when it comes to education: we are life long learners. RRM values knowledge, education and academic excellence, and we know first hand the power of a place to foster successful learning. We've created a specialty team to work on education facilities who are top notch in planning and execution, and we add to our clients' peace of mind with our thorough understanding of public education financing systems and procedures. We're on the Dean's list when it comes to evaluating constraints and opportunities and successfully taking a project from concept to finished product..

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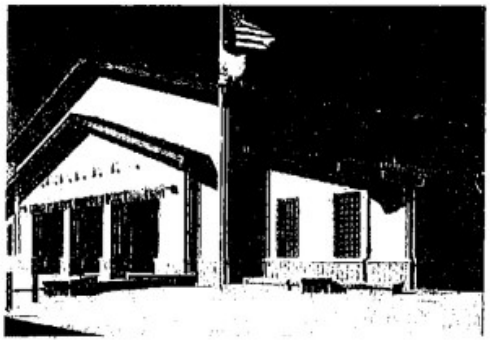

Education Campus & Facilities Services

- Academic Strategic Planning
- Master Planning
- Conceptual Design
- Facilities Assessments
- Funding Acquisition
- Bridging Documents
- Consensus Building
- Programming
- Conference Lectures and Presentations
- Sustainable Designa and LEED Certification

"As a multidiscipline firm, RRM effectively provides California Polytechnic State University with experience in planning, architecture, landscape architecture, civil engineering and surveying without the need for us to coordinate a large team of consultants. I believe their ability to quickly evaluate constraints and opportunities from many perspectives allows them to successfully take a project from it's conceptual beginning to a finished product."

–Robert E. Kitamura, AIA, Director of Facilities Planning
California Polytechnic State University, San Luis Obispo

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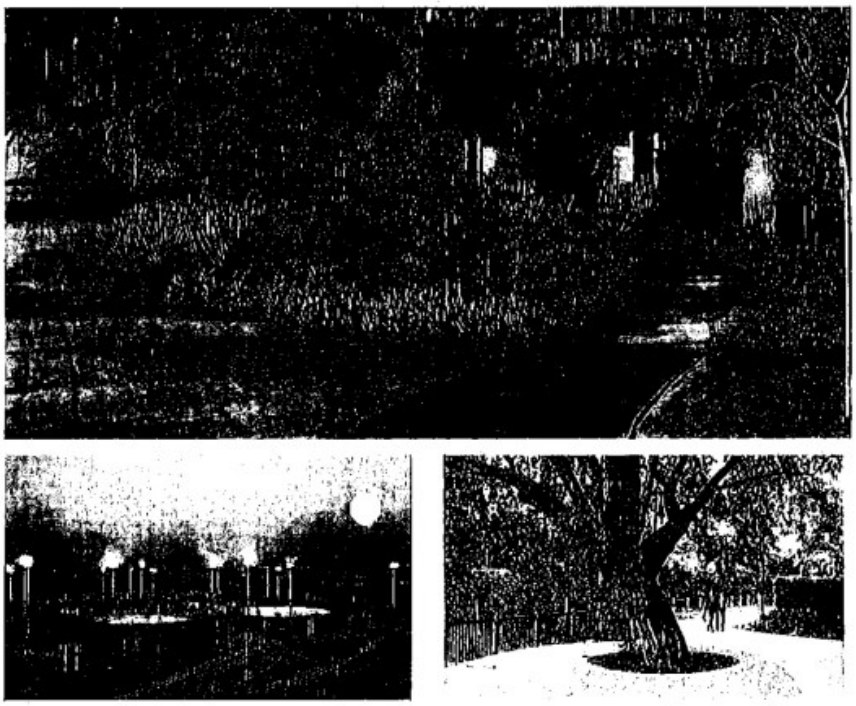
LV-6-14-1 (cont'd)

Parks, Trails & Open Space



When it comes to designing recreation areas, RRM insists on one rule of the game: playing fair. There's simply no better way to get it right than to ask the people in the know, and that's just what we do. We work from the ground up when planning and designing parks, trails and open space. Who knows a soccer field better than a soccer player? Cyclists are pros on bike paths, skaters know the highs and lows of skate parks, and hikers have ideas of what makes a trail work. From passive to active recreation spaces, this tried and true approach has helped create award-winning recreational spaces. Our projects – your projects – look gorgeous, function beautifully and integrate budget and operational demands. We know how to play.

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Parks, Trails, & Open Space

- Park Planning and Design
- Multi-Use Trails
- Open Space and Resource Planning
- Acquisition Strategies
- Community Outreach
- Construction Documents
- Greenway Planning and Design
- Habitat Restoration
- Interpretive Program and Exhibit Planning
- Sustainable Design and LEED Certification
- Conference Lectures and Presentations

"Additionally, I would also like to express my appreciation for the manner in which RRM has responded to our needs while designing the project and more importantly, our subsequent needs while constructing the project. Even if it was advice or additional design services, you have always been attentive, responsive, and very helpful throughout each phase of the project."

–J. Mike Sheppard, Senior Planner, Project Manager
City of Santa Rosa, Community Development Department

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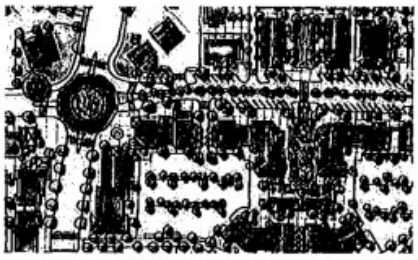
Urban Revitalization



Urban Revitalization professionals view a community's historic past as a touchstone to its future. They master the fine art of blending old with new; retaining the best of a community's character and building toward a future that assures long-term livability. RRM's Urban Revitalization team members are stewards of the urban environment who refresh, reuse and recycle through design. We breathe life into neighborhoods and districts with a group of professionals including LEED® certified planners, landscape architects, architects and engineers who are fiercely committed to innovative and sustainable planning and urban design. We are creative thinkers but more than just dreamers. RRM creates investment opportunities and accomplishes urban revitalization projects with the client's vision, timing and budgets clearly in mind.

