



NEGATIVE DECLARATION & NOTICE OF DETERMINATION

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

FOR OFFICIAL USE ONLY ()

ENVIRONMENTAL DETERMINATION NO. ED11-109

DATE: 2/9/2012

PROJECT/ENTITLEMENT: Quinn Conditional Use Permit DRC2004-00276

APPLICANT NAME: Opolo Vineyards

ADDRESS: 7110 Vineyard Drive, Paso Robles, CA

CONTACT PERSON: Kirk Consulting; Mandi Pickens

Telephone: 805-461-5765

PROPOSED USES/INTENT: Three phased expansion of an existing 9,735 square foot (sf) winery (Opolo Winery). The proposed expansion total is approximately 60,000 sf of wine processing, wine storage and tasting/visitor use areas. The project includes a request to hold a total of 25 special events per year and to have amplified music. The project also include a modification of the required 200 foot setback to allow 100 feet setback at side property line. Secondary access will be developed as part of the project. The project will result in the disturbance of approximately 6.08 acres of the site which includes two parcels totaling 96 acres. The site is in the Agriculture land use category and in the Adelaida planning area.

LOCATION: 7110 Vineyard Drive, approximately 400 feet south of the intersection of Peachy Canyon Road, west of the City of Paso Robles, California.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
976 Osos Street, Rm. 200
San Luis Obispo, CA 93408-2040

Website: <http://www.sloplanning.org>

OTHER POTENTIAL PERMITTING AGENCIES: None

STATE CLEARINGHOUSE REVIEW: YES NO

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT4:30 p.m. on 2/23/2012

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as *Lead Agency*
 Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

Karen Nall

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency



Initial Study Summary – Environmental Checklist

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

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(ver 3.4) Using Form

Project Title & No. Quinn Conditional Use Permit ED11-109 DRC2004-00276

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

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Geology and Soils | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Transportation/Circulation |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Wastewater |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Water |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |

DETERMINATION: (To be completed by the Lead Agency)

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

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

Karen Nall
Prepared by (Print)

Karen B Nall
Signature

2/1/2012
Date

Steve McMasters
Reviewed by (Print)

[Signature]
Signature

Ellen Carroll,
Environmental Coordinator
(for) *2/1/12*
Date

Project Environmental Analysis

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

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

A. PROJECT

DESCRIPTION: Request by Rick Quinn for a Conditional Use Permit to allow a three phased expansion of an existing 9,735 square foot (sf) winery (Opolo Winery). The proposed expansion total is approximately 60,000 sf of wine processing, wine storage and tasting/visitor use areas. In addition the request includes modification of a side setback, development of secondary access and a request to hold limited special events. The proposed expansion will process grapes from on and off-site locations. The project will result in the disturbance of a total of approximately 6.08 acres of the site which includes two parcels totaling 96 acres. The site is in the Agriculture land use category and is located at 7110 Vineyard Drive, approximately 400 feet south of the intersection of Peachy Canyon Road, west of the City of Paso Robles, in the Adelaida planning area.

Winery and Visitor Serving

Phase I includes the following:

- 12,585 sf barrel storage addition
- 730 sf tasting room and administrative area addition
- 1,532 sf tasting room terrace
- 2,404 sf crush pad
- 25 Special Events
- Special Event parking areas
- Development of secondary access
- Increase of case production to 75,000 cases

Phase II includes the following:

- 12,777 sf two story tasting and barrel storage building
- 4,656 sf of outdoor tasting patio area
- Conversion of the existing 3,550 sf tasting room and terrace into administrative uses
- Development of amphitheatre

Phase III includes the following:

- 10,287 sf addition of case goods storage to the existing winery
- 6,250sf crush pad

Setback Modification

The applicant is requesting a modification of the 200 foot setback requirements to allow a 100 foot side setback for the Phase I barrel storage addition.

Secondary Access

The application include a request for consideration of four options for secondary access which is an ordinance requirement for wineries that holding special events.

Option 1A. and 1B. includes utilization of an existing agricultural road along the Opolo Vineyard's northern property line to connect to an adjacent parcel to the north (APN:039-051-018, Gonzales). Then the secondary access is proposed to use the existing developed roads on the Gonzales site which are a minimum of 20 feet wide and connect to Peachy Canyon Road at two access points. The applicant is proposing to use a license from the Gonzales to use their onsite roads during an emergency. Site disturbance for this option is estimated at 0.42 acres and one oak tree may be impacted.

Option 2. includes extending the existing agricultural road along the Opolo Vineyard's northern property line to create a second access off of Vineyard Drive. Site disturbance for this option is estimated at 0.67 acres and one oak tree may be impacted.

Option 3. includes development of a new access road through the southern 68 acre parcel along Summitt Creek to create a second access off of Vineyard Drive. Site disturbance for this option is 0.95 acres with eight oak tree proposed for removal and 36 oak trees impacted.

Special Events

The applicant is requesting to hold a total of 25 special events per year and is requesting to have amplified music. The request includes 20 events for up to 150 attendees and 5 events per year with up to 250 attendees. Events with up to 250 attendee are to be located at the existing winery (Phase I) location. Events at the upper winery location (Phase II) are limited to 150 attendees. The project also includes the development of a 100 seat amphitheater located adjacent to the Phase II winery. The amphitheater is proposed to be used during special events. The applicant is requesting a modification from the noise standards to allow amplified music after 5pm. The winery currently does and is planning to continue to participate in wine industry wide events and other winery functions.

ASSESSOR PARCEL NUMBER(S): 039-051-008 & 020

Latitude: 35 degrees 35' 29" N Longitude: 120 degrees 48' 52" W SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: Adelaida, Rural

LAND USE CATEGORY: Agriculture

COMBINING DESIGNATION(S): Flood Hazard

EXISTING USES: Agricultural uses ; Winery, Tasting Room, Bed and Breakfast, Vineyards

TOPOGRAPHY: Gently sloping to moderately sloping

VEGETATION: Vineyards , oak woodland, riparian

PARCEL SIZE: Two parcels (68 ac. and 28.ac) totaling 96 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Agriculture; agricultural uses	<i>East:</i> Agriculture; agricultural uses
<i>South:</i> Agriculture; agricultural uses	<i>West:</i> Agriculture; agricultural uses

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1. AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located within an area of gently rolling to moderately steep hillsides typical of much of the landscape in the Adelaida area. The landscape of the surrounding area is primarily covered with oak savanna and oak woodland and planted vineyard and orchards. Wineries are common in the Vineyard Drive corridor and can be seen occasionally along the road. In spite of the increasing development, the visual character of the area and the project vicinity is one of strongly-defined rural and agricultural uses.

The project site consists of two parcels located on east side of Vineyard Drive just south of the intersection of Peachy Canyon Road. The northern 68 acre parcel is fairly level at the western boundary at Vineyard Drive and rises up approximately 200 feet at the eastern property line. The existing Opolo Winery is located on the northern parcel. The remainder of the site is planted in wine grapes. The southern 28 acre parcel is relatively level, with Summitt Creek and associated oak woodland crossing the site towards the southern boundary. The southern site is developed with a three unit bed and breakfast. The existing winery and bed and breakfast are not visible from Vineyard Drive.

Impact. The proposal includes three phases of development that will result in the expansion of the existing winery, tasting room, and special events program as well as the construction of a new multi-level wine storage and tasting room facility. Upon completion of Phase III development there will be approximately 60,000 square feet of wine production and visitor serving uses plus associated access and parking areas.

Phase I – Expansion of the existing winery by adding approximate 12,585 square feet of barrel storage and a 2,404 square foot crush pad. The tasting room will be expanded by 730 square feet plus a 1,532 square foot tasting room terrace for a total of 2,262 square feet. The applicant is also

requesting 25 events with 150 attendees each. A secondary access road will be developed either on-site or will be through an adjacent site to the north.

The proposed Phase I expansion is not expected to be visible from Vineyard Drive. The expansion is an addition to the existing facility and is not expected to alter the rural visual character of the project site. This phase will not silhouette above the ridgeline.

Phase II. – Construction of a new multi-story structure for barrel storage and a replacement tasting room located approximately 2,200 feet east of the existing facility. The new facility will be approximately 17,000 square feet with the majority of area dedicated to production uses.

The Phase II structure will be visible from Vineyard Drive. It is proposed to be located on an existing graded pad approximately 200 feet in elevation higher than Vineyard Drive. For most of this view, the Phase II building can generally be seen perpendicular to the direction of travel. Viewing distance to the structure is approximately 0.5 mile. From that distance, visibility of the structure would be somewhat reduced in the context of the larger landscape. This phase will not silhouette above the ridgeline.

Phase III. – Is an additional 10,287 sf addition of case goods storage to the existing original winery.

As with Phase I, Phase III expansion is not expected to be visible from Vineyard Drive. The expansion is an addition to the existing facility and is not expected to alter the rural visual character of the project site. This phase will not silhouette above the ridgeline.

Grading and Earthwork. The applicant proposes approximately 6.08 acres of grading to construct the project. The lighter color of the disturbed earth and the engineered appearance of the excavation and embankment slopes associated with building pads and roads would increase noticeability of the project. Visibility of earthwork associated with building pads and construction of new roads would be highly noticeable and would degrade the open space character of the Vineyard Drive corridor resulting in a direct long-term significant impact.

Access Roads and Paved Areas. Due to the existing topography, the paved parking surfaces will generally have low visibility as seen from public viewing areas; however, the vehicles using the parking lots will be seen. This visibility of potentially hundreds of cars and trucks on a daily basis would diminish the rural agricultural visual quality of the site. In addition, over 200 cars may be parked onsite during large events. Visibility of cars and trucks parked at the various winery facilities would be inconsistent with the agricultural setting resulting in a direct long-term significant impact.

Signage. The size, type and placement of project signage will be an important component in determining the potential visual impact of the project on its surroundings. A specific signage proposal is not included as part of the project description at this time. Signs of inappropriate scale, style, illumination or location may result in adverse visual impacts for the area due to glare, clutter and contrasting aesthetic character, resulting in a direct, long term significant visual impact.

Night Lighting. Exterior lighting would be utilized during operations as well as special events. Because of the project's proximity to Vineyard Drive, the potential exists for night lighting to be seen from the surrounding area. The combination of bright interior and exterior lights, windows and wall openings may result in a highly visible illumination as seen from the roadway. Unshielded light sources or bright-lights reflected on exterior walls will result in impacts as seen from the roadway viewing corridor. Lights on tall posts associated with the parking area and winery facilities may be highly visible. Lights located along the proposed driveway may also be seen from public roadways, which would result in adverse impacts. Direct visibility of the lighting sources and reflection at night would result in a direct long term significant impact.

Mitigation/Conclusion. To mitigate for potential visual impacts, the applicant has agreed to implement the following measures: 1) preparation and implementation of landscape plans for Phase II structure and improvements; 2) submittal and implementation of elevations and a colors and materials board showing the use of dark, muted, earth-tone exterior colors and roofing for Phase II; 3) restoration and replanting of disturbed cut and fill slopes; 4) submittal and implementation of a signage plan demonstrating compatibility with the rural character of the Vineyard Drive corridor; and, 5) submittal and implementation of an exterior lighting plan showing shielded fixtures and the use of motion detectors to minimize nighttime use.

Implementation of these measures (refer to Exhibit B) would mitigate visual resource impacts to less than significant.

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: <u>Water Availability</u></i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located within the Agriculture category and in the Vineyard Drive winery corridor of Adelaida. The existing Opolo Winery is located on the northern 68 acre parcel of the two parcel site. The remainder of the 68 acre parcel is planted in wine grapes. The southern 28 acre parcel is relatively level, with Summitt Creek and associated oak woodland crossing the site towards the southern boundary. The surrounding parcels are also in the Agriculture land use category and support wine grapes, nut orchards and dry farm grain operations.

The following area-specific elements relate to the property's importance for agricultural production:

Land Use Category: Agriculture

Historic/Existing Commercial Crops: Vineyard

State Classification: Not prime farmland; Prime farmland if irrigated

In Agricultural Preserve? Yes; Templeton

Under Williamson Act contract? Yes, 68 acre parcel

The soil type(s) and characteristics on the subject property include:

Cropley clay (2 - 9% slope). This gently sloping soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.

Linne-Calodo complex (9 - 30 % slope).

Linne. This moderately sloping soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

Calodo. This moderately sloping soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

Linne-Calodo complex (30 - 50 % slope).

Linne. This steeply sloping soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Calodo. This steeply sloping soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Nacimiento-Ayar complex (30 - 50 % slope).

Nacimiento. This steeply sloping, fine loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Ayar- This steeply sloping, fine loamy soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Impact. The proposal includes three phases of development that will result in the expansion of the existing winery, tasting room, and special events program as well as the construction of a new multi-level wine storage and tasting room facility. Upon completion of Phase III development, there will be approximately 60,000 square feet of wine production and visitor serving uses plus associated access and parking areas.

Williamson Act and Laird Bill. The northern 68 acre parcel is currently under a Williamson Act contract, and is subject to both the Williamson Act and Assembly Bill 1492 (Laird). AB 1492 adds Section 51250 to the Government Code. The intent of AB 1492 is to limit construction of structures on contracted lands to uses that are directly related to the agricultural use of the land. A use is considered incidental when it is required for or is part of the agricultural use and is valued in line with the expected return of the agriculture on the parcel. AB1492 allows the State Department of Conservation to issue fines and penalties for breaches of contract (e.g., excessive construction of structures or facilities not specific to the agricultural use of the land). Section 51250(b) defines a material breach on land subject to a Williamson Act contract as a commercial, industrial or residential building(s) exceeding 2,500 square feet that is not permissible under the Williamson Act or contract, local uniform rules or ordinances.

Wineries with tasting rooms are a compatible use since it is identified as an allowed use with the Land Use Element and is acknowledged in Table 2 of the Rules of Procedure to Implement the California Land Conversation Act of 1965. The proposed project complies with the intent of the Laird Bill, as the primary use is agriculture and the site will remain in agriculture.

The proposed project was referred to the County of Agricultural Commissioner (Lynda Auchinachie September 12, 2011) for review. The Agriculture Department's review found that the proposed winery

expansion event activities do not appear to have any potential to result in direct adverse impacts to on-site agriculture. Consistent with Agriculture Element AGP 6, the proposal is beneficial to the local agricultural industry, the visitor serving uses are clearly secondary to winery production for each phase of development, and the facilities are sited adjacent to existing roads and are compatible with ongoing agricultural activities. However, the Agriculture Department did raise concerns regarding the availability of water for agricultural production, to minimize runoff, and to maximize groundwater recharge.