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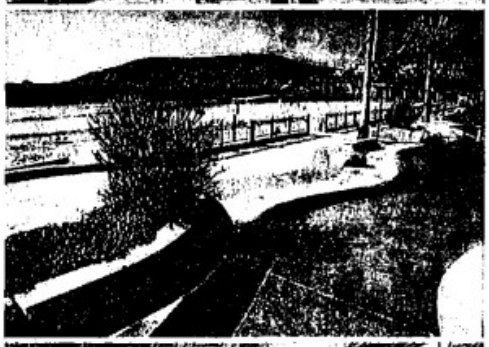

Urban Revitalization

- Design Guidelines
- Facade Improvements and Restoration Programs
- Mixed Use and Infill Development
- Property Disposition Analysis
- Plazas and Town Squares
- Public Outreach and Consensus Building
- Specific Plans
- Streetscape Design
- Urban Design
- Vision Posters
- Waterfront Planning and Design
- Wayfinding Programs
- Contract Planning
- CEQA/Environmental Planning
- Sustainable Design and LEED Certification
- Conference Lectures and Presentations

"I am pleased to write this letter on behalf of the City of Ojai and RRM Design Group regarding the superb work they accomplished on a downtown Arcade Plaza enhancement project...This was a successful process that brought the community together to create a welcoming environment attracting shoppers and pedestrians and revitalizing a once underutilized public space in the heart of our downtown."

-Dan Singer, City Manager, City of Ojai

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LV-6-14-1 (cont'd)

Architecture

Excellence at RRM begins at the hiring level. An RRM architect is retained to be more than a top rate designer. Our architects must be keenly creative, boldly imaginative and seasoned in the practical matters of design. But those talents are not enough. An RRM architect is also a skilled observer, a careful listener and an impeccable communicator. How else do RRM clients achieve architectural design that is visually pleasing, captures the spirit of the project and is sensitive to cost and appearance concerns? RRM Architecture is an integrated, ear to the ground service whose experienced professionals meet individual client needs, accommodate differing viewpoints and community opinion, and showcase how architecture is truly an art form.

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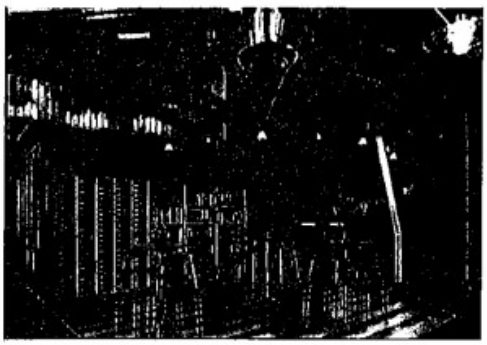

Architecture

- Site Assessment
- Project Programming and Budgeting
- Conceptual Design
- Schematic Design
- Design Development
- Construction Documents
- Construction Bidding
- Construction Administration
- Post Occupancy Evaluation
- 3D Visualization
- Massing Studies
- Perspective Rendering
- Peer Review
- Community Outreach/Consensus Building
- Sustainable Design and LEED Certification
- Interior Design
- Furniture Selection and Specification

"RRM is second to none at integrating form and function. RRM's designs are innovative, your problem solving is excellent, and you generate project designs that work for both the users and owners. In addition, I am always more than pleased by the quality of your working drawings and your professional presentations. As impressive as this is, your ability to work through the entitlement process and obtain approvals, which can often times be a long and difficult process, is equally impressive."

–John Rossetti, President, Rossetti Company

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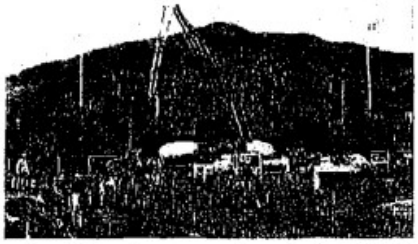
Engineering



Engineering is a big thinker's game. It's not easy making pieces fit together on complex projects, but RRM engineers do it every day. We're like winning coaches – we see the big picture, put together a winning team and guarantee the ball gets moved down the field. Public agency or private sector client, individual building or master planned community, RRM Engineering understands the task at hand and the actions needed to accomplish it. We work closely with our surveyors, architects, planners and landscape architects in creating innovative infrastructure systems, trail systems, sensitive creekways, streetscape improvements, ocean front promenades, parks and transportation facilities.

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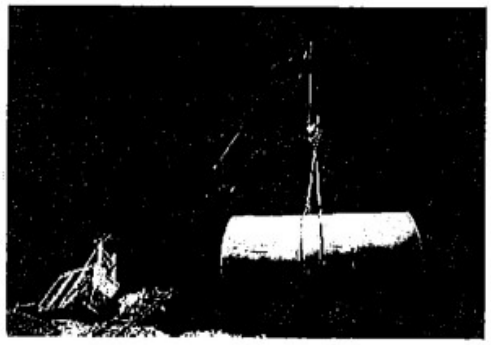

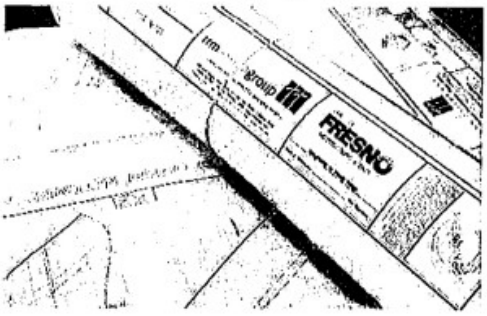

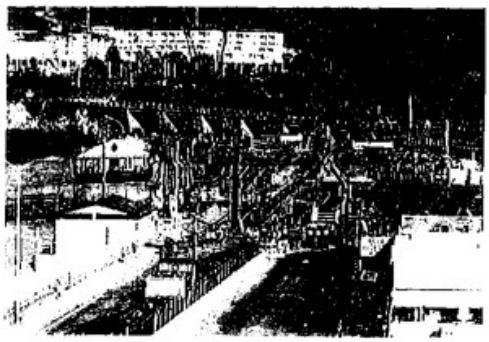

Engineering

- Site Improvements
- Grading and Earthwork
- Drainage
- Utility Plans
- Plan and Profiles
- Cost Estimating
- Piping and Valve Design
- Assessment District Engineering
- System Master Planning
- Computer Modeling
- Fire Flow Analysis
- Booster Station Design
- Reservoirs and Water Storage
- Well and Pump Design
- Flood Plain Analysis and Mapping
- Floodway Analysis
- Bank and Shore Protection
- Erosion Control Plans
- Watershed Modeling
- Collection System Master Planning
- Lift Station and Wet Well Design
- Septic System Design
- Collection System Design
- Feasibility Studies
- Hydrology Studies
- Watershed Studies
- Culvert Design
- Retention and Detention Basin Design
- SWPPP Preparation
- Open Channel Design
- Bikeway and Pedestrian Facility Design and Master Planning
- Pavement Design
- Pavement Recycling
- Construction Engineering
- Construction Observation
- Record Drawings
- Sustainable Design and LEED Certification

"Your firm performed in a most admirable manner on our project - professionally sound engineering and design, evident cost effectiveness, timely effort, excellent responsiveness to customer needs, and quality management and over-sight of the actual construction. I am very pleased with the results achieved...I thank you for your leadership and the high standards you expect of your employees and which they aptly demonstrate."

~Sheri Bashaw, Contract Specialist, USPFO for California

www.rrmdesign.com

LV-6-14-1 (cont'd)

Landscape Architecture

Landscape Architecture is the collaboration of arts and sciences. We meld the built environment with the natural environment and create places that people enjoy. RRM's landscape architecture professionals work closely with architects, planners, civil engineers, and environmental scientists to weave together the pieces that work in concert to make an otherwise ordinary place a great one. Landscape Architecture spans from the conceptual to the finishing touches on a project. RRM is vested in assuring its projects work on every level – buildings, plants and hardscape, open space and sustainability – it's the total of the parts that create the ultimate experience.

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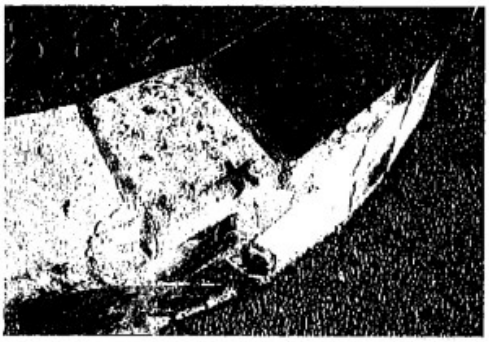
LV-6-14-1 (cont'd)



Landscape Architecture

- Commercial Landscape Design
- Regional Landscape Planning
- Residential Landscape Design
- Entry Monuments
- Park and Recreation Design
- Trail Planning
- Master Planning
- Urban Design
- Sustainable Design and LEED Certification
- Development Guidelines
- Design Guidelines
- Construction Documents
- Construction Observation
- Habitat Restoration
- Re-vegetation

"While I recognized the depth and breadth of their project experience, my decision to retain RRM Design Group rested primarily with the quality and character of the individuals that make up RRM. They are a credit to the profession and in my experience with them they have never failed to represent the City competently and professionally."

–Mike Fulford, City Landscape Architect, City of Pleasanton

www.rrmdesign.com

LV-6-14-1 (cont'd)

Planning

People are at the heart of every RRM Planning project: people create the spaces that other people will take pleasure in. But there's more to it than that. Our planners see more than what is presented, hear more than what is said, and dream the dreams that lead to magnificence. That's Planning at its best, and that's how Planning is done at RRM. Our planners study the surrounding environments, drawing ideas and inspiration. They work side-by-side with engineers, landscape Architects and architects, keeping a toehold on practical matters and working seamlessly to design projects that dazzle, that inspire, that motivate. And, projects that work. Make no mistake - no detail is too small - from pavement widths and turning radii to building heights and sense of scale - all contribute to the end product experience.

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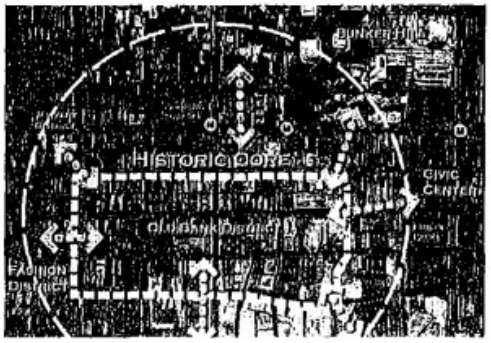
LV-6-14-1 (cont'd)

Planning

- Master Planning
- Urban Revitalization
- Urban Design
- Waterfront Planning and Design
- Mixed Use and Infill Development
- Streetscape and Plaza Design
- Specific Plans
- Community Plans
- Area Plans
- Design Guidelines
- Design Review
- Sustainable Design and LEED Certification

"I have been in the planning industry for approximately 20 years in both the private and the public sectors and have been involved in numerous master plan and specific plan developments... The Downtown Master Plan is one of the most comprehensive and well-thought-out documents I have had the privilege to be involved with. RRM Design Group did an excellent job for us, and I could not be more pleased with the end result."

~David A. James, REA, Community Development Director



www.rrmdesign.com

LV-6-14-1 (cont'd)

Survey

A surveyor working a project site is a cue that a project is underway and important first steps are being taken. An RRM surveyor on site says even more. RRM's surveying services are a promise of precision, of attention to detail and reliance on the best in surveying equipment and technology. We have years of experience mapping real property boundaries, researching subdivisions and single residential sites, and know first hand that a reliable survey is critical to project success. Our skilled staff guides your project and assures the site is defined with impeccable care and certainty. No surprises. No challenges. No problems. Our surveyors are highly trained professionals who give you great service responsiveness and accurate information.