Mitigation/Conclusion. The Agriculture Department recommends the following conditions to maximize the availability of water for agricultural production, to minimize runoff, and to maximize groundwater recharge:

- Preclude lawn/turf areas associated with the winery, minimize or avoid irrigated landscaping, and require all landscaped areas to be drip irrigated. This measure minimizes non-agricultural water use and helps to protect groundwater resources for agricultural production.
- Incorporate best management practices for water conservation purposes throughout winery facility.
- Maximize the use of pervious and semi-pervious areas in order to promote groundwater recharge, minimize erosion and sedimentation and protect farmland for agricultural use.

The applicant has agreed to incorporate the above mitigations into the project. Based on the implementation of mitigation measures summarized above and listed in Exhibit B, potential impacts to agricultural resources would be less than significant.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed the 2009 CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD). The APCD staff provided comments for this project in an email dated September 19, 2011.

The California's Attorney General has required numerous projects reviewed through CEQA, to quantify and implement feasible project level mitigation of greenhouse gas (GHG) emissions. Further, the Attorney General has stated that any project that produces large GHG emission increases clearly could be an obstacle to the State's effort to reach the goals defined in AB 32 and SB 375 to reduce greenhouse gas emissions and promote sustainable community strategies.

On June 19, 2008, the State of California's Governor's Office of Planning and Research (OPR) released a Technical Advisory entitled CEQA AND CLIMATE CHANGE: Addressing Climate Change Through California Environmental Quality Act Review. This document states:

Lead agencies should make a good-faith effort, based on available information, to calculate, model, or estimate the amount of CO₂ and other Green House Gases (GHG) emissions from a project, including the emissions associated with vehicular traffic, energy consumption, water usage and construction activities.

The potential effects of a project may be individually limited but cumulatively considerable. Lead agencies should not dismiss a proposed project's direct and/or indirect climate change impacts without careful available information and analysis should be provided for any project that may significantly contribute new GHG emissions, either individually or cumulatively, directly or indirectly (e.g., transportation impacts).

The California Air Pollution Control Officer Association (CAPCOA) published a document in January 2008 entitled "CEQA and Climate Change." The document is available at:
www.capcoa.org/CEQA/CAPCOA%20White%20Paper.pdf

Impact. As proposed, the project will result in the disturbance of approximately 6.08 acres. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Per the referral response from APCD (Andy Mutziger, September 19, 2011) running the construction phase of the project through the CalEEMod model demonstrates that the project will be below the APCD's construction thresholds of significance. However, air quality impacts during construction may include: the potential release of naturally occurring asbestos during grading, developmental burning and construction phase equipment usage. In addition, air quality impacts may occur during the winery operation and may include greenhouse gas emissions, odor from winery waste and from agricultural burning.

Mitigation/Conclusion. To mitigate for potential air quality impacts, the applicant has agreed to implement the following measures.

Greenhouse Gas (GHG). To mitigate construction equipment emissions, the applicant has agreed to implement identified measures from the California Air Pollution Control Officer Association's (CAPCOA) January 2008 published document entitled "CEQA and Climate Change" or from other proven GHG measures for construction. The document is available online at: www.capcoa.org/wpcontent/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf.

Naturally-Occurring Asbestos (NOA). According to the APCD, the project site is located in an area containing potentially naturally occurring asbestos, serpentine or ultramafic rock. The State Air Resources Board considers asbestos a toxic air contaminant. If asbestos is present within the soil underlying the project site, future grading and site disturbance activities would release the asbestos into the air, resulting in a potentially significant air quality impact. Prior to any construction activities at the site, the project shall ensure a geologic evaluation is conducted to determine if NOA is present on within the area. If NOA is not present, an exemption request must be filed with the APCD.

Developmental Burning. To minimize the effects of vegetative burning on regional air quality, the applicant is required by regulation to avoid burning, or if no alternative is available, obtain a burn

permit from the APCD and County Fire/California Department of Forestry, and comply with all conditions required by these agencies.

Construction Permit Requirements Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. Operational sources may also require APCD permits.

APCD Permit 1555-1

Opolo Wines currently has an APCD permit to operate for their existing 50,000 case per year production. To expand to the proposed 75,000 case per year production, the winery will need to apply to the APCD for a permit modification.

Nuisance Odors

Wine production facilities can generate nuisance odors during various steps of the process. Proven methods for handling wastewater discharge and grape skin waste need to be incorporated into the winery practices to reduce off-site odor. Odor complaints could result in a violation of the SLO County APCD Rule 402 Nuisance.

Agricultural Burning

Agricultural operations must obtain an APCD Agricultural Burn Permit to burn dry agricultural vegetation on Permissive Burn Days. The ARB provides educational handbooks on agricultural burning (English and Spanish) to growers which are available at the following websites: www.arb.ca.gov/cap/handbooks/handbooks.htm

Implementation of the mitigation measures described above and listed in Exhibit B would mitigate all identified air quality impacts to less than significant levels.

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

The project will result in the disturbance of approximately 6.08 acres of the site which includes two parcels totaling 96 acres. The application include a request for consideration of three option for secondary access which is an ordinance requirement for wineries that holding special events.

Option 1. includes utilization of an existing agricultural road along the Opolo Vineyard's northern property line to connect to an adjacent parcel to the north (APN:039-051-018, Gonzales). Then the secondary access is proposed to use the existing developed roads on the Gonzales site which are a minimum of 20 feet wide and connect to Peachy Canyon Road at two access points. The applicant is proposing to use a license from the Gonzales to use their onsite roads during an emergency. Site disturbance for this option is estimated at 0.42 acres and one oak tree may be impacted.

Option 2. includes extending the existing agricultural road along the Opolo Vineyard's northern property line to create a second access off of Vineyard Drive. Site disturbance for this option is estimated at 0.67 acres and one oak tree may be impacted.

Option 3. includes development of a new access road through the southern 68 acre parcel along Summitt Creek to create a second access off of Vineyard Drive. Site disturbance for this option is 0.95 acres with eight oak tree proposed for removal and 36 oak trees impacted.

Government Policies and Regulations

California Endangered Species Act. The State of California Endangered Species Act (CESA) ensures legal protection for plants listed as rare or endangered, and species of wildlife formally listed as endangered or threatened. The state also lists "Species of Special Concern" based on limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the California Department of Fish and Game (CDFG) is empowered to review projects for their potential to impact state-listed species and Species of Special Concern, and their habitats. Impacts to state-listed species would be evaluated and identification of mitigation measures would likely be required.

Other Sections of the Fish and Game Code. "Fully Protected" species may not be taken or possessed without a permit from the Fish and Game Commission and/or the CDFG. Information on these species can be found within Section 3511 (birds), Section 4700 (mammals), Section 5050 (reptiles and amphibians), and Section 5515 (fish) of the Fish and Game Code.

The following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation: Vineyard with scattered oaks and riparian habitat along Summitt Creek.

Name and distance from blue line creek(s): Summit Creek runs through the property;

Habitat(s): Coastal Oak Woodland; Riparian follows Summitt Creek

Site's tree canopy coverage: Approximately <10%.

The project proposes to disturb more than one acre. Therefore, prior to work beginning, the project will be required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) that has been approved by the Regional Water Quality Control Board or County. This Plan will include measures to reduce potential sedimentation, erosion and drainage impacts to existing downstream water sources.

Biological Report

A biological report was completed (Brooke Langle, August 2011) which has identified five vegetation communities: active agriculture, non-native annual grassland, yellow star-thistle field, ruderal, and riparian woodland. The results of the preliminary research of the area surrounding the project area indicated that 72 sensitive species, 46 plant and 26 wildlife species, could occur. After the surveys, the search was narrowed to 13 possible sensitive plant species and 8 sensitive wildlife species based on vegetation communities and habitat types present. One sensitive tree species, Southern California black walnut, was found on the property in the riparian woodland adjacent to Summitt Creek. The

following are the detailed findings of the biological report:

Sensitive Plant Description

Southern California Black Walnut (*Juglans californica*), California Native Plant Society - 4.2 Watch List - Rare and Limited Distribution

Southern California black walnut is a dicot, perennial tree that is native and endemic to California. It occurs in wetland, riparian, chaparral and coastal scrub areas but in southern California may occur in oak woodlands. Walnuts provide a variety of wildlife, birds, wood rats, and other species with nesting and feeding sites. It is considered a facultative wetland associated plant in California (Region 0, United States Department of Agriculture). It is between 15 and 25 meters tall, with leaves being around 2-8 cm long occurring in elevations between 50 - 900 meters, and blooms March to August. It is considered rare due to declining populations caused loss of habitat due to urbanization, cattle, and natural low reproduction rates. Five specimens of this tree were found within the riparian woodland present on the adjacent parcel. Individuals were observed fruiting and in the process of reproducing. Although this plant is not recognized as a CNDDDB species, it is still sensitive according to CNPS and, therefore, should be protected. This species is threatened by non-native plants, grazing, naturally low occurring reproduction, and hybridization with non-native walnuts. Non-native walnut trees were observed to the south on an adjacent property.

Sensitive Amphibian Species Descriptions

California Newt (*Taricha torosa*), State Species of Special Concern California newts occupy a range of terrestrial habitats during non-breeding months, such as wet forests, oak forests, chaparral, rolling grasslands and abounded animal burrows. Within those area newts may be found underneath areas of woody debris or rock crevices. Adults enter water for reproduction. Water reproduction sites include ponds, reservoirs, or sluggish pools within creeks and streams. Newts have been documented as far as two miles away from breeding sites and have been noted as being instinctual by returning to the same breeding pools year after year. Breeding typically occurs from December to February, but may extend past February if stream are flooded and it thought to last between 6-12 weeks. Females lay egg masses just below the surface of the water under the protection of submerged rocks, vegetation, and branches. Incubation lasts roughly between 14 -52 days with the larvae stage lasting until the summer of fall. Once newts reach this stage they leave the water and return to terrestrial environments. Adult newts eat worms, snails, slugs, and insects. Larvae ingest small aquatic invertebrates, decomposing organic matter, and other newt larvae. Endemic to California and found along the coast and coast range mountains from Mendocino County south to San Diego County. This species has been documented within five miles of the project site (CNDDDB 2011). The occurrence was documented roughly 2.61 miles from the survey area. Two adults were captured in 2006 within riparian woodland with sycamores, California bay laurel, and willows.

The shallow pools, riparian vegetation, and ponded areas along Summit Creek, are considered suitable breeding habitat for this species. The dense riparian vegetation, woody debris, and slow moving water are suitable for adult females to lay egg masses. The woody debris surrounding the riparian woodland provides protection and basking habitat. In addition, the surrounding oak woodland is suitable terrestrial or non-breeding habitat. The pond observed on the neighboring property lacks emergent vegetation, however, it is considered marginally suitable breeding habitat for this species. Newts were not observed during surveys.

Western Spadefoot Toad (*Spea hammondi*), State Status - Species of Special Concern Western spadefoot toads generally require grassland, open chaparral, or valley foothill woodland habitats for feeding and estivation. It also requires aquatic habitats including permanent or temporary wetlands, rivers, creeks, pools in intermittent streams, or stock ponds for breeding. Western spadefoot toad is a predominantly terrestrial species and enters water for reproduction. It breeds from January through March, but the breeding season can extend through May in wetter years. Further research is required to determine the dispersal distance western spadefoot toads travel from aquatic habitats to upland

refugia. Some studies suggest that the dispersal distance can be as great as 368 m. This species occurs throughout the Central Valley from Shasta County south through western Kern County. In the Coast Ranges it occurs from Point Conception in Santa Barbara County south to the Mexican border. Western spadefoot toad also occurs along inland Monterey and northern San Benito counties south through inland San Luis Obispo County. It is known to occur at elevations that range from approximately zero to 1,363. This species is often difficult to detect and it has not been previously documented within a five-mile radius of the project site (CDFG, 2011).

The drainage, swale, Summit Creek, neighboring pond, and surrounding uplands within the area are considered suitable habitat for this species. Due to above average rainfall in the County this year, spadefoot toads were noted as having a highly reproductive year. In other locations around the County, spadefoot toads were observed using similar habitat types; therefore, it is unlikely that spadefoot toads are present on the property or using the surrounding area since they would have been detected during the surveys, thus, it is not expected to occur on the property nor be impacted by the proposed project. No western spadefoot toads were observed during the surveys.

California Red-legged Frog (*Rana draytonii*), Federal Threatened, State Species of Special Concern

California red-legged frogs require permanent or semi-permanent bodies of water such as lakes, streams, and ponds with plant cover for foraging and breeding habitat. These frogs use lowland and grassland areas to hunt and forage for food. Frogs have been documented more than a mile away from waterbodies. Reproduction occurs in aquatic habitats and occurs from late November to early April. Egg masses are laid in the water, often under the protection of emergent vegetation. Adult frogs consume invertebrates, mice, fish, frogs, and larvae of other amphibians. Prey is located by vision and then sucked back into the mouth. Tadpoles are thought to consume algae off the water surface or off rocks and plants. This species is known to occur from Mendocino County to Northern Baja California and eastward through the Northern Sacramento Valley and Sierra Nevada foothills. It is known to occur from 0 to 1,525 msl. This species has been documented within five miles of the project site (CNDDDB 2011). Two occurrences of California red-legged frogs were documented in 2006 at two locations within the York Mountain quadrangle. The first occurrence occurred roughly 4.10 miles from the survey area; nine adult California red-legged frogs were found in Rocky Creek along low flow pools, margins of the creek, and within emergent vegetation. The second occurrence documents two sub-adults six miles west of Templeton in a small pool at the bottom of an asphalt-lined ditch. The pool is about 3.55 miles from the survey area. According to GIS data provided by the U.S. Fish and Wildlife Service, neither the Opolo parcel or adjacent parcel fall within the designated critical habitat for California red-legged frogs.

The section of Summit Creek on the Opolo and adjacent parcel lacks deep pools and is subject to high winter flows; therefore, it is unlikely that frogs utilize the creek for breeding habitat. However, Summit Creek, the adjacent riparian habitat, and surrounding uplands and grassland areas are suitable foraging habitat for this species. The creek has areas of low flow, shallow pools of water with branches and dense woody vegetation, which provide sheltering habitat, and a source of water and food during the drier months. The neighboring ponds are a source of permanent water and suitable breeding habitat. The closest pond lacks emergent vegetation and is considered to be marginally suitable breeding habitat. California red-legged frogs were not observed during the daytime surveys.