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LV-6-14-1 (cont'd)

Survey

- ALTA Land Title Surveys
- Boundary Surveys
- Construction Staking
- GPS Control Surveys
- Legal and Expert Witness
- Legal Parcel Entitlements
- Subdivision Entitlements
- Public Agency Administration
- Topographic Surveys
- Chain of Title Research
- High Definition Scanned Surveys
- Cadastral Surveys
- Old Map and Historic Subdivision Research

"During the course of this work, RRM has performed surveys for topography for existing ground, top of affected surface and bottom of affected surface. From this field information, RRM calculated earth volume quantity reports for the contractor. Earth quantities moved by the contractor were checked and monitored on a weekly basis. RRM also performed construction staking for sheet piling, seawall and pier construction. During this project, we have found RRM to be safety conscious, accurate and responsive to our needs in the field. We would recommend their services for similar projects."

–Lewis C. Lausten, Project Procurement Manager,
Jacobs Engineering

www.rrmdesign.com

LV-6-14-1 (cont'd)

Public Outreach & Consensus Building

Stakeholder support is critical to project success, and RRM is committed to traveling that positive path. Call us the peacemakers. We identify your project's stakeholders, affected agencies and constituent groups – proponents and opponents. We conduct workshops, listen, work out differences, and accommodate opinions. Conflict delays and often kills a project. RRM derails conflict. We craft solutions and develop winning outcomes. We never take leave of our client's point of view, but we find ways to make things work. And when things work, projects advance.

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LV-6-14-1 (cont'd)

Public Outreach & Consensus Building

- Community Consensus Building
- Customized Outreach Processes
- Design Charette Facilitation
- Fun and Interactive Workshop Facilitation
- Key Stakeholder Interview Facilitation
- Project Newsletters
- Project Web Page Design
- Questionnaire/Survey Implementation
- Steering Committee Facilitation
- Visual Surveys with Remote Control Voting
- Conference Lectures and Presentation

"RRM Design Group's approach to public participation is excellent, demonstrating an ability to work well with a variety of stakeholders. Much of the success of their planning efforts in Turlock can be linked to the thoroughness of the public participation process and their ability to adapt the process depending upon the type of project and the stakeholders involved."

–Michael Cooke, AICP, Planning Manager , City of Turlock

www.rrmdesign.com

LV-6-14-1 (cont'd)

Sustainability

Beautiful design captures form and function; elevates the spirit and energizes the user. But in today's world, design must do more. It must be sustainable: sensitive to resources, capable of living and lasting. RRM enlists the use of technologies, materials and contemporary thought to assure a project a long-term place in a community. Our experts work behind the scenes to infuse environmental awareness – and economic viability – into every project we undertake. RRM's "green" design experience ranges from completed LEED® certification for individual buildings to assisting clients with selecting environmentally responsible approaches to the design and implementation of land planning and development projects.

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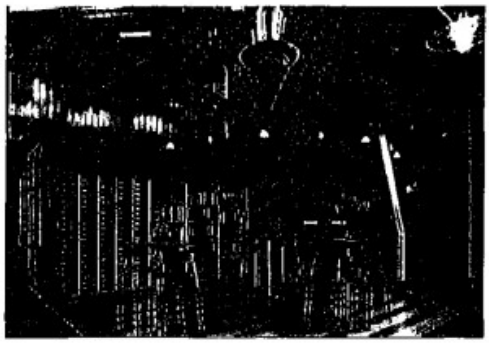
LV-6-14-1 (cont'd)



Sustainability

- Sustainable Site and Building Design
- LEED® Certification
- Sustainable Design Guidelines
- Pre-design and Program Goal Setting
- Construction Waste Management and Plan Recycling
- Efficient Energy and Water Systems Design
- Habitat Restoration
- Indoor Environmental Quality Control
- Selection of Environmentally Responsible Materials and Systems
- Conference Lectures and Presentations

"RRM has made it a priority to fully integrate sustainable design practice into every aspect of our business. On an internal level, we recycle and use recycled paper products, support and encourage LEED® certification of all our professionals, and participate in and promote community giving and volunteering. We incorporate this philosophy into our designs, including our own facilities -- sustainable materials include floor surfaces, workstations, low VOC paint, insulation, skylights, windows, and mechanical and electrical systems. Our first choice in housing our growing, energetic firm is adaptive reuse of vacant space."

--Victor Montgomery, AIA, NCARB, Chairman of the Board

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LV-6-14-1 (cont'd)

Victor Montgomery, AIA, NCARB

Principal

33 Years of Experience

Education
Bachelor of Science, Architecture, California Polytechnic State University, San Luis Obispo, CA

Registrations
1980, Architect, CA No. C11090
2003, Architect, AZ No. 39878
2003, Architect, TX No. 18260
2003, Architect, WA No. 8360
2005, Architect, CO No. ARC-400411
1999, NCARB No. 52007
American Institute of Architects, CA No. 30003007

Affiliations
- *American Institute of Architects (AIA)*
- *Member of Dean's Advisory Council to the San Luis Obispo California Polytechnic State University, School of Architecture and Environment Design*
- *President AIA California Central Coast Chapter, 1993-94*
- *Member of San Luis Obispo County Economic Advisory Committee, 1997-present*
- *Member San Luis Obispo County Planning Department Consolidation Advisory Group, 1995-1996*
- *Member of County-wide Design Element Advisory Committee, 1994*
- *Member of City of San Luis Obispo General Plan Update Advisory 1995-1996*
- *Urban Land Institute member, #228576*

Related Project Experience
- West Front Hotel and Mixed-Use Development Concepts, Atascadero, CA
- Eagle Ranch Master Plan, Atascadero, CA
- Fossil Pointe, Avila Beach, CA
- Fountain/Laurel Mixed-Use Development, Carmel, CA
- Hampton I, Fontana, CA
- Brookhurst Triangle-Garden Grove Development, Garden Grove, CA
- Clos du Bois Winery Facility Expansion, Geyserville, CA
- Bailey Avenue Corridor Specific Plan, Lompoc, CA
- Cloisters Master Plan, Morro Bay, CA
- Camino Caballo Estates, Nipomo, CA
- Crystal Oaks Ranch Phase II, Nipomo, CA
- Crystal Oaks Specific Plan Due Diligence, Nipomo, CA
- Black Lake Specific Plan, Nipomo, CA
- Woodlands Specific Plan, Nipomo Mesa, CA
- Rabbit Ridge Winery and Tasting Room, Paso Robles, CA
- Cypress and Park Avenue Condominiums, Pismo Beach, CA
- Oceanview Townhomes, Pismo Beach, CA
- Cottage Inn, Pismo Beach, CA
- Santa Margarita Ranch Master Plan, San Luis Obispo, CA
- San Luis Obispo Golf and Country Club Master Plan, San Luis Obispo, CA
- Varian Ranch Ag Cluster, San Luis Obispo, CA
- Varian Ranch Community Center, San Luis Obispo, CA
- Village at Broad Street Mixed-Use, San Luis Obispo, CA
- Humbert Street Multi-Family Residential, San Luis Obispo, CA
- Victoria Square, San Luis Obispo, CA
- Edna/Los Ranchos Specific Plan, San Luis Obispo, CA
- Edna Ranch, San Luis Obispo County, CA
- Laetitia Vineyard Ag Cluster Master Plan, San Luis Obispo County, CA
- Biddle Ranch Ag Cluster, San Luis Obispo County, CA
- Adams Canyon Ranch Specific Plan, Santa Paula, CA
- Soledad Miravale III Specific Plan, Soledad, CA
- Miravale II Multi-Family Housing, Soledad, CA

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LV-6-14-1 (cont'd)

Tim Walters
Principal

24 Years of Experience

Affiliations
Home Builders Association (HBA) Government Affairs Committee

Related Project Experience

- Platinum Gateway Mixed-Use Development, Anaheim, CA
- Las Ventanas Construction, Arroyo Grande, CA
- Monte Sereno Residence, Arroyo Grande, CA
- Vista Del Mar, Arroyo Grande, CA
- Arroyo Linda Crossroads Specific Plan with Design Guidelines, Arroyo Grande, CA
- Biddle Ranch West Phase I, Arroyo Grande, CA
- San Luis Bay Estates, Tract 2401, Avila Beach, CA
- Fossil Point 2008, Avila Beach, CA
- Orcutt Town Center, Buellton, CA
- Leffingwell Relocatables, Cambria, CA
- Cambria Pines Estates Lot 7 Engineering Services, Cambria, CA
- El Centro Downtown Revitalization, El Centro, CA
- Fort Bragg Georgia-Pacific Mill Site Specific Plan, Fort Bragg, CA
- Nipomo Bluffs, Glendale, CA
- Bluffs at Mesa Oaks, Lompoc, CA
- Lompoc Bodger Sansone Master Plan, Lompoc, CA
- Malibu Civic Center Specific Plan and Design Guidelines, Malibu, CA
- Division Street Project, Nipomo, CA
- Knollwood at Blacklake, Tract 2325, Nipomo, CA
- Woodlands Specific Plan, Nipomo Mesa, CA
- San Luis Rey River Trail Extension, Oceanside, CA
- Highway 46 Widening and Striping Plans, Paso Robles, CA
- Goldstein Property Construction Documents, Paso Robles, CA
- Riverwalk Village Mixed Use Development, Paso Robles, CA
- Paso Robles Sidewalk Projects, Paso Robles, CA
- Los Robles Del Mar Specific Plan, Pismo Beach, CA
- Park Avenue Condominiums, Pismo Beach, CA
- Park Avenue Condominium Con Docs, Pismo Beach, CA
- Endevco Property Redevelopment, San Juan Capistrano, CA
- deTolosa Ranch Detention Basin Report, San Luis Obispo, CA
- Clover Creek, Tract 1360, San Luis Obispo, CA
- DeVaul Ranch, San Luis Obispo, CA
- Willows II, San Luis Obispo, CA
- Warden Ranch Ag Cluster, San Luis Obispo, CA
- Santa Margarita Low Impact Development (LID) Topographic, San Luis Obispo, CA
- Chevron SLO Tank Farm Commerce Park, San Luis Obispo, CA
- Village at Broad Street Mixed-Use, San Luis Obispo, CA
- Biddle Ranch Ag Cluster, San Luis Obispo County, CA
- La Vigna at Westgate Ranch Single Family Homes, Santa Maria, CA
- Thousand Oaks Boulevard Specific Plan, Thousand Oaks, CA

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LV-6-14-1 (cont'd)

Allison Donatello
Principal Planner

25 Years of Experience

Education
Bachelor of Science, Landscape Architecture, California Polytechnic State University, San Luis
Masters Coursework, City and Regional Planning, California Polytechnic State University, San Luis

Presentations
Guest Lecturer, California Polytechnic State University, San Luis Obispo, City & Regional Planning, Landscape Architecture