Sensitive Bird Species Descriptions

Purple Martin (*Progne subis*), State Status - Species of Special Concern Purple martin's, the largest of the North American swallows, occurs in woodlands, coniferous forests, near human settlements and in large open areas from elevations of 100 to 4,000 meters. Breeding occurs in similar environments from March to August in warmer climates and environments. Nests are often placed in crevices, bird boxes, bird houses, snags or tree hollows. Large roosts of nesting pairs occur with the numbers of birds sometimes numbering in the hundreds. Nests are made up green stems, mud, grass, or other nesting materials. Purple martins forage for insects, their main food source, by skimming over the ground and water surfaces, capturing their prey mid flight. This species also drinks

water this way, by skimming back and forth scooping mouthfuls of water. Martins are a migratory species that arrive in early spring to breed and winter is South American where temperatures are warmer. This species has not been documented within five miles of the project site (CNDDDB 2011).

The open space within the Opolo vineyard, riparian woodland, and bat/bird boxes in the survey area are considered suitable habitat for this species. Summit Creek and the neighboring pond offer appropriate foraging habitat by providing a place for insects to occur in addition to a permanent source of drinking water. Purple martins were not observed during surveys nor were nests observed.

Sensitive Fish Description

Steelhead - South/Central California Coast DPS, (*Oncorhynchus mykiss irideus*)

Federal Status - Threatened, State Status - Species of Special Concern South/Central California Coast DPS (distinctive population segment) contain steelhead runs from the Pajaro River south to, but not including, the Santa Maria River. These fish live in the ocean as adults but migrate to freshwater streams or creeks that have cool, flowing water, access to the ocean, and available food sources, in order to spawn. Adults in San Luis Obispo County leave the ocean and enter freshwater systems from December to March in order to spawn, but may vary depending on specific stream conditions. Adults have been documented migrating miles or hundreds of miles to reach their spawning grounds. Specific habitat requirements for South Central California steelhead depend on the life stage in which the fish are in. Life stages include migrating adults, juveniles or embryos. However, in general, the crucial requirements of steelhead habitat are adequate substrate, water quality, water quantity, water temperature, water velocity, cover, food and riparian vegetation. This distinct population of steelhead tends to utilize perennial streams dominated by woody debris, relatively stable water flows and riffles and pools. This species has not been documented within five miles of the project site (CNDDDB 2011).

Summit Creek is a perennial creek that is dominated by woody debris, emergent vegetation with riffles and pools scattered throughout the length of the creek. Currently, there are no barriers preventing steelhead from entering and traveling upstream in Summit Creek. One possible migration corridor that steelhead could potential use would be to enter the Salinas River, travel south, enter upstream in Paso Robles Creek, swim northwest to enter Jack Creek, and then enter Summit Creek. Several pools, around five feet long and ten inches deep, with finely textured sandy sediment were observed within Summit Creek. Although, not ideal spawning habitat for steelhead, Summit Creek provides a marginally suitable migration corridor. Steelhead were not observed during surveys.

Sensitive Mammal Species Description

Monterey dusky footed wood rat (*Neotoma macrotis luciana*), State Status - Species of Special Concern

Dusky footed wood rats are found in hardwood, conifer, and mixed forests along with riparian woodlands and chaparral environments. Forested habitats tend to have a relatively continuous canopy cover and a moderate to dense understory. Nests are constructed in inaccessible locations such as thorny thickets, poison oak patches, or nettles. Nests are large and made up of sticks, leaves, feathers, and grasses. Breeding is thought to occur from February to November. Rats are nocturnal and spend their days resting within their houses and forage at night for leaves, fruit, small bulbs, and seeds. This species has not been documented within five miles of the project site (CNDDDB 2011).

The riparian woodland is considered suitable habitat for this species. The dense, continuous oak and willow canopies along with the thick understory of poison oak provides suitable breeding habitat. A nest was observed within the southern portion of the riparian oak woodland on the adjacent parcel; however the occupant of the nest was not seen. Wood rats were not observed during surveys of the property.

Pallid Bat (*Antrozous pallidus*), State Status - State Species of Special Concern Bats in California occur at elevations ranging from below sea level to almost 11,000 feet. Pallid bats occur in woodlands, grasslands, riparian/wetlands areas, and vineyards if appropriate roosting sites are

available. Roosting sites include rocky outcrops, arid areas, rock crevices, caves, tree hollows, mines, old buildings, and bridges. Females roost in large colonies in night roost as daytime roosts tend to be in a different location. Water plays a large part in their diet as most pallid bats drink right after emergence from day roosts and insects tend to converge around water. Like most bats, pallid bats consume insects as their major food source. Pallid bats leave behind a distinct trail of "leftovers", such as legs, heads, or other remains of insects are often left scattered around the vicinity of night roosts. This species has not been documented within five miles of the project site (CNDDDB 2011).

One of only six species occasionally found in buildings, the bat boxes and the shed present on the Opolo property and adjacent parcel are suitable roosting habitats for this spots. The riparian woodland with the heavy presence of coast live oaks and Summit Creek provide suitable foraging, breeding, and roosting habitat for this species. The permanent source of water from Summit Creek and neighboring pond would provide both a steady supply of water and insects for pallid bats if present. Although suitable habitat was present within the survey area, there was a lack of "leftovers" or guano around the shed and bat boxers; therefore, it is unlikely that this species occurs within the survey area; however; specific bat surveys were not preformed. Bats were not observed during surveys.

Sensitive Reptile Species Descriptions

Pacific Pond Turtle (*Actinemys marmorata pallida*), State Species of Special Concern Pacific pond turtles, formally known as the Southern Pacific pond turtles, occupy a wide range of habitats including wetlands, rivers, streams, lakes, and stock ponds for feeding and basking sites. Turtles require upland areas for estivation, wintering, and nesting sites. Nesting occurs along the edges of lakes or ponds but may also be placed as far as 500 meters from the water. This species starts nesting in April with a peak in May through July and typically concludes in August. Females leave aquatic habitats, dig out a nest on land, lay clutches with between 2-11 eggs, with one or two clutches possible a year. Turtles have been documented as traveling up to 60 meters into upland areas for estivation sites. This species occurs from western Washington to Northern Baja California. Coastal populations exist in San Luis Obispo and Los Angeles Counties. It is known to occur at elevations that range from approximately 0 to 2,084 msl. This species has been documented within five miles of the project site (CNDDDB 2011). The first occurrence was documented within Jack Creek along the riparian area in 1984. The one adult turtle was found about 3 miles from the survey area. The second occurrence is documented at 4.08 miles from the survey area. One juvenile turtle, was found in Rocky Creek with the habitat being gravelly, rocky, and scattered seasonal pools. The individual was found in 2006 and was observed basking on a gravel bar within vegetation such as oaks, sycamores, bay laurels, and willows.

The shallow pools, along with the ponded area within Summit Creek, and neighboring pond provide marginally suitable habitat for this species. The surrounding upland areas also provide suitable estivation, wintering, and nesting sites. The ponded area that occurs on the western edge of Summit Creek before leaving the property is considered marginally suitable habitat for this species as woody debris and emergent vegetation dominant the area; however basking sites were not observed within this area or the neighboring pond. Turtles are shy and often hard to detect. Turtles were not observed during surveys of the property.

Silvery Legless Lizard (*Anniella pulchra pulchrd*), State Status - Species of Special Concern

Silvery legless lizard requires sandy or loose loamy soils within coastal dune scrub, coastal sage scrub, chaparral, woodlands, riparian, or forest habitats. It requires cover such as debris, logs, leaf litter, or rocks and will cover itself with loose soil. Relatively little is known about the specific behavior and ecology of this species. Silvery legless lizard is thought to be a diurnal species that breeds between the months of March through July. It gives live birth to young in the early fall. This species occurs from Antioch in Contra Costa County south through the Coast, Transverse, and Peninsular Ranges, along the western edge of the Sierra Nevada, and in parts of the San Joaquin Valley and Mojave Desert to El Consuelo in Baja. Silvery legless lizard is known to occur at elevations that range from approximately zero to 1,800 m above msl. This species has not been previously documented

within a five-mile radius of the project site (CDFG, 2011).

The understory (duff) of the oak woodland surrounding the survey area is considered suitable breeding and foraging habitat for this species. Silvery legless lizards were not observed during the field surveys, however this species is extremely hard to detect and therefore their presence cannot be completely ruled out.

Impact. A biological report was completed (Brooke Langle, August 2011) which has identified the following potential impacts to biological resources:

Vegetation No direct impacts to wetland vegetation or to the swales are expected at this time. However, indirect impacts to the swales include runoff, erosion, and/or sedimentation from construction activities. Mitigation measures are offered to reduce and/or eliminate potential impacts to the swale.

Oaks The proposed project has the potential to affect oak woodland habitat because of removal and/or disturbance of oaks due to the widening and grading of the Option 3 secondary access. Up to 8 oak trees may be removed and another 36 possibly impacted. The eight trees proposed for removal include coast live oaks and valley oaks. Mitigation for oak tree removal will follow County guidelines, including development of an oak tree replacement plan.

Sensitive Plant Species (Southern California Black Walnut) No direct impacts are expected to this species as; the north side of the riparian corridor will be avoided as much as possible; however, vegetation trimming may be required. The sensitive walnut trees will not be affected directly by the widening of the road; however, indirect impacts include damage from vegetation trimming or general disturbance from construction activities. Mitigation measures are offered to reduce and or avoid potential impacts to this sensitive species.

Swales The proposed widening and surfacing of the maintenance road that occurs on the north side of the existing paved driveway has the potential to impact swales. Direct impacts may include alteration of the natural drainage of the swales, compaction of soil via vehicle usage, erosion, and damage to wetland vegetation. Indirect impacts include sedimentation to the water quality and reduction in runoff to Summit Creek, which has the potential to impact special-status wildlife species. Mitigation measures are offered to reduce and/or avoid potential impacts.

Riparian/Creek Summit Creek will not be directly impacted by the proposed project. However, indirect impacts to the creek include sedimentation, reduction in runoff, and change in water quality. Erosion and sedimentation have the potential to impact the water quality of Summit Creek. Impacts to water quality include, creating cloudy water or decreasing the flows within Summit Creek, which has the potential to reduce the overall quality of potential special-status species habitat.

Coast Range Newt There is a potential for impacts to this species if present during construction. If newts occur within the project area, direct impacts include death and/or injury (e.g., crushing or trampling) during construction activities. Indirect impacts to newts include vibration from construction activities, noise, harassment, or modification and/or loss of upland habitat. No disturbance to the aquatic habitat is proposed as part of the project. Mitigation measures are offered to reduce and or avoid impacts to newts.

California Red-legged Frog California red-legged frogs have been documented within five miles of the project area and the site contains suitable habitat for this species, therefore, there is a potential for this species to be impacted if it does occur. If frogs occur within the project area, direct impacts could include death and/or injury (e.g., crushing or trampling) during construction activities. As the riparian corridor, surrounding uplands, and neighboring ponds provide suitable habitat, this species could also be impacted indirectly. Indirect impacts to frogs include vibration from construction activities, noise, harassment, or modification and/or loss of upland

habitat. Protocol level surveys were recommended by the biologist. The applicant did not perform the surveys but instead is assuming presence. Mitigation measures are included to reduce and or avoid impact to frogs.

Purple Martin No direct impacts are expected to occur to this species as no disturbance to Summit Creek is proposed. However, indirect impacts to martins could include vibration, noise, and harassment from construction activities, and loss or modification of habitat. In addition, purple martins could experience a low level of disturbance during foraging activities when temporary events occur, if present on the property.

Steelhead No direct impacts or mortality to steelhead are expected as disturbance is not proposed within Summit Creek. Indirect impacts include modification of steelhead habitat via reduction in runoff, sedimentation, and erosion to Summit Creek from construction activities.

Monterey Dusky Footed Wood Rat There is a potential for impacts to this species if present during construction. Direct impacts include death and/or injury (e.g., crushing or trampling) during construction activities. Indirect impacts to wood rats include vibration from construction activities, noise, harassment, or modification and/or loss of habitat (i.e. removal of oak trees).

Pallid Bat There is a potential for pallid bats to be impacted by the proposed project as this species is extremely sensitive to disturbance. No direct mortality of bats is expected due to the proposed project; however, indirect impacts include vibration from construction activities, noise, harassment, or modification and/or loss of habitat.

Pacific Pond Turtle There is a potential for impacts to this species if present during construction. Direct impacts include death and/or injury (e.g., crushing or trampling) during construction activities if turtles are present in upland areas. Indirect impacts to turtles include vibration from construction activities, noise, harassment, or modification and/or loss of upland habitat. No disturbance to the aquatic habitat is proposed as part of the project. Mitigation measures are offered to reduce and or avoid impacts to Pacific pond turtles.

Silvery Legless Lizard The widening of the current access road could result in direct impacts to legless lizards. Direct impacts include death and/or injury (e.g., crushing or trampling) during construction activities. Indirect impacts include vibration from construction activities, noise, harassment, or modification and/or loss of habitat.

Nesting Birds A potential impact exists for nesting birds, including those protected by the Migratory Bird Treaty Act, should grading and vegetation clearing occur during the typical nesting period (February 15 1 to August 31). No nesting birds were discovered during the 2011 survey. Short-term, temporary impacts to nesting birds (and other wildlife in the area) include noise and vibration during construction.

Mitigation/Conclusion. Based on the above discussed impacts, the project will be required to incorporate the measures as listed in Exhibit B to reduce the potential impacts to biological resources to less than significant. The measures include oak tree replacement, biological survey and monitoring for nesting birds, Coast range newt Pacific pond turtle, California red-legged frogs, silvery legless lizard, purple martins and Monterey dusky footed wood rats. Also included are sediment and erosion control measures for Summitt Creek to mitigate potential impacts for riparian habitat and steelhead trout,

5. CULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. CULTURAL RESOURCES -
Will the project:

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
-------------------------	--------------------------------	----------------------	----------------

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) <i>Disturb paleontological resources?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) <i>Other:</i> _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Setting. The project is located in an area historically occupied by the Obispeno Chumash. No historic structures are present and no paleontological resources are known to exist in the area. Summit Creek runs through the property. Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources.

A Phase 1 surface survey was conducted for the subject property (Thor Conway; 2011). As a result of the Phase 1 survey, evidence of two prehistoric sites were identified on the subject property. Several Franciscan chert flakes, fire cracked rocks and a variety of shellfish species were observed. The Opolo Vineyard sites occur in areas suitable for seasonal camps and these sites appear to be the first sites recorded in the direct vicinity.