Related Project Experience
- Bixby Ranch Due Diligence, , CA
- Arroyo Linda Crossroads Specific Plan with Design Guidelines, Arroyo Grande, CA
- Eagle Ranch Master Plan, Atascadero, CA
- Fossil Pointe, Avila Beach, CA
- Harbor Terrace, Avila Beach, CA
- Diamond Match Mill Site Specific Plan and Design Guidelines, Chico, CA
- Claremont Village West Specific Plan and Design Guidelines, Claremont, CA
- Cloverdale Sawmill Specific Plan, Cloverdale, CA
- Monte Vista El Centro Specific Plan, El Centro, CA
- North McKay Tract, Eureka, CA
- South Folsom Specific Plan, Folsom, CA
- Hampton Place III, Fontana, CA
- Sierra Promenade Specific Plan, Fontana, CA
- Hollister Ranch Mapping, Gaviota, CA
- Moreno Valley Multi-Family, Moreno Valley, CA
- Nipomo Hills, Nipomo, CA
- Crystal Oaks Specific Plan Due Diligence, Nipomo, CA
- Woodlands Specific Plan, Nipomo Mesa, CA
- Riverwalk Village Mixed Use Development, Paso Robles, CA
- Black Ranch Master Plan, Paso Robles, CA
- Pismo Preserve, Pismo Beach, CA
- Salida Community Plan Update and Public Outreach, Salida, CA
- Jack Ranch Mapping Services, San Luis Obispo & Monterey, CA
- Weyrich Nacimiento Project, San Luis Obispo County, CA
- Laetitia Vineyard Ag Cluster Master Plan, San Luis Obispo County, CA
- Glen Annie Fields and Golf Club, Santa Barbara, CA
- La Vigna at Westgate Ranch, Santa Maria, CA
- Mattei's Landing at Westgate Ranch, Santa Maria,
- Adams Canyon Ranch Specific Plan, Santa Paula, CA
- Devincenzo Subdivision, Shafter, CA
- Mission Lakes, Stratford, CA
- Lincoln East Specific Plan, Yuba City, CA
- Feather Creek Specific Plan, Yuba County, CA

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LV-6-14-1 (cont'd)

Bret Stinson
Planner/GIS Specialist

15 Years of Experience

Education
Bachelor of Science, Landscape Architecture, California Polytechnic State University, San Luis Obispo, CA

Related Project Experience
- Arroyo Linda Crossroads Specific Plan with Design Guidelines, Arroyo Grande, CA
- Avila Beach Front Street Enhancement Plan, Avila Beach, CA
- Port San Luis Boatyard, Avila Beach, CA
- Port San Luis Master Plan, Avila Beach, CA
- Las Virgenes Road Corridor, Calabasas, CA
- East West Ranch Public Access and Resource Management Plan, Cambria, CA
- Deep Springs College Mapping, Deep Springs, CA
- Hollister Ranch Mapping, Gaviota, CA
- Mill Creek Ranch, Petaluma, CA
- Sacramento State GIS/SFDB Training, Sacramento, CA
- San Juan Capistrano University Master Plan, San Juan Capistrano, CA
- Mid-Higuera Enhancement Plan, San Luis Obispo, CA
- San Luis Obispo Railroad Trail Phase III, San Luis Obispo, CA
- Jack Ranch Mapping Services, San Luis Obispo & Monterey, CA
- Hearst Ranch Conservation Easement and Coastal Trail Plan, San Luis Obispo County, CA
- Port of Los Angeles Community Consensus Process, San Pedro, CA
- Port of Los Angeles Waterfront Master Plan, San Pedro and Wilmington, CA
- Prince Memorial Greenway, Santa Rosa, CA
- Sonoma Open Space Acquisition, Sonoma, CA
- Santa Paula Branch Line Recreation Trail, Ventura County, CA
- Visalia Waterways and Bike Trails Master Plan, Visalia, CA

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LV-6-14-1 (cont'd)

Cleath & Associates

LV-6-14-1 (cont'd)

Statement of Qualifications

for

Cleath & Associates

1390 Oceanaire Drive
San Luis Obispo, CA 93405

(805) 543-1413

October 2008

LV-6-14-1 (cont'd)

IDENTIFICATION

Company Name:	Cleath & Associates
Owner:	Timothy S. Cleath
Title:	Principal Hydrogeologist
Address:	1390 Oceanaire Drive San Luis Obispo, CA 93205
Telephone:	(805) 543-1413
Fax:	(805) 543-1755
e-mail:	timothycleath@sbcglobal.net

BACKGROUND INFORMATION

Cleath & Associates has been providing geological services for over twenty years. Our team consists of registered geologists with certifications in hydrogeology and engineering geology. Cleath & Associates specializes in hydrogeologic studies. We are uniquely equipped to service the Central Coast, although our experience includes projects in other western states and abroad. The information data base maintained and constantly expanded in-house includes land use maps, well location maps, geologic maps, subsurface hydrogeologic data (well logs and geophysical logs), and hydrologic budget data for many of the ground water basins in Santa Barbara County, San Luis Obispo County, and Monterey County. Over two decades of service to the Central Coast has resulted in a unique understanding of the regional water supply issues.

Cleath & Associates is dedicated to providing personalized service that addresses the specific needs of our clients. Our client-consultant relationships, the technical accuracy of our work, and the quality of presentation are equally important. We believe our clients should not only receive state-of-the-art professional services, but also should enjoy working with our firm.

The capabilities of our firm include a wide range of geologic services with an emphasis on ground water issues. A summary of these capabilities is provided below.

LV-6-14-1 (cont'd)

Ground Water

Cleath & Associates specializes in ground water. The levels of investigation we offer range from preliminary reconnaissance for well siting to complete ground water basin analyses, including ground water flow modeling and basin safe yield calculations.

Ground Water Exploration, Development, and Testing

We perform geologic mapping and subsurface interpretation for well siting, prepare and monitor exploratory drilling programs, and write specifications for well casing schedules based on borehole lithology, E-logs, penetration times, previous experience and other criteria. Following well construction, Cleath & Associates offers production testing services, including water quality interpretation, pump testing and data analyses, and long-term well yield studies.

Water Resource Management

Conservation of water resources is an important issue in California. Cleath & Associates offers a wide range of services related to water resource management. These services include placement of new production wells to minimize impacts to existing supply wells, estimating the safe yield for a basin, evaluating long-term water availability for projects, impacts to water quality and availability from development, sea water intrusion assessment, source investigations, and optimization of conjunctive use of surface water, ground water, and reclaimed water.

Salt and Nitrate Loading Studies

Cleath & Associates performs studies on potential salt and nitrate loading impacts to soil and ground water from reclaimed water, fertilizer, and biosolids applications to land. These studies include analyses of soil and water samples, irrigation water quality calculations, and environmental fate considerations. Nitrate source identification studies are also performed, including programs utilizing stable isotope analyses of nitrate and water and organic wastewater constituents analyses.

Geologic Hazards Assessments

Geologic hazard assessments are typically performed prior to land development. These assessments vary in purpose and scope based on the location of a site and the proposed land use. Descriptions of several types of geologic hazard assessments performed by Cleath & Associates are as follows:

LV-6-14-1 (cont'd)

Engineering Geology Studies

Engineering geology studies are required prior to development in areas identified by local or state agencies as having a potentially significant geologic hazard. Cleath & Associates has prepared numerous geology and soil reports for hazard assessment. Some of the geologic hazards typically evaluated include ground shaking and surface rupture, landslides, liquefaction, and flooding. Sea bluff retreat is also evaluated when appropriate.

Seismicity Analyses for Critical Facilities

Critical facilities, such as schools and hospitals, require more detailed analysis of seismic hazards. Cleath & Associates has performed these analyses both locally and in the Monterey Bay area.

Drainage, Erosion, and Sedimentation

Cleath & Associates provides support for environmental constraints analyses in the area of drainage, erosion, and sedimentation. In addition to complete studies with recommended mitigation measures, we also provide erosion and drainage control monitoring services for large-scale construction jobs.

Miscellaneous Services

Cleath & Associates provides additional consulting services in the following categories:

- Expert Witness
- Water Rights Issues
- Mineral Resources Studies
- Computer Modeling Applications
- Watershed Sanitary Surveys
- Environmental Services
- Stream Flow Measurements
- Surface Water Influence Studies
- Wastewater Disposal Capacity Studies
- Naturally Occurring Asbestos Studies

LV-6-14-1 (cont'd)

TIMOTHY S. CLEATH, Principal Hydrogeologist/Engineering Geologist

PROFESSIONAL REGISTRATION

Certified Hydrogeologist in California, HG 81
Certified Engineering Geologist in California, CEG 1102
Registered Geologist in California, RG 3675

EDUCATION

Master of Science in Geology, California State University, Los Angeles, 1978.
Bachelor of Arts in Geology, California State University, Fresno, 1974.

EXPERIENCE

Cleath & Associates
Consultant, 1984-present

James M. Montgomery, Consulting Engineers, Inc.
Senior Hydrogeologist, 1977-1984

CAPABILITIES

Ground Water Basin Management: Water rights, hydrologic inventories, safe yield estimates, water conservation methods, basin yield optimization, institutional approaches, water quality monitoring programs.

Studies and Investigations: Feasibility, environmental impact, hydrogeologic, basin yield availability, ground water contamination, hazardous waste site assessment.

Design and Construction Management Services for Water Wells: Site evaluation, preliminary designs, engineer's cost estimates, contract and specifications documents, monitor work progress and contractual compliance, record drawing.

Field Exploration: Pumping tests, drilling programs, geophysical surveys, fluid level measurements, ground water sampling, geologic mapping.

Geotechnical Investigations: Sea cliff retreat estimates, seismic hazard assessments, subsidence assessment and mitigation, shrink-swell phenomena, landslide studies, dam siting.

PROFESSIONAL ASSOCIATIONS

Association of Engineering Geologists
National Ground Water Association

LV-6-14-1 (cont'd)

SPENCER J. HARRIS, Associate Hydrogeologist

PROFESSIONAL REGISTRATION

Certified Hydrogeologist in California, HG 633
Registered Geologist in California, RG 6310

EDUCATION

Bachelor of Arts in Geology, Pomona College, Claremont, 1982.

EXPERIENCE

Cleath & Associates
Associate Hydrogeologist, 1994-present

GeoResearch
Project Geologist, 1989-1994

Western Geophysical Company of America
Assistant Party Manager, 1982-1986

CAPABILITIES

Water Resource Management: Hydrologic inventories and budget analyses, ground water basin characterization and modeling, safe yield and water availability estimates, drought analyses, environmental impacts studies, wastewater disposal studies, salt loading studies, sea water intrusion assessments, nitrate source investigations, well and stream flow interference studies, water quality studies, surface water influence studies, conjunctive use studies, drinking water source assessments, well design and construction monitoring.

Environmental Investigation: Property transfer assessments, soil and ground water assessments, ground water modeling, feasibility studies, site remediation.

Geologic Hazards Studies: Building site investigations, sea cliff retreat estimates, drainage, erosion and sedimentation studies.

Field Capabilities: Well site evaluation, geologic mapping, aquifer testing, land surveying, geophysical surveying, soil-gas surveying, soil and ground-water sampling, air sampling, microscopic particulate analysis sampling, borehole logging, flume installations.