San Luis Obispo County is within the territory historically occupied by the Native American Group known as the Obispeño Chumash, the northernmost faction of California (Gibson, 1990; Greenwood, 1978; Kroeber, 1953). The archaeological record indicated that sedentary populations occupied the coastal regions of California more than 9,000 years ago. Chumash peoples have adapted to the changing environmental and social conditions and are now a large complex society. Aboriginal society began to disintegrate soon after Spanish contact in 1769 A.D., primarily due to the introduction of epidemic European diseases and the consequent high mortality rate.

The Chumash and Salinan way of life was forever altered with Spanish colonization. As the Spanish compelled many Chumash to live within the mission compounds, they were transformed from hunters and gatherers into agricultural laborers and exposed to European diseases to which they had no resistance. As a result of sickness and poor treatment, large numbers of Chumash perished under the Spanish regime. By the end of the Mission Period in 1834, the Chumash and Salinan population had been decimated by disease and low birth rates. The native population at Mission San Luis Obispo, for example, plummeted from 919 individuals in 1803 to just 170 by 1838 (Greenwood 1978: 521). Population loss as a result of disease and economic deprivation continued into the next century.

Impacts The proposed development will result in the ground disturbance of approximately 6.08 acres. Based on this disturbance, the project could have impacts to cultural resources due to the close proximity of known resources on the subject site.

Mitigation The project will be required to incorporate the following measures to reduce potentially significant impacts on cultural resources to less than significant levels:

1. The applicant will delineate the archaeological site(s) as Environmentally Sensitive Area(s) on the project plans, as shown on the attached exhibit. All new development (e.g. winery, access roads, and utility trenches, etc.) will be located outside of the delineated area(s). Environmentally sensitive areas that are within fifty feet of construction or grading activities will be marked for protection (e.g., with flagging) and the limits of the sensitive area fenced prior to any grading.
2. The applicant will submit a monitoring plan, prepared by a qualified archaeologist, which provides details on how the archaeologist will monitor grading and excavation activities during construction and the process to follow should resources be encountered. The applicant will retain a qualified archaeologist to implement the monitoring plan during construction and verify

to the county that construction work adhered to the plan.

3. In addition, per Section 22.10.040 [23.05.140] of the County's Land Use Ordinance:

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

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

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS -

Will the project:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

- i) *Preclude the future extraction of valuable mineral resources?*
- j) *Other:* _____

Setting

GEOLOGY - The following relates to the project's geologic aspects or conditions:

- Topography: Moderately sloping
- Within County's Geologic Study Area?: No
- Landslide Risk Potential: High
- Liquefaction Potential: Low
- Nearby potentially active faults?: No Distance? Inactive fault runs through the western most portion of the property.
- Area known to contain serpentine or ultramafic rock or soils?: No
- Shrink/Swell potential of soil: Moderate
- Other notable geologic features? None

DRAINAGE – The following relates to the project's drainage aspects:

- Within the 100-year Flood Hazard designation? Yes - Portion of site is located within the 100 year flood due to Summit Creek however no development is proposed within the flood hazard area.
- Closest creek? Summit Creek Distance? Runs through the center of the property
- Soil drainage characteristics: Not well drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.080 or CZLUO Sec. 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION – Soil type, amount of disturbance and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting". As described in the NRCS Soil Survey, the the project's soil erodibility is as follows:

Soil erodibility: Not applicable

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090, CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

GEOLOGY - Land use permit applications located in rural areas within a high landslide risk must be accompanied by a geology and soils report prepared by a certified engineering geologist

and/or registered soils engineer.

Interim Low Impact Development (LID) Guidelines is a pilot project sponsored by municipalities in San Luis Obispo County and the Central Coast Regional Water Quality Control Board. This is a joint effort help reduce on-site stormwater runoff. Any project that creates more than 5,000 sf of increased impervious surface is required to utilize at least (2) LID measures to help reduce stormwater runoff. The proposed project has already incorporated several LID measures to retain and reduce runoff all of which meet the agencies guidelines. For example, the project has proposed: rain gardens, green roofs, bio-retention swales, and collection cisterns.

Geological Report. A geological hazards report (Gorman; October 26, 2011) was prepared to evaluate the area's geological stability relating to the proposed use. The geological report did not identify any unstable conditions warranting measures above what is already required under the Uniform Building Code.

Impact. As proposed, the project will result in the disturbance of approximately 6.08 acres. Overall the potential for slope stability, landslides, erosion, asbestos, fault rupture, seismic design and ground shaking, and liquefaction are low. From a geologic standpoint, there are no significant geologic hazards or conditions that would preclude development of the proposed winery expansion.

Mitigation/Conclusion. Pursuant to County Ordinances, the applicant will be required to prepare prior to issuance of construction permits, an Erosion and Sedimentation Control Plan, Drainage Plan, and Storm Water Pollution Prevention Plan (SWPPP). All Erosion and Sedimentation Control Plans shall be accompanied with a complete Stormwater Quality Plan and Best Management Practices shall be in compliance with the Low Impact Development Handbook. Implementation of ordinance requirements would mitigate potential geologic and soils impacts to less than significant, and no additional measures are necessary.

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. With regards to potential fire hazards, the subject project is within a High Fire Hazard Severity Zone. Based on the County's fire response time map, it will take approximately 15-20 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts. The project is not within the Airport Review area. Portions of the subject project is within the 100-year Flood Hazard Combining designation (FH).

Impact. The project does not propose the use of hazardous materials. The project is not expected to conflict with any regional evacuation plan. The proposed project was referred to CAL FIRE for review. No significant fire hazard impacts were identified. The applicant is required to comply with the California Fire Code, California Building Code, the Public Resources Code, and any other applicable fire laws and the mitigation described in the fire safety plan (Commercial Fire Plan Review, Clint Bullard, February 16, 2011).

The application include a request for consideration of four options for secondary access which is an ordinance requirement for wineries that holding special events.

Option 1A. and 1B. includes utilization of an existing agricultural road along the Opolo Vineyard's northern property line to connect to an adjacent parcel to the north (APN:039-051-018, Gonzales). Then the secondary access is proposed to use the existing developed roads on the Gonzales site which are a minimum of 20 feet wide and connect to Peachy Canyon Road at two access points. The applicant is proposing to use a license from the Gonzales to use their onsite roads during an emergency. Site disturbance for this option is estimated at 0.42 acres and one oak tree may be impacted.

Option 2. includes extending the existing agricultural road along the Opolo Vineyard's northern property line to create a second access off of Vineyard Drive. Site disturbance for this option is estimated at 0.67 acres and one oak tree may be impacted.

Option 3. includes development of a new access road through the southern 68 acre parcel along Summitt Creek to create a second access off of Vineyard Drive. Site disturbance for this option is 0.95 acres with eight oak tree proposed for removal and 36 oak trees impacted.

CalFIRE and County Public Works have evaluated the four options. County Public Works concurred with the findings of the traffic report that either of the four options for secondary access are acceptable. Options 2 and 3 shall require that a gate be installed in accordance with Cal Fire requirements; and that it remain normally closed and locked; and that access be restricted to emergencies or when required to be available for site egress by Cal Fire.

No development is proposed for the portion of the site located within the flood hazard designation, so no impacts are expected to occur.

Mitigation/Conclusion. With the implementation of the Fire Safety Plan required by ordinance, no significant impacts as a result of hazards or hazardous materials are anticipated, and no additional measures are necessary.

8. NOISE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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8. NOISE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The applicant is requesting to hold a total of 25 special events per year and is requesting to have amplified music. The request includes 20 events for up to 150 attendees and 5 events per year with up to 250 attendees. The applicant is requesting a modification from the noise standards to allow amplified music after 5pm. The winery ordinance restricts outdoor amplified noise to 10 am to 5 pm. This standard may be waived where a finding can be made by the review authority that the noise at the property line will not exceed 65dB. The applicant is proposing to have amplified music from 10am-10pm.

The project description includes the following:

- Special events with up to 250 attendees are limited to the existing winery location (Phase I).
- Special events with up to 150 attendees are limited to the upper winery location (Phase II).

At the Phase II location, amplified music is proposed during outdoor special events on the building terrace and on areas adjacent to the proposed building including a 100 seat amphitheater (Garden Pavilion). Amplified music is also expected to be played in tents located on the Phase II upper terrace area prior to construction of the Phase II building. At the Phase I location, outdoor amplified music is planned to occur on terrace areas located outside the existing winery building.

Existing daytime ambient sound levels were measured at the Phase I and Phase II areas on Sunday March 20, 2011 (Sound Level Assessment for Opolo Vineyards, April 11, 2011 and January 9, 2012, David Lord, PH.D.). The daytime average Equivalent Sound Level (LEQ) ambient noise level was found to range from LEQ= 46 dBA to LEQ = 47 dBA across the site.

Impact. The Sound Level Assessment evaluated amplified music at both Phase I and Phase II locations. Events with up to 250 attendee are limited to the existing winery (Phase I) location. Events at the upper winery location (Phase II) are limited to 150 attendees. To the north of the Phase II winery location there is a proposed 100 seat amphitheater (Garden Pavilion) to be used during special events.

Acoustic modeling was verified by measurement and observation of several live amplified music events in comparable noise studies of amplified music at the Bianchi Winery and Edna Valley Winery. Amplified music varies in sound level and there are customary pauses between musical pieces and performances. It is assumed that sound levels shall average 70 dBA = LEQ 1 hour and shall never exceed 90 dBA at the position seven feet in front of the speakers. These conditions will ordinarily result in an average sound level and a maximum sound level that do not exceed the County standard at the boundary property (David Lord, PH.D., April, 2011).

Mitigation/Conclusion. Ambient sound level measurements and computer modeling of different

conditions and locations of amplified music on the site reveal that exterior sound levels from amplified music during daytime hours will result in a sound level less than 65dB along property boundaries. The analysis concluded that based on the special event description and assumptions noted as follows:

- Amplified sound levels shall average 70 dBA and shall not exceed 90 dBA at the position seven feet in front of the speakers.
- Special events with up to 250 attendee are limited to the existing winery (Phase I) location.
- Special events at the upper winery location (Phase II) are limited to 150 attendees.

With the implementation of the special event description and assumptions noted above and listed in Exhibit B, no significant noise impacts are anticipated.

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing. Commercial development of 5,000 sq. ft. or more of floor area for commercial uses require the payment of a housing impact fee or construction of Inclusionary housing units.

Mitigation/Conclusion. The project is consistent with the County's Housing Element. Prior to issuance of the Building Permit, the applicant shall pay applicable Inclusionary Housing fees pursuant to Section 22.12.080.

10. PUBLIC SERVICES/UTILITIES -
Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is served by the following public services/facilities:

Police: County Sheriff Location: Templeton
Fire: Cal Fire (formerly CDF) Hazard Severity: High Response Time: 15-20 minutes
 Location: Approximately 6.33 miles to the east
School District: Templeton Unified School District.

Impact. No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. The project has been reviewed by CAL FIRE for consistency with the Uniform Fire Code and will be required to prepare a fire safety plan. Regarding cumulative effects, public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County's Parks and Recreation Element does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park,

recreational resource, coastal access, and/or Natural Area.

Impact. The proposed project will not create a significant need for additional park, Natural Area, and/or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The request includes a three phased expansion of an existing 9,735 square foot (sf) winery (Opolo Winery). The proposed expansion total is approximately 60,000 sf of wine processing, wine storage and tasting/visitor use areas. The proposed expansion will process grapes from on and off-site locations. Case production is slated to increase to 75,000 cases. The winery currently has one access driveway located at 7110 Vineyard Drive, approximately 400 feet south of the intersection of Peachy Canyon Road. Vineyard Drive is operating at acceptable levels. Referrals were sent to Public Works and Caltrans. Caltrans (Chris Shaffer, February 10, 2011) requested trip generation for each proposed phase.

Secondary Access

The application includes a request for consideration of four options for secondary access which is an ordinance requirement for wineries that holding special events.

Option 1A & 1B. includes utilization of an existing agricultural road along the Opolo Vineyard's

northern property line to connect to an adjacent parcel to the north (APN:039-051-018, Gonzales). Then the secondary access is proposed to use the existing developed roads on the Gonzales site which are a minimum of 20 feet wide and connect to Peachy Canyon Road at two access points. The applicant is proposing to use a license from the Gonzales to use their onsite roads during an emergency. Site disturbance for this option is estimated at 0.42 acres and one oak tree may be impacted.

Option 2. includes extending the existing agricultural road along the Opolo Vineyard's northern property line to create a second access off of Vineyard Drive. Site disturbance for this option is estimated at 0.67 acres and one oak tree may be impacted.

Option 3. includes development of a new access road through the southern 68 acre parcel along Summitt Creek to create a second access off of Vineyard Drive. Site disturbance for this option is 0.95 acres with eight oak tree proposed for removal and 36 oak trees impacted.

Special Events

The applicant is requesting to hold a total of 25 special events per year and is requesting to have amplified music. The request includes 20 events for up to 150 attendees and 5 events per year with up to 250 attendees. The winery currently does and is planning to continue to participate in wine industry wide events and other winery functions.

Impact. Based on trip generation information provided by the applicant's traffic engineer (Orosz, June 9, 2011 and amended December 12, 2011) the existing ADT on weekends is 240 trips with 64 occurring at peak hour. At build out, the proposed project is estimated to generate a total of 469 ADT on weekends with 125 occurring at peak hour. Special event traffic is estimated to be 80 additional trips for the smaller events (less than 150 attendees) and 100 additional trips for the proposed larger events with over 250 attendees.

Public Works has reviewed the Orosz Traffic Reports. The County has established the acceptable Level of Service (LOS) on roads for this rural area as "C" or better. The existing road network in the area including the project's access street, Vineyard Drive and the intersection of Vineyard Drive and Highway 46 West is operating at LOS A which is acceptable levels. The collision history on Vineyard Dr between SR 46 and Peachy Cyn is not above the County's average; therefore no road safety analysis is required per Resolution 2008-152.

The existing Opolo Winery monument sign located northerly along Vineyard Drive from the main project entrance is currently located within the "line of sight" of drivers entering the project site and may create a safety hazard. The Winery's entrance gate is located approximately 50 feet from the edge of Vineyard Drive driveway. County Public Works and Cal FIRE recommend at minimum 75 foot setback for gate structures to accommodate winery relate truck deliveries.

Secondary Access Orosz Engineering Group, Inc. has conducted a technical review of the four options for secondary access. The following are the conclusions reached for each option:

Option 1A - Direct Access to Peachy Canyon Road through Gonzales Property along Existing Orchard. The basic concept of this emergency access plan is to construct an on-site roadway (Opolo Winery) along the northern property line and then to turn north onto the adjacent Gonzales Property. Once on the Gonzales Property, the emergency access would follow the existing roadway northeasterly to the existing intersection with Peachy Canyon Road along the existing orchard, Please refer to the attached Exhibit F. The existing stopping sight distance exceeds 500 feet in both directions based on an assumed 55 MPH speed, The emergency access would meet the sight distance criteria set by the Public Works Department.

Option 1B - Direct Access to Peachy Canyon Road through Gonzales Property along Existing Winery. The basic concept of this emergency access plan is similar to Option 1. An on-site (Opolo Winery) roadway would be constructed along the northern property line and then to turn north onto the adjacent Gonzales Property. Once on the Gonzales Property, the emergency access would follow the existing roadway northerly to the existing intersection with Peachy Canyon Road at the existing winery tasting room access. Please refer to the attached Exhibit F. The existing stopping sight distance exceeds 500 feet to the east based on a 55 MPH speed. The access is located approximately 275 from the Stop controlled intersection with Vineyard Drive. The approach speed for vehicles traveling eastbound would be approximately 35 MPH, The stopping sight distance for 35 MPH is 250 feet. The emergency access would meet the sight distance criteria set by the Public Works Department.

Option 2 - West Access point on Vineyard Drive north of Existing Winery Access.

The emergency access would be located along the northern property line of the Opolo Vineyards. An 18-20 foot wide emergency access road would be constructed along the northern property line intersecting Vineyard Drive. The access would be limited to emergencies only and would not be open to the general public. The available stopping sight distance was determined to be more than 500 feet to the south from the emergency access driveway along Vineyard Drive, which is adequate for 55 mph. On December 10, the observed speeds documented using radar was found to be 42 MPH. Therefore, there is adequate sight distance to the south from this access location. Looking to the north along Vineyard Drive from the driveway, the available stopping sight distance for this emergency access is approximately 350 feet or the equivalent of a travel speed of 40-45 MPH. This access is located about 480 feet south of the intersection of Peachy Canyon Road. For this intersection, the vehicular travel speeds were documented to be 41 MPH during the radar speed study for this direction. Due to the roadway curvature both horizontally and vertically of Vineyard Drive and the proximity of Peachy Canyon Road, the vehicle speeds are reduced from the assumed 55 MPH for Vineyard Drive. Further, there is adequate stopping sight distance to the south and north of this driveway location. The sight distance would be adequate for the observed vehicle speeds, roadway geometry and the limited emergency access nature of this access.

Option 3 - South Access point on Vineyard Drive at Sharp Curve.

The emergency access proposed for the project is located on the adjacent parcel to the south at 6970 Vineyard Drive (APN 039-051-008). The Opolo Winery/Vineyard is located on the adjacent property at 7110 Vineyard Drive, easterly of Paso Robles. The section of Vineyard Drive is very curving with tight radius corners. Approaching the emergency access location from the north, the roadway curves to the right and has an advisory speed of 15 MPH. From the south, the location has an advisory speed of 20 MPH. The roadway width in this area varies between 22-24 feet. Based on our observations, vehicles travel through this corner at or very close to these speeds. Based on our field measurements and review, the available sight distance for the emergency site access proposed is 140 feet to the north and 312 feet to the south. Using design speeds of 20 MPH looking to the right of the access and 25 MPH for approaching traffic from the left (5 additional MPH over the advisory speeds), the stopping sight distance from the existing driveway exceeds the County's sight distance criteria of 125 feet for 20 MPH and 150 feet for 25 MPH. Therefore, adequate stopping sight distance is provided for the emergency access project driveway.

County Public Works concurred with the findings of the traffic report that either of the four options for secondary access are acceptable. Options 2 and 3 shall require that a gate be installed in accordance with Cal Fire requirements; and that it remain normally closed and locked; and that access be restricted to emergencies or when required to be available for site egress by Cal Fire. All work within the County right-of-way shall require an encroachment permit.

The project is subject to the Area B Templeton Road Fee, which addresses cumulative impacts to county roads in the area by funding areawide improvements.

Mitigation/Conclusion. The additional traffic anticipated as a result of the proposed traffic will not result in a significant change to the existing road service and is not considered a significant impact. The existing monument sign must be relocated to improve traffic safety. The project will be required to incorporate the measures as listed in Exhibit B and will be condition to pay the road fees as required by ordinance

13. WASTEWATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Regulations and guidelines on proper wastewater system design and criteria are found within the County’s Plumbing Code (hereafter CPC; see Chapter 7 of the Building and Construction Ordinance [Title 19]), the “Water Quality Control Plan, Central Coast Basin” (Regional Water Quality Control Board [RWQCB] hereafter referred to as the “Basin Plan”), and the California Plumbing Code. These regulations include specific requirements for both on-site and community wastewater systems. These regulations are applied to all new wastewater systems.

For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the following:

- ✓ Sufficient land area (refer to County’s Land Use Ordinance or Plumbing Code) – depending on water source, parcel size minimums will range from one acre to 2.5 acres;
- ✓ The soil’s ability to percolate or “filter” effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
- ✓ The soil’s depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on perc rates]);
- ✓ The soil’s slope on which the system is placed (surface areas too steep creates potential for daylighting of effluent);
- ✓ Potential for surface flooding (e.g., within 100-year flood hazard area);
- ✓ Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances);
- ✓ Distance from creeks and water bodies (100-foot minimum).

To assure a successful system can meet existing regulation criteria, proper conditions are critical. Above-ground conditions are typically straight-forward and most easily addressed. Below ground criteria may require additional analysis or engineering when one or more factors exist:

- ✓ the ability of the soil to “filter” effluent is either too fast (percolation rate is faster or less than 30

minutes per inch and has "poor filtering" characteristics) or is too slow (slower or more than 120 minutes per inch);

- ✓ the topography on which a system is placed is steep enough to potentially allow "daylighting" of effluent downslope; or
- ✓ the separation between the bottom of the leach line to bedrock or high groundwater is inadequate.

Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type(s) for the project is provided in the listed in the previous Agricultural Resource section. The main limitation(s) of this soil for wastewater effluent include:

--**steep slopes**, where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. In this case, the proposed leach lines are located on the nearly level portion of the subject property that is sufficiently set back from any steep slopes to avoid potential daylighting of effluent. Therefore, no measures are necessary above what is called out for in the CPC/Basin Plan to address potential steep slopes.

--**slow percolation**, where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch.

The existing winery has a septic system for domestic waste and currently processing approximately 50,000 cases using waste treatment ponds through a waste discharge permit from the RWQCB.

Impacts/Mitigation. Based on the following project conditions or design features, wastewater impacts are considered less than significant: The project has sufficient land area per the County's Land Use Ordinance to support an on-site system;

- ✓ The soil's percolation rate is between 30 to 120 minutes per inch;
- ✓ There is adequate soil separation between the bottom of the leach line to bedrock or high groundwater;
- ✓ The soil's slope is less than 20%;
- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

Based on the above discussion and information provided, the site appears to be able to design an on-site system that will meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will need to show to the county compliance with the County Plumbing Code/ Central Coast Basin Plan, including any above-discussed information relating to potential constraints. Therefore, based on the project being able to comply with these regulations, potential groundwater quality impacts are considered less than significant.

Ultimate winery case production is anticipated to be 75,000 cases per year. Wastewater levels are anticipated to be 4,167 gallons per day during non-peak and 6,042 gallons per day during peak crush periods. The proposed winery project has been conditioned to provide from the Regional Water Quality Control Board for a waste discharge permit for the proposed expansion. Based on compliance with existing regulations and requirements, potential wastewater impacts would be less than significant.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. There are two existing wells on the subject site and a 76,500 gallons of existing water storage. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. They will also determine if a public water supply and or annual permitted is required. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is gently sloping to moderately sloping. The closest creek from the proposed development is Summit Creek and runs through the center of the property. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

Impact. Based on information provided by the applicant's agent, the estimated water usage as build out is as follows:

Production – 1,577,205 gallons per year (GPY)

Tasting Room – 128,480 GPY

Special Events – 36,600 GPY

Total 1,742,285 GPY or 5.3 AFY

Surface Water. Regarding surface water quality, as proposed, the project will result in the disturbance of approximately 6.08 acres. The proposed project creates more than 5,000 sf of impervious surface area. Public Works recommended that the proposed project be designed to promote groundwater recharge (22.112.020 A 2) by application of Low Impact Design (LID). Techniques to mitigate the proposed impervious parking and building areas should be implemented.

Water Conservation. The Agriculture Department recommends the following conditions to maximize the availability of water for agricultural production, to minimize runoff, and to maximize groundwater

recharge:

- Preclude lawn/turf areas associated with the winery, minimize or avoid irrigated landscaping, and require all landscaped areas to be drip irrigated. This measure minimizes non-agricultural water use and helps to protect groundwater resources for agricultural production.
- Incorporate best management practices for water conservation purposes throughout winery facility.
- Maximize the use of pervious and semi-pervious areas in order to promote groundwater recharge, minimize erosion and sedimentation and protect farmland for agricultural use.

As part of the projects description, the winery and vineyard propose the following water conservation measures:

- Vineyard irrigation is monitored and applied by drip
- Proposed minimal landscaping and drought tolerant species
- Treated waste water to be applied as dust control
- All winery hoses fitted with low flow/pressure nozzles

Projects involving more than one acre of disturbance are subject to preparing a Storm Water Pollution Prevention Plan (SWPPP) to minimize on-site sedimentation and erosion. When work is done in the rainy season, the County Ordinance requires that temporary sedimentation and erosion control measures be installed during the rainy season.

Mitigation/Conclusion. A Sedimentation and Erosion Control plan is required per ordinance prior to issuance of construction permits. Since soil disturbance would exceed one acre, the project will also be subject to the National Pollutant Discharge Elimination System (NPDES) program, and a SWPPP is required. Per County Ordinance, the applicant shall provide evidence that a Stormwater Pollution plan (SWPPP) has been issued from the Regional Water Quality Control Board.

With the inclusion of the LID measures and water conservation measures recommended by the Agriculture Department, no potentially significant water quantity or quality impacts were identified, and no specific measures above standard ordinance requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

15. LAND USE - <i>Will the project:</i>	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance (LUO), Local Coastal Plan (CZLUO), etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CAL FIRE for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

The applicant is requesting a modification of the 200 foot setback requirements to allow a 100 foot side setback for the Phase I barrel storage addition. The winery ordinance allows modifications to the setback requirements provided the Review Authority first determines that the request satisfies any of the following findings: (1) there is no feasible way to meet the required setbacks without creating environmental impacts or impacting prime agricultural land (SCS Class I, II and III); (2) the property fronts an arterial or collector street; (3) the setbacks are not practical or feasible due to existing topographic conditions or existing on-site vegetation or (4) is a legally constructed existing structure that was built prior to 1980 and it can be clearly demonstrated that the structure was intended for a legitimate agricultural or residential use. The proposed request meets number (2), as the property fronts on Vineyard Drive which is a collector.

The applicant is also requesting a modification from the noise standards to allow amplified music after 5pm. The winery ordinance restricts outdoor amplified noise to 10 am to 5 pm. This standard may be waived where a finding can be made by the review authority that the noise at the property line will not exceed 65dB. The applicant provided a noise analysis which included ambient sound level measurements and computer modeling of different conditions and locations of amplified music on the site. The noise analysis concluded that exterior sound levels from amplified music during daytime hours will result in a sound level less than 65dB along property boundaries.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required were determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal</i>				

community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

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

c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Information", or the California Environmental Resources Evaluation System at: http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

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

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	Attached
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Fish and Game	None
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	Attached
<input checked="" type="checkbox"/>	CA Department of Transportation	In File**
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>Templeton Areas Advisory Group</u>	In File**
<input type="checkbox"/>	Other _____	Not Applicable

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

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

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Area Plan and Update EIR
<u>County documents</u>	<u>Other documents</u>
<input type="checkbox"/> Airport Land Use Plans	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> General Plan (Inland/Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Agriculture Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Conservation & Open Space Element (includes Energy, Conservation)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., Biology, geology, streams, slope, fire, hazards, transportation, water, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input type="checkbox"/> Solid Waste Management Plan	
<input type="checkbox"/> Circulation Study	

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

An Archaeological Surface Survey for the Opolo Vineyards Property at 7110 Vineyard Drive, Paso Robles – Thor Conway, Heritage Discoveries Inc. April 7, 2011

Biological Resources Assessment Report Opolo Parcel APN: 039-051-020 and 008, 7110 Vineyard Drive Paso Robles - Terra Verde Environmental Consulting, LLC August, 2011

Opolo Winery Expansion- Emergency Access Road – Biological Summary Report - Terra Verde Environmental Consulting, LLC November 23, 2011

Opolo Winery, California Red-legged Frog Mitigation Measures - Terra Verde Environmental Consulting, LLC December 8, 2011

Preliminary Geologic Evaluation Opolo Vineyards Winery Expansion, 7110 Vineyard Drive, Templeton – Richard T. Gorman, CEG, Earth Systems Pacific, October 26, 2011

Geologic Hazards Report Opolo Vineyards Winery Expansion, 7110 Vineyard Drive, Templeton – Richard T. Gorman, CEG, Earth Systems Pacific, October 26, 2011

Sound Level Assessment for Opolo Vineyards, 7110 Vineyard Dr. Paso Robles, CA, April 11, 2011 and January 9, 2012, David Lord, PH.D.

Quinn CUP 2004-00276 – Traffic Engineering Sight Distance Analysis and Traffic Study Opolo Winery; San Luis Obispo County - Orosz Engineering Group, Inc., June 9, 2011

Opolo Winery Emergency Access Location Evaluation - Orosz Engineering Group, Inc., November 28, 2011 amended December 12, 2011.