LV-6-14-1 (cont'd)

Dave's Tree Service

LV-6-14-1 (cont'd)

Dave Ragan
625 Jameson Ct.
Arroyo Grande, CA 93420
Home # (805)481-1038 cell # (805)801-1115
Email – davedts@aol.com

Education

1978 – 1981 California Polytechnic State University
San Luis Obispo, California
Bachelor of Science in Ornamental Horticulture
Graduated with Honors

1975 – 1977 Orange Coast College
Costa Mesa, California
Associate in Arts, January 1978
Certificate of Achievement in Ornamental Horticultural

1973 – 1975 Golden West Junior College
Huntington Beach, California

Professional Organizations and Licenses

Member of the International Society of Arboriculture
Member of the Western Chapter of the International Society of Arboriculture
International Society of Arboriculture Certified Arborist # WE-0345A since 1987
California State Licensed Contractor #544988 since 1988

Work Experience

1981- Present Owner Dave's Tree Service
Specializing in Ornamental Pruning
Removals and Consultation

LV-6-14-1 (cont'd)

Current/Recent Projects
Oak Ridge Estates
Located in the City of Atascadero
Contact person Jason Tyra 546-8100
jtyra@SCICDGroup.com
Castlerock Development

Las Ventanas
Located in San Luis Obispo County east of Arroyo Grande
Contact person Brian Talley 473-6546
brian@talleyvineyards.com
Talley Vineyards

Santa Margarita Ranch
Located in San Luis Obispo County east of Santa Margarita
Contact person Jeff Ferber 543-1794
JCFerber@rrmdesign.com
RRM Design Group

Monte Sereno
Located in San Luis Obispo County east of Arroyo Grande
Contact person Bruce Buckingham 461-3145
bruceb@bdcdevelopment.com
Bermant Development Corporation

Parkview Estates
Located in San Luis Obispo County north of Paso Robles
Contact Person Christine Cote Rogers 549-8658
christiner@edainc.com
eda design professionals

Current Rate Schedule
$100 per hour

Dave Ragan
ISA Certified Arborist # WE-0345A

LV-6-14-1 (cont'd)

Laetitia Vineyard and Winery

LV-6-14-1 (cont'd)

LAETITIA
VINEYARD & WINERY

October 29, 2008

Ken Bornholdt
1432 Higuera Street
San Luis Obispo, CA 93401

Re: Laetitia Agricultural Cluster Project

Dear Ken:

I have been the Vineyard Manager for Laetitia Vineyard and Winery since 2004. In addition to working with the 620 acres of wine grapes and 5 acres of lemons at Laetitia Vineyard, I also oversee another property that consists of 750 acres of wine grapes and 200 acres of diversified row crops. Prior to working at Laetitia, I worked for David Bruce Winery as the Vineyard Manager and Manager of Grower Relations. I also worked for Bien Nacido Vineyards as a viticulturalist. Prior to working in the wine industry, I was a biologist for an agricultural research group. I have a degree in Crop Science from Cal Poly San Luis Obispo, and I am currently in Class 38 of the California Ag. Leadership Program.

Not only am I familiar with Laetitia's current agricultural operation, but I am also familiar with the proposed locations for the approximately 140 acres of replacement planting that is part of the Laetitia Agricultural Cluster Project. The current farming operation includes areas with soils similar to those of the proposed replanting locations. In the existing areas with similar soils, I have successfully cultivated crops, including vineyards and orchards. In fact, many of the proposed replanting locations are adjacent to existing vineyards or orchards. Over the years, I have gained experience regarding how to successfully cultivate viable agricultural crops on the non-prime soils at Lactitia. Based on this experience, it is my professional opinion that the replanting locations will also be successfully cultivated and integrated into our existing farming operation.

Sincerely,

Lino Bozzano

453 Laetitia Vineyard Drive, Arroyo Grande, California 93420
phone 805 481-1772 *fax* 805 481-6920
www.laetitiawine.com www.barnwoodwine.com www.avilawine.com

LV-6-14-1 (cont'd)

Applied Earthworks

LV-6-14-1 (cont'd)

Résumé

BARRY A. PRICE, RPA

Expertise

Cultural resource management, land use planning, facility siting, and environmental impact analysis. Extensive knowledge of California and Great Basin prehistory; archaeological method and theory; project budgeting, management, and administration; proposal preparation and contract coordination. Specialized training in NHPA, NEPA, and CEQA compliance, mitigation monitoring, and preparing agreement documents under state and federal historic preservation law.

Education

M.A. Cultural Resource Management, Sonoma State University, 1994.
B.A. Department of Anthropology, Sonoma State University, 1976 (with honors).

Professional Experience

1995–	Vice President, Principal Archaeologist, and Western Division Manager, Applied EarthWorks, Inc., Fresno, California.
1989–1995	Vice President (1992–1995), Assistant Vice President (1991–1992), Senior Archaeologist/ Program Manager (1989–1991), INFOTEC Research, Inc., Fresno, California.
1984–1989	Principal Investigator and Project Director, Retrospect Research Associates, Ely, Nevada.
1983–1984	Archaeologist, Bureau of Land Management, Ely District.
1982–1983	Archaeological Specialist/Historian, California Department of Parks and Recreation, Sacramento.
1979–1982	Staff Archaeologist, Archaeological Resource Service, Novato, California (1979–1982); Field Technician and Laboratory Analyst (1981–1982), Infotec Development, Inc.
1975–1979	Staff Archaeologist (1977–1979), Curatorial Assistant (1975–1979), Cultural Resources Facility, Sonoma State University Foundation.

Technical Qualifications

Mr. Price is a Registered Professional Archaeologist with more than 30 years of experience in prehistoric and historical archaeology and cultural resources management. As Principal Archaeologist and Western Division Manager for Applied EarthWorks, Mr. Price directs professional staff and subcontractors in the performance of project work. Mr. Price has expertise in many aspects of cultural resources management including project design and administration, data acquisition, laboratory analysis, report preparation, and technical management. His experience includes administering large, multi-year, multi-phased projects as well as smaller surveys and test excavations. He has authored numerous articles and technical reports, and has prepared many planning documents, research designs, management plans, and other CEQA, NEPA, and NHPA compliance documents. He has completed both the introductory and advanced Advisory Council courses in historic preservation law and received advanced training in the cultural resource policies and procedures of the Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and California Environmental Quality Act. In addition to his consulting work, Mr. Price currently teaches cultural resources law and practice at California Polytechnic State University (CalPoly) in San Luis Obispo.

Responses to John Janneck's Comments: Firm Qualifications/Resumes (LV-6-14)

Comment No.	Comment
LV-6-14-1	The submitted resumes and statements of qualifications are noted for the record, and will be considered by the County decision makers.

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