Exhibit B - Mitigation Summary Table

Aesthetics

- V-1 Upon application for construction permits for Phase II, the applicant shall submit a landscape plan to the County Department of Planning and Building for review and approval. The plans shall be developed and signed by a licensed landscape architect and shall show screen planting to include trees and shrubs for the purpose of screening the structures as seen from Vineyard Drive. Trees and shrubs within the screen planting area shall be maintained in perpetuity. Trees and shrubs within the screen planting area that die shall be replaced.
- V-2 Prior to issuance of construction permits, the applicant shall submit a bond to the County of San Luis Obispo for an amount determined by the County to be sufficient to cover the estimated cost of planting and establishing the equivalent of the total number of trees and shrubs described in landscaping mitigation measures. The bond shall be held for a minimum of five years to ensure the successful establishment and maintenance of the mitigation planting.
- V-3 Prior to final inspection, the approved landscape plan shall be implemented, and the applicant shall provide a letter to the San Luis Obispo County Department of Planning and Building for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the screen planting area. The monitoring contract shall include a requirement that the monitor conduct at a minimum an annual site visit and assessment of the planting success for five years. At the end of the five year monitoring period, the monitoring report shall be submitted to the San Luis Obispo County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant.
- V-4 Prior to issuance of building permits, the applicant shall submit architectural elevations to the County Department of Planning and Building for review and approval. The elevations shall show exterior finish materials and colors, as follows:
- a. Exterior wall colors shall be limited to dark muted earth-tones. Exterior colors shall be no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building.
 - b. Roof colors shall be limited to deep earth tones, dark muted greens, browns and grays and no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building. Reds and orange hues shall not be used. If natural copper roofing is utilized, it shall be pre-patinaed in dark brown/ green hues prior to installation. Samples shall be provided to County Planning for review and approval.
- V-5 Upon application for construction permits, the applicant shall submit a unified signage plan that defines consistent and harmonious architectural and siting standards throughout the development. The form, color and materials of sign structures should complement the architectural style of the development and reinforce the "rural-type" character of the Vineyard Drive corridor.
- V-6 Prior to issuance of building permits, the applicant shall submit an exterior lighting plan for review and approval by the Department of Planning and Building which includes the following:

- a. Direct views of all exterior lighting sources shall be shielded from view from Vineyard Drive.
- b. Exterior lighting shall be designed to not focus illumination onto exterior walls nor the hillside or oak woodland areas adjacent to the buildings.
- c. Any security lighting installed on the property shall be equipped with motion detectors to prevent the illumination from remaining on.
- d. If access road lighting is proposed, the luminaires shall be a shielded "bollard-type" and shall be a maximum of 3 feet above the ground.

Agricultural Resources

- AG-1 Prior to issuance of construction permits**, the applicant shall note on construction plans and **prior to final** provide evidence from the Agriculture Department that the following measures have been completed:
- a. Preclude lawn/turf areas associated with the winery, minimize or avoid irrigated landscaping, and require all landscaped areas to be drip irrigated. This measure minimizes non-agricultural water use and helps to protect groundwater resources for agricultural production.
 - b. Incorporate best management practices for water conservation purposes throughout winery facility.
 - c. Maximize the use of pervious and semi-pervious areas in order to promote groundwater recharge, minimize erosion and sedimentation and protect farmland for agricultural use.

Air Quality

- AQ-1 Prior to construction permit issuance**, in order to reduce greenhouse gas (GHG) emissions, the applicant has agreed to implement identified measures from the California Air Pollution Control Officer Association's (CAPCOA) January 2008 published document entitled "CEQA and Climate Change" or from other proven GHG measures for construction. The project shall incorporate measures into the project and shall show on all applicable plans. The document is available online at: www.capcoa.org/wpcontent/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf.

- AQ-2 Prior to issuance of grading permit**, the applicant shall contact the APCD and submit a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA), is present with the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site the applicant must comply with all the requirements outlined in the Asbestos ATCM.

- AQ-3** As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application. For any questions regarding these requirements, Karen Brooks of APCD's Enforcement Division may be contacted (805/781-5912).

AQ-4 **Prior to operation of the facility**, the applicant shall provide evidence they have contacted APCD on any proposed portable equipment requiring APCD or CARB registration, such as: 50-hp portable generators, IC engines, unconfined abrasive blasting operations, concrete batch plants, rock and pavement crushing, tub grinders, trammel screens, etc. Should any of these types of equipment be used during construction activities California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.

AQ-5 Prior to issuance of construction permits for Phase I expansion, submit evidence of APCD permit for expanded production from 50,000 to 75,000 case per year production.

AQ-6 Upon application for construction permits for the wastewater treatment system and wine processing facility, the applicant shall submit plans incorporating the use of methods to minimize the creation of objectionable odors, which can occur due to anaerobic processes that mix with ambient air upon discharge of wastewater and handling of grape skins.

- a. New wineries or expanding wineries with the capacity of 26,000 gallons per year or more require a Permit to Operate for fermentation and storage of wine;
- b. Portable generators and equipment with engines that are 50 hp or greater.

AQ-7 Prior to any agricultural burning, agricultural operations must obtain an APCD Agricultural Burn Permit to burn dry agricultural vegetation on Permissive Burn Days. The ARB provides educational handbooks on agricultural burning (English and Spanish) to growers which are available at the following websites: www.arb.ca.gov/cap/handbooks/handbooks.htm

AQ-8 Prior to commencement of construction activities, the applicant shall notify the APCD, by letter and submit a copy to the Department of Planning and Building, that the above air quality mitigation measures have been applied.

Biological Resources

B-1 At the time of application for grading permits for development of Option 3 secondary access, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. No more than 8 oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than 36 trees shall be impacted, but not removed, as a result of the development of the project (as shown on the attached exhibit). Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

B-2 These newly trees shall be planted and maintained until successfully established. This shall include:

- a) Protection from animals (e.g., deer, rodents), which shall include tree shelters, as well as installation of a staked (using T-posts) enclosure (welded wire cattle panels [54" tall] or equivalent) that provide at least a 4-foot diameter of protected area per tree) for above-ground, and wire mesh baskets used below ground (at least 2-foot diameter and 2 feet deep);
- b) Regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant;

- c) Adequate temporary watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period.
 - d) Wherever possible, planting during the warmest, driest months (June through September) shall be avoided.
 - e) Standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- B-3 Prior to final inspection, and after the trees have been planted, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.
- B-4 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.
- B-5 To protect sensitive bird species and those species protected by the Migratory Bird Treaty Act and/or the Fish and Game Code, the Applicant should avoid vegetation clearing and earth disturbance during the typical nesting season (February 15 -August 31). If avoiding construction during this season is not feasible, a qualified biologist shall survey the area one week prior to activity beginning on the site. If nesting birds are located, they shall be avoided until they have successfully fledged. A buffer zone of 50 feet will be placed around all non-sensitive bird species, a 500-foot buffer zone for raptors, and all activity will remain outside of that buffer until the applicant's biologist has determined that the young have fledged. If special status bird species are located, no work will begin until an appropriate buffer is determined by consultation with the County, the local California Department of Fish and Game biologist, and/or the U. S. Fish and Wildlife Service.
- B-6 Construction should be limited to the typical dry season (April 15 to October 15) in order to avoid indirect impacts (erosion, sedimentation) to Summit Creek, the drainage (swale 2), and swale 1. If work must occur during the rainy season, the Applicant shall install adequate erosion and sedimentation controls to prevent any sediment-laden runoff from entering the creek, swale or drainage. Erosion control measures shall be installed in the following areas:
- a. During construction of the tasting and barrel room, erosion and sediment control will be installed outside the limits of disturbance in order to prevent sediment from entering the man-made ditch and Summit Creek.
 - b. During expansion of the tasting room and processing facility, erosion and sediment control will be installed outside the limits of disturbance in order to prevent sediment from Summit Creek.

- c. During improvements to existing maintenance roads, erosion and sediment control will be installed outside the limits of disturbance in order to prevent sediment from entering the swale, drainage, and Summit Creek.
 - d. During widening of the existing access road for emergency purposes, erosion and sedimentation controls shall be installed to prevent erosion and sedimentation from entering Summit Creek.
 - e. All disturbed areas should be re-established with a native seed mix appropriate to the area or landscaping.
- B-7 Avoidance of flowing water protection measure. During construction and general property maintenance, all employees shall not drive through areas with flowing water in order to prevent erosion and sediment from entering water courses which could potentially impact sensitive species if present on the property. If crossing water cannot be avoided, timber mats or other materials to avoid creating sedimentation will be installed and utilized until the area had dried and no further threat of sedimentation is present.
- B-8 To prevent damage to the swales and prevent erosion and/or sediment from entering Summit Creek, the proposed road placement adjacent to the existing vines should be placed as close as possible to the vines in order to avoid direct impacts to the swales.
- B-9 Coast range newt and Pacific pond turtle protection measure: At the time of application for grading permits for development of Option 3 secondary access, a qualified biologist will survey the project area (e.g., access road and riparian corridor) adjacent to Summit Creek a minimum of 48 hours before the onset of construction activities. If any life stages of turtles or newts are found within the proposed work area, the California Department of Fish and Game will be contacted for guidance as to how to proceed. If southern Pacific pond turtles or newts are discovered, they shall be moved out of the way into appropriate habitat (i.e., ponded area.)
- a. A qualified biologist shall be present during any clearing or grading work in the project area. In addition, the biologist shall relocate any newts or turtles, found during clearing and grading.
- B-10 California red-legged frog protection measure. At the time of application for grading permits for development of Option 3 secondary access, the following measures shall be implemented in order to avoid and/or reduce the potential for impacts to California red-legged frogs.
- a. Prior to issuance of permits or prior to development of Option 3. Secondary Access, the applicant shall provide evidence to the County that a formal consultation with the U.S. Fish and Wildlife Service has been completed. For any work associated with the capture, handling, or monitoring of California red-legged frogs, only a U.S. Fish and Wildlife Service approved biologist shall be used. The applicant shall adhere to any recommendations from the U.S. Fish and Wildlife Service in order to ensure the protection of California red-legged frogs.
 - b. Work activities shall be completed in the dry season (April 15 to October 15) in order to minimize potential impacts to California red-legged frogs.
 - c. A qualified biologist will perform two surveys occurring the night before and morning of construction. If any life stage of California red-legged frog is observed within the proposed work area, the United States Fish and Wildlife Service (USFWS)

will be contacted for guidance as to how to proceed. No work shall occur until approved by the County and the USFWS.

- d. A qualified biologist shall be present during any clearing or grading work in the project area. The biologist or their designee shall check under any equipment and stored construction supplies left in the work area overnight prior to the start of construction each day.
- e. Erosion and sedimentation controls as described above shall be implemented in order to prevent impacts to suitable habitat for California red-legged frog.
- f. All refueling and maintenance shall occur at least 100 feet away from drainage features and Summit Creek. If this refueling is not feasible, the

B-11 The proposed Option 3 secondary access could result in direct impacts to silvery legless lizard if present in the oak woodland if present during construction activities. Likewise, elevated noise levels, increased traffic and human activity, and construction-related disturbance associated with implementation of the proposed project could result in indirect impacts to this species. At the time of application for grading permits for development of Option 3 secondary access, the following actions shall occur:

- a. A qualified biologist shall conduct a pre-construction survey 14 days prior to the onset of construction activities within all potentially impacted areas of suitable habitat for silvery legless lizard within the project area. The surveys shall include raking of duff, leaf litter for legless lizards. If this species is not detected, construction activities may commence.
- b. If silvery legless lizards are observed during pre-construction surveys, the biologist shall relocate the animals to an acceptable location on the property but well outside of the area of disturbance.
- c. A qualified biologist shall be present during any clearing or grading work. The biologist shall relocate any silvery legless lizards found during clearing and grading.

B-12 A qualified biologist shall survey the area for purple martins one week prior to activities beginning on the site if construction is slated to occur during the typical nesting season (February 15 -August 31). If purple martins are noted as nesting within the survey area on the parcels during construction activities, any work that could disturb or affect the birds will be ceased until the Applicant can coordinate with the County of San Luis Obispo and the California Department of Fish and Game.

B-13 At the time of application for grading permits for development of Option 3 secondary access, the proposed grading plans shall avoid the northern side of the riparian corridor adjacent to Summit Creek in order to prevent impacts to the sensitive plant and wildlife species identified and potentially occurring within this area. In addition, if it is deemed necessary that vegetation trimming is needed; all specimens of the sensitive native walnut trees will be flagged for avoidance.

B-14 Monterey dusky footed wood rat protection measure. At the time of application for grading permits for development of Option 3 secondary access, a qualified biologist shall survey the proposed project (widening of access road for emergency purposes) corridor prior to construction in order to avoid impacts to dusky footed wood rat breeding season (February to November), or if evidence of a nest is found, the nest and surrounding trees shall be avoided until the young are weaned (typically three weeks after birth). In addition, if it is deemed necessary that vegetation trimming is needed; nests and a buffer of 50 feet shall be maintained.

Cultural Resources

CR-1 Cultural Resources - Environmentally Sensitive Area. At the time of application for construction permits, the applicant shall delineate the archaeological site(s) as Environmentally Sensitive Area(s) on the project plans, as shown on the attached exhibit. All new development (e.g. winery, access roads, and utility trenches, etc.) will be located outside of the delineated area(s). Environmentally sensitive areas that are within fifty feet of construction or grading activities will be marked for protection (e.g., with flagging) and the limits of the sensitive area fenced prior to any grading.

CR-2 Cultural Resources - Monitoring Plan. Prior to issuance of construction permits, the Applicant shall submit a monitoring plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved monitoring plan. The monitoring plan shall include at a minimum:

- a. List of personnel involved in the monitoring activities;
- b. Inclusion of involvement of the Native American community, as appropriate;
- c. Description of how the monitoring shall occur;
- d. Description of frequency of monitoring (e.g., full-time, part time, spot checking);
- e. Description of what resources are expected to be encountered;
- f. Description of circumstances that would result in the halting of work at the project site (e.g., What is considered "significant" archaeological resources?);
- g. Description of procedures for halting work on the site and notification procedures; and
- h. Description of monitoring reporting procedures.

CR-3 Cultural Resource – Construction Monitoring. During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist approved by the Environmental Coordinator to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

CR-4 Cultural Resource Monitoring – Completion Report. Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Noise

N-1 Amplified sound levels shall average 70 dBA and shall not exceed 90 dBA at the position seven feet in front of the speakers.

- N-2 Special events with up to 250 attendee are limited to the existing winery (Phase I) location.
- N-3 Special events at the upper winery location (Phase II) are limited to 150 attendees.

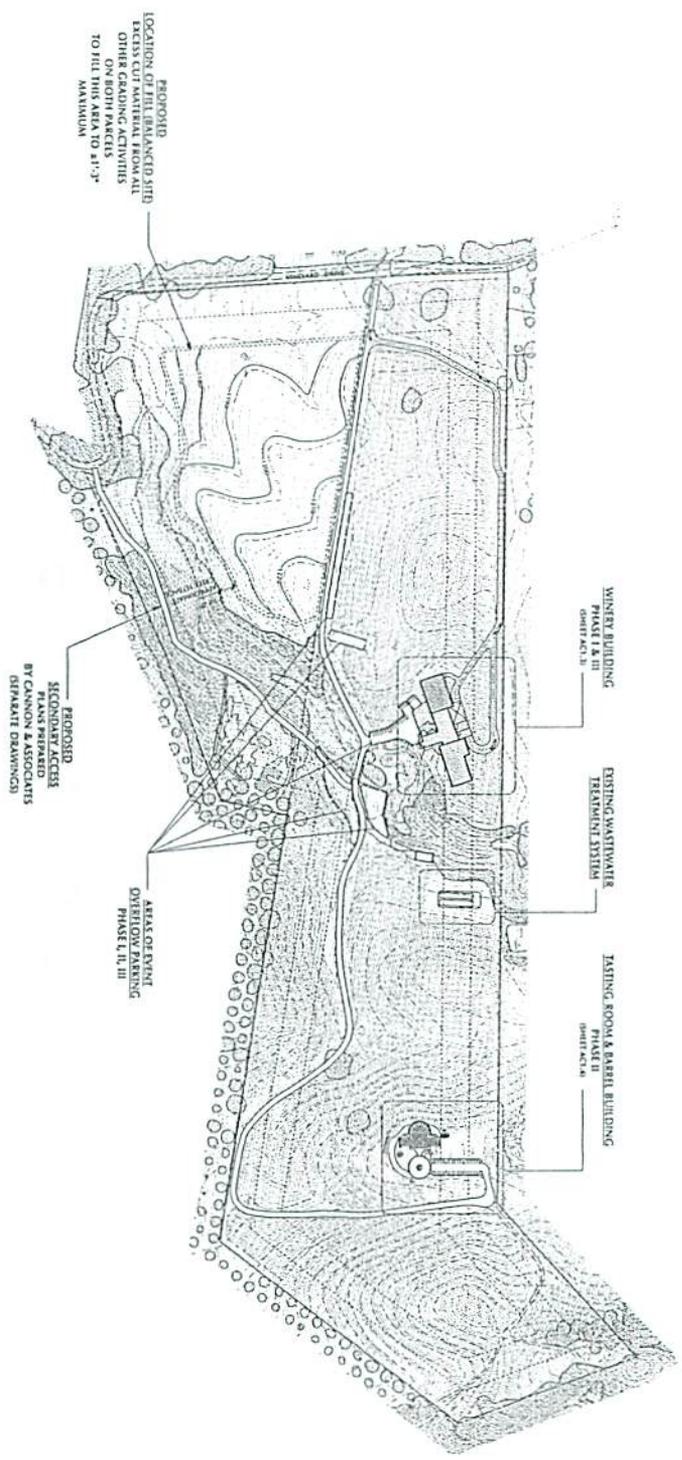
Transportation

- T-1. Prior to Phase I occupancy or final inspection, and in accordance with the OEG Traffic Engineering Report, the existing Opolo Winery monument sign located northerly along Vineyard Drive from the main project entrance shall be removed from the right-of-way.

Water

- W-1 At the time of application for construction permits, the applicant shall include LID design techniques to promote groundwater recharge (22.52:140). Techniques to mitigate the proposed impervious parking and building areas should be implemented.
- W-2 Landscaping plans shall preclude lawn/turf areas associated with the winery, minimize or avoid irrigated landscaping, and require all landscaped areas to be drip irrigated. This measure minimizes non-agricultural water use and helps to protect groundwater resources for agricultural production.
- W-3 At the time of application for construction permits, the applicant shall incorporate best management practices for water conservation purposes throughout winery facility.
- W-4 At the time of application for construction permits, the applicant shall maximize the use of pervious and semi-pervious areas in order to promote groundwater recharge, minimize erosion and sedimentation and protect farmland for agricultural use.

OVERALL SITE PLAN
1"=400'-0"



WINERY BUILDING
PHASE I, A, B
SHEET AC1.1

DISTILLING/WASTEWATER
TREATMENT SYSTEM

TASTING ROOM & BARREL BUILDING
PHASE II
SHEET AC1.4

PROPOSED
LOCATION OF FILL AND
EXCESS CUT MATERIAL FROM ALL
OTHER GRADING ACTIVITIES
TO FILL THIS AREA TO 4'-3"
MAINTAIN

PROPOSED
SECONDARY ACCESS
PLANS PREPARED
BY CANNON & ASSOCIATES
SEPARATE DRAWINGS

AREAS OF EVENT
OVERFLOW PARKING
PHASE I, II, III



DATE: 18 NOV 10
REVISED: 18 APR 11

PROJECT NO: 1528

AC1.1

PULLTS
Steven D. Pulls, AIA & Associates, LLP

Architectural, Planning & Civil
4100 Grand Avenue, Suite 200
San Jose, California 95128
408.433.4377
www.pullts.com

Project:
OPUS VINEYARDS
WINERY
EXPANSION
TASTING ROOM
BARREL BUILDING
THE BARNARD DRIVE
MARTINEZ, CALIFORNIA
CA 94548

Client:
NICK GUINN
C/O OPUS VINEYARDS
2801 TOWNSGATE ROAD,
MARTINEZ, CALIFORNIA
94553
(925) 226-8833

Drawn (Engineer):
OVERALL
SITE PLAN
(PHASE I, II, III)



PRELIMINARY SITE GRADING PLAN - ENTRY (PHASE III)



PRELIMINARY GRADING QUANTITIES
 AND FINISH ELEVATIONS
 PREPARED BY: 2114 GOLF PARK
 418 GOLF PARK
 NO IMPROVEMENTS BEYOND THE PROJECT AS SHOWN
 REFER TO ORIGINAL SURVEY PLANS FOR ALL LOCATIONS

DATE: 10/28/11
 DRAWN BY: JAW
 CHECKED BY: JAW
 PROJECT: WINERY EXPANSION
 SHEET: AC2.2



2801 TOWNSGATE ROAD
 WESTLAKE VILLAGE
 CA 91381
 (626) 228-9193

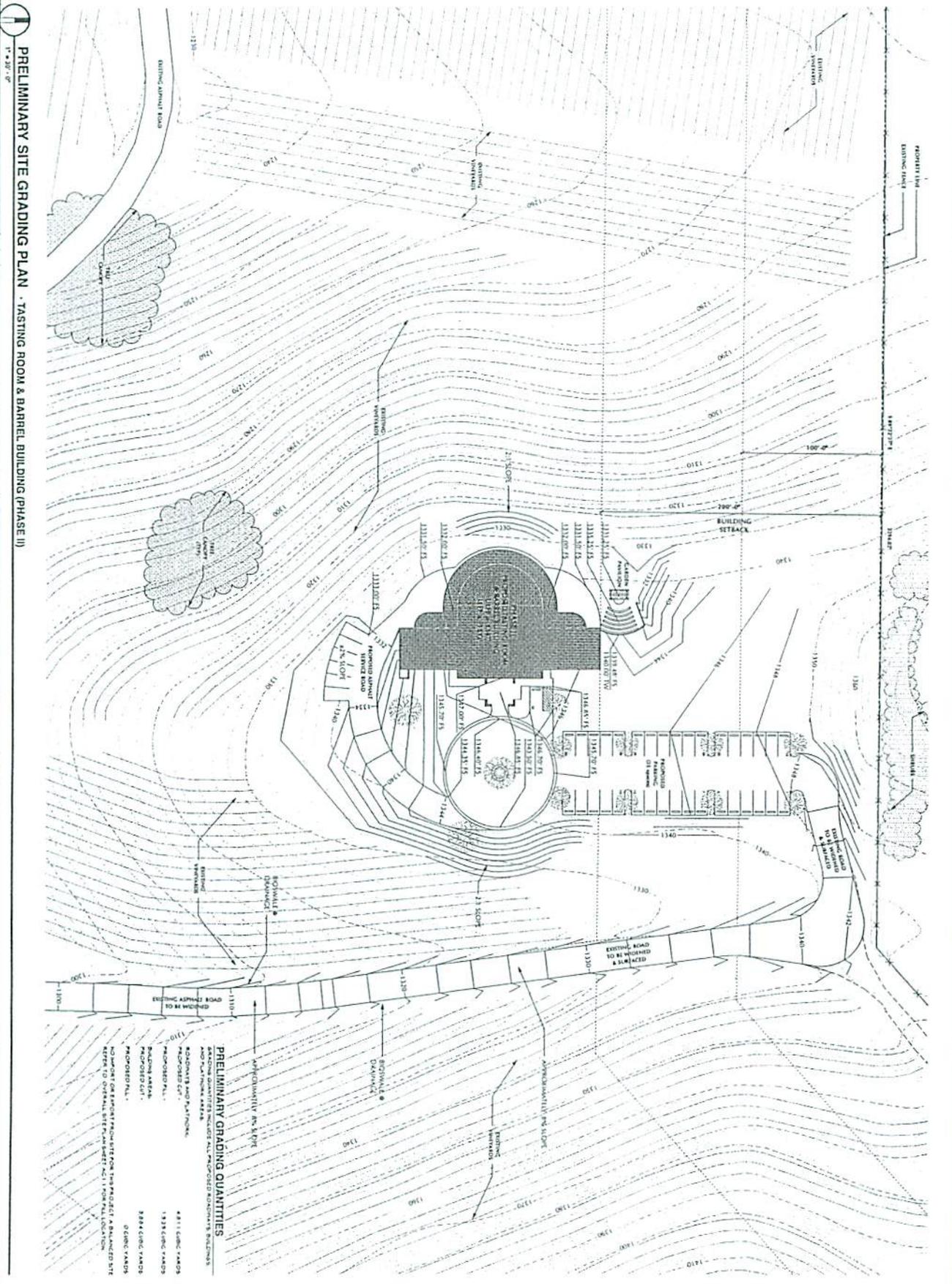
PRELIMINARY SITE GRADING PLAN - ENTRY (PHASE III)

OPOLO VINEYARDS
 WINERY EXPANSION
 TASTING ROOM
 BARREL BUILDING

3115 VINEYARD DRIVE
 FAO ROULETS
 SUITE 1000

STEVEN D. PULTS
 AIA & ASSOCIATES, LLP

PULTS
 Steven D. Pults, AIA & Associates, LLP



PRELIMINARY SITE GRADING PLAN - TASTING ROOM & BARREL BUILDING (PHASE II)
 1" = 30' @

PRELIMINARY GRADING QUANTITIES
 GRADING QUANTITIES INCLUDE ALL PROPOSED ROADS, BUILDINGS AND PLANTING AREAS.
 *811'S CIRC. YARDS
 1335 CIRC. YARDS
 2888 CIRC. YARDS
 2 CIRC. YARDS
 2 CIRC. YARDS
 NO NUMBER OF SPOTS FROM SITE FOR TRUCKS, TRACTORS & BARRELS AT SITE REFER TO OVERALL SITE PLAN SHEET AC2.1 FOR FULL LOCATION.



J&W CONSULTANTS
 PRELIMINARY SITE GRADING
 BARREL BUILDING PHASE II
 2801 TOWNSGATE ROAD
 #113
 WESTLAKE
 CA 91361
 (818) 238-5533

NICK GUINN
 CO-ORDINATOR
 2801 TOWNSGATE ROAD
 #113
 WESTLAKE
 CA 91361
 (818) 238-5533

OPLO VINYARDS
 WINERY
 EXPANSION
 TASTING ROOM
 BARREL BUILDING
 1715 HUNTERS GATE
 PASO ROBLES
 CA 93446

Architect: Williams & Oschler
 4600 Street View Lane, Suite 102
 Los Angeles, CA 90044
 (310) 441-1111
 www.williams-oschler.com

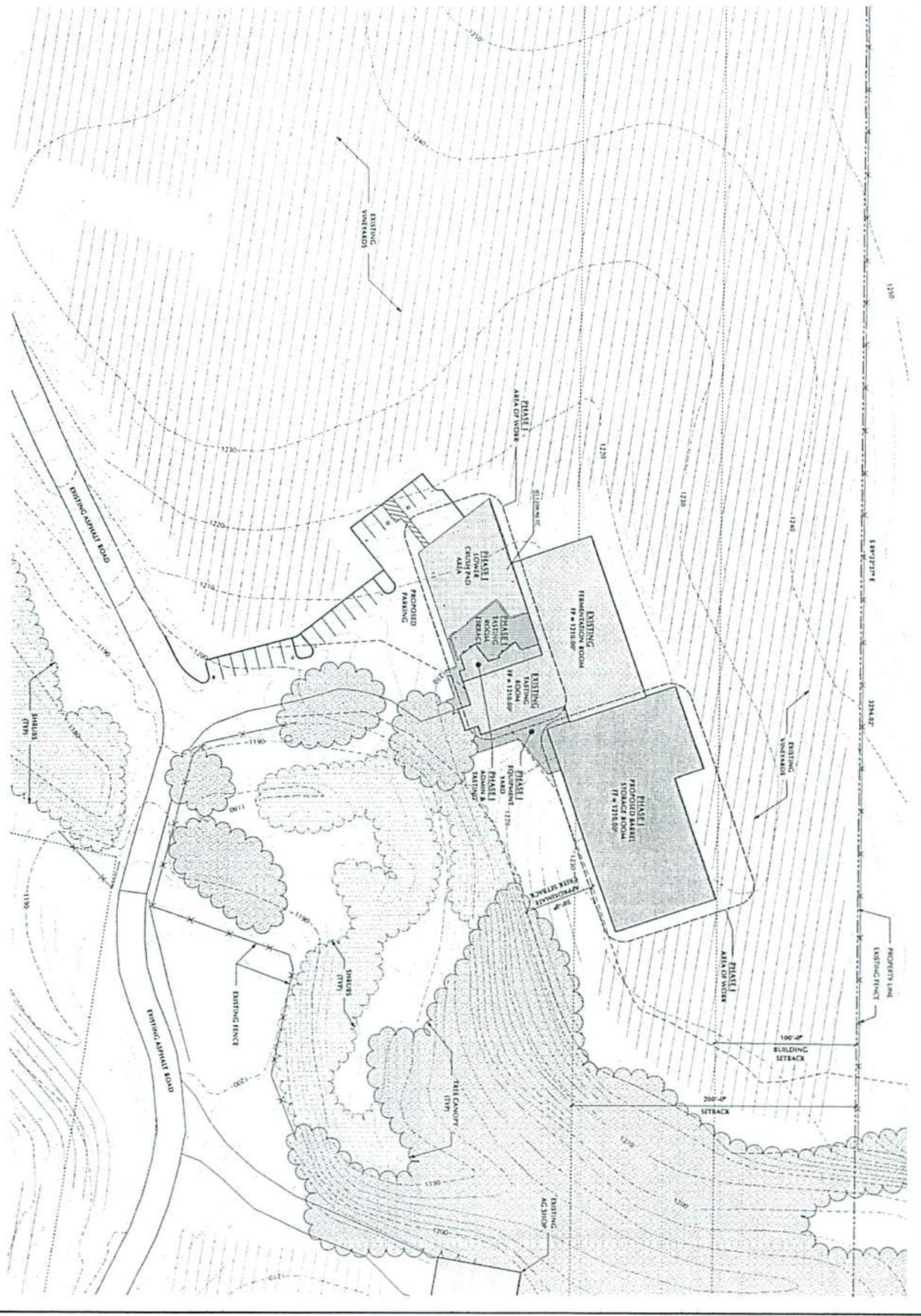
PULLS
 Steven D. Pulls, AIA & Associates, LLP

J&W CONSULTANTS
 PRELIMINARY SITE GRADING
 BARREL BUILDING PHASE II
 2801 TOWNSGATE ROAD
 #113
 WESTLAKE
 CA 91361
 (818) 238-5533

PHASE I



SCHEMATIC ENLARGED SITE PLAN - WINERY (PHASE I)



20

WINERY BUILDING AC1.3

1528

18 NOV 10

18 APR 11



2801 TOWNGATE ROAD
WESTLAKE, CALIFORNIA 91381
(818) 238-5933

STEVEN D. PULLS
REGISTERED PROFESSIONAL ENGINEER
NO. 45111

RICK QUINN
C/O OPOLO VINEYARDS

OPOLO VINEYARDS
WINERY EXPANSION
TASTING ROOM
BARREL BUILDING

1715 WINEHARBOR DRIVE
PASO ROBLES, CALIFORNIA 94601

STEVEN D. PULLS
REGISTERED PROFESSIONAL ENGINEER
NO. 45111

STEVEN D. PULLS, AIA & ASSOCIATES, LLP

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(707) 766-1111

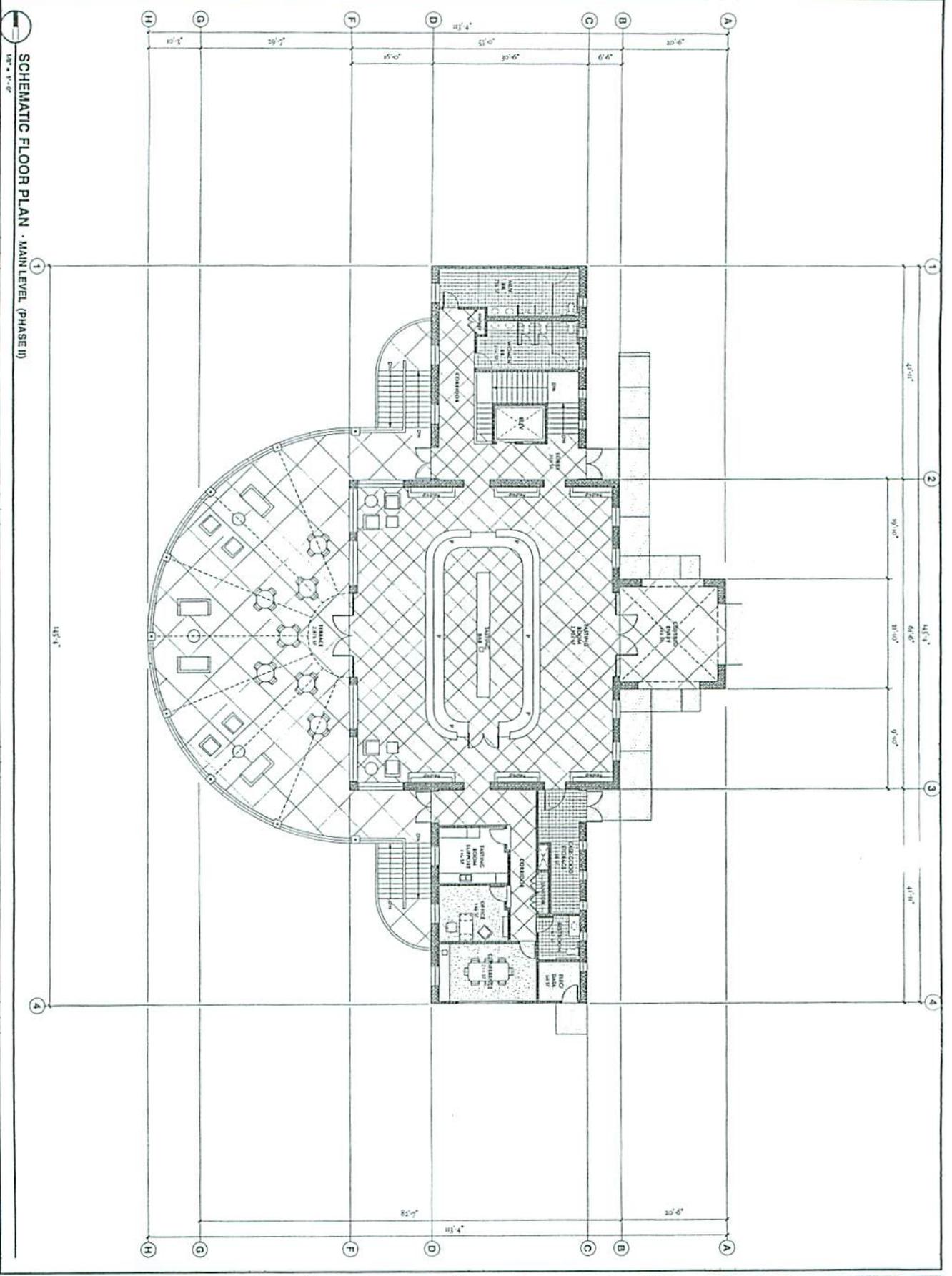
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PASO ROBLES, CALIFORNIA 94601
(707) 766-1111

PHASE II



1:25 = 1" = 1'-0"

SCHEMATIC FLOOR PLAN - MAIN LEVEL (PHASE II)

DATE: 10/28/10

PROJECT: WINE TASTING ROOM & BARREL ROOM

NO. 1023

DATE: 10/28/10

BY: [Signature]

18.0000.11



SCHEMATIC FLOOR PLAN - MAIN LEVEL (PHASE II)

DATE: 10/28/10

PROJECT: WINE TASTING ROOM & BARREL ROOM

NO. 1023

DATE: 10/28/10

BY: [Signature]

18.0000.11

OPFOLD VINEYARDS

WINE TASTING ROOM & BARREL ROOM

2715 VINEYARD DRIVE
P.O. BOX 188
CALIFORNIA, CA 95608

OPFOLD VINEYARDS

WINE TASTING ROOM & BARREL ROOM

2715 VINEYARD DRIVE
P.O. BOX 188
CALIFORNIA, CA 95608

OPFOLD VINEYARDS

WINE TASTING ROOM & BARREL ROOM

2715 VINEYARD DRIVE
P.O. BOX 188
CALIFORNIA, CA 95608

OPFOLD VINEYARDS

WINE TASTING ROOM & BARREL ROOM

2715 VINEYARD DRIVE
P.O. BOX 188
CALIFORNIA, CA 95608

OPFOLD VINEYARDS

WINE TASTING ROOM & BARREL ROOM

2715 VINEYARD DRIVE
P.O. BOX 188
CALIFORNIA, CA 95608

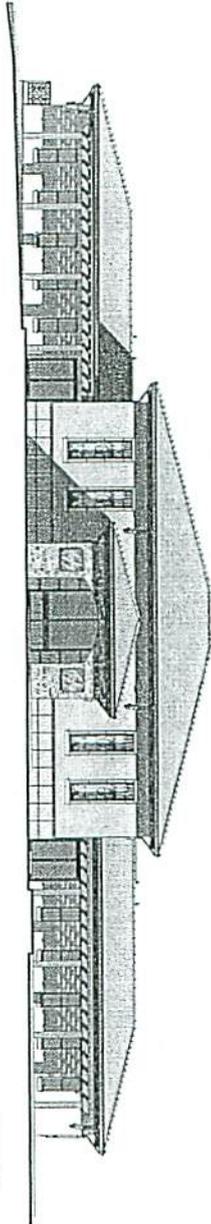
OPFOLD VINEYARDS

PULLTS
Steven D. Pulls, AIA & Associates, LLP

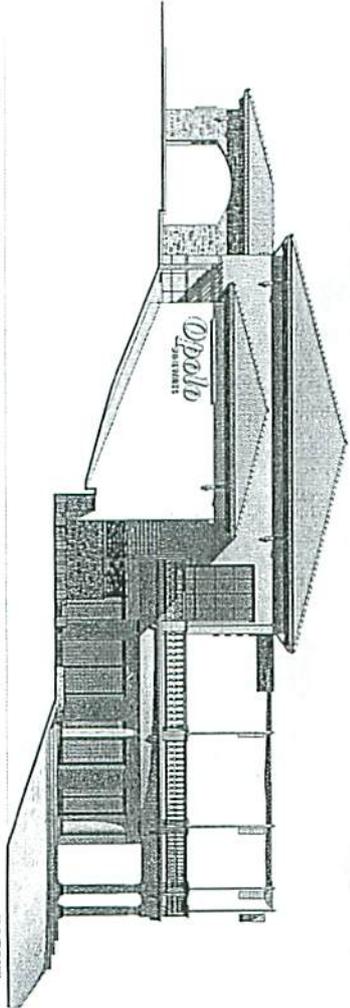
Architect, Planning & Construction
10000 Wilshire Blvd., Suite 1000
Los Angeles, California 90024
Tel: 310.206.1111
Fax: 310.206.1112
www.pullts.com

Professional Engineer License No. 65314
Professional Architect License No. 12512

Project Name: WINE TASTING ROOM & BARREL ROOM
Project Location: 2715 VINEYARD DRIVE, P.O. BOX 188, CALIFORNIA, CA 95608
Project No.: 1023
Phase: SCHEMATIC FLOOR PLAN - MAIN LEVEL (PHASE II)



FRONT
1/8" = 1'-0"



RIGHT
1/8" = 1'-0"



Architect, Planning & Graphics
10000 Wilshire Blvd., Suite 1000
Beverly Hills, California 90210
818/941-8844
www.pullts.com

OPOLO VINEYARDS
WINERY
EXPANSION
TASTING ROOM
&
BARREL
BUILDING
2710 VINEYARD DRIVE
PACIFIC PALMS, CA 92346

CLIENT
RICK GUNN
C/O OPOLO VINEYARDS
2801 TOWNSHATE ROAD
#112
WESTLAKE VILLAGE
CA 91381
(805) 228-5533

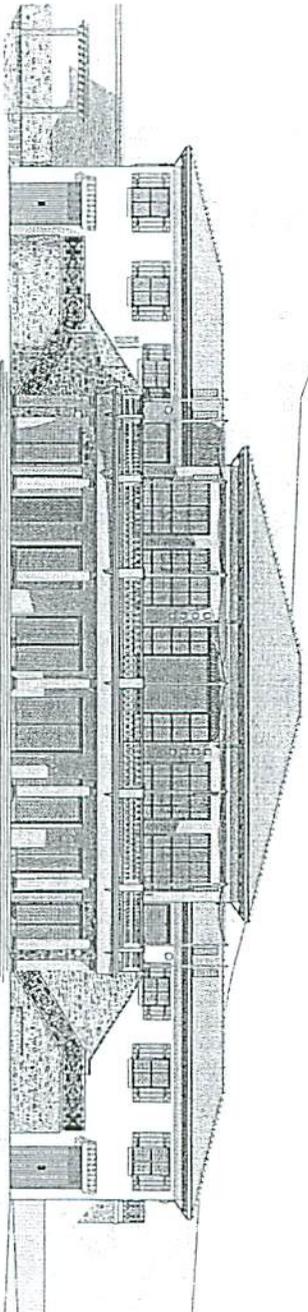
TEAM CONSULTANT
SCHEWATK
EXTERIORS
(PHASE II)



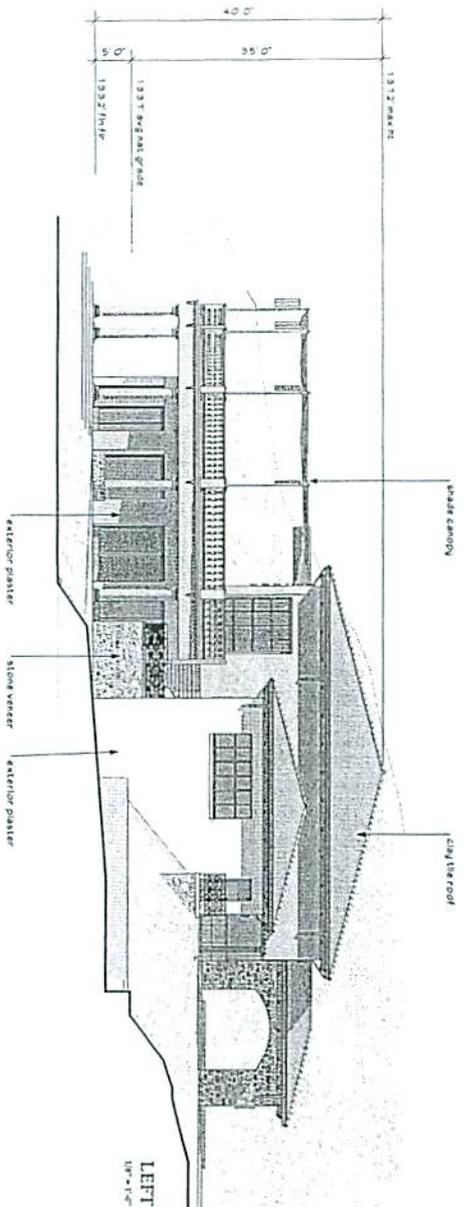
DATE: 11.04.10
REVISED:

JULY 10
1028

AH2.0



REAR
1/8" = 1'-0"



LEFT
1/8" = 1'-0"

PULLTS
Steven D. Pullts, AIA & Associates, LLP

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San Francisco, California 94107
415.774.1800
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OPOLO VINEYARDS
VINERY
EXPANSION
TASTING ROOM
&
BARREL
BUILDING
1115 VINEYARD DRIVE
PASO ROBLES,
CA 93288

Client
RICK DUNN
CO OPOLO VINEYARDS
2801 TOWNSHATE ROAD
AT 2
WESTLAKE
CA 91391
(805) 238-9993

3/14/12/2012
SCHEMATIC
EXTENSION
ELEVATIONS
(PHASE II)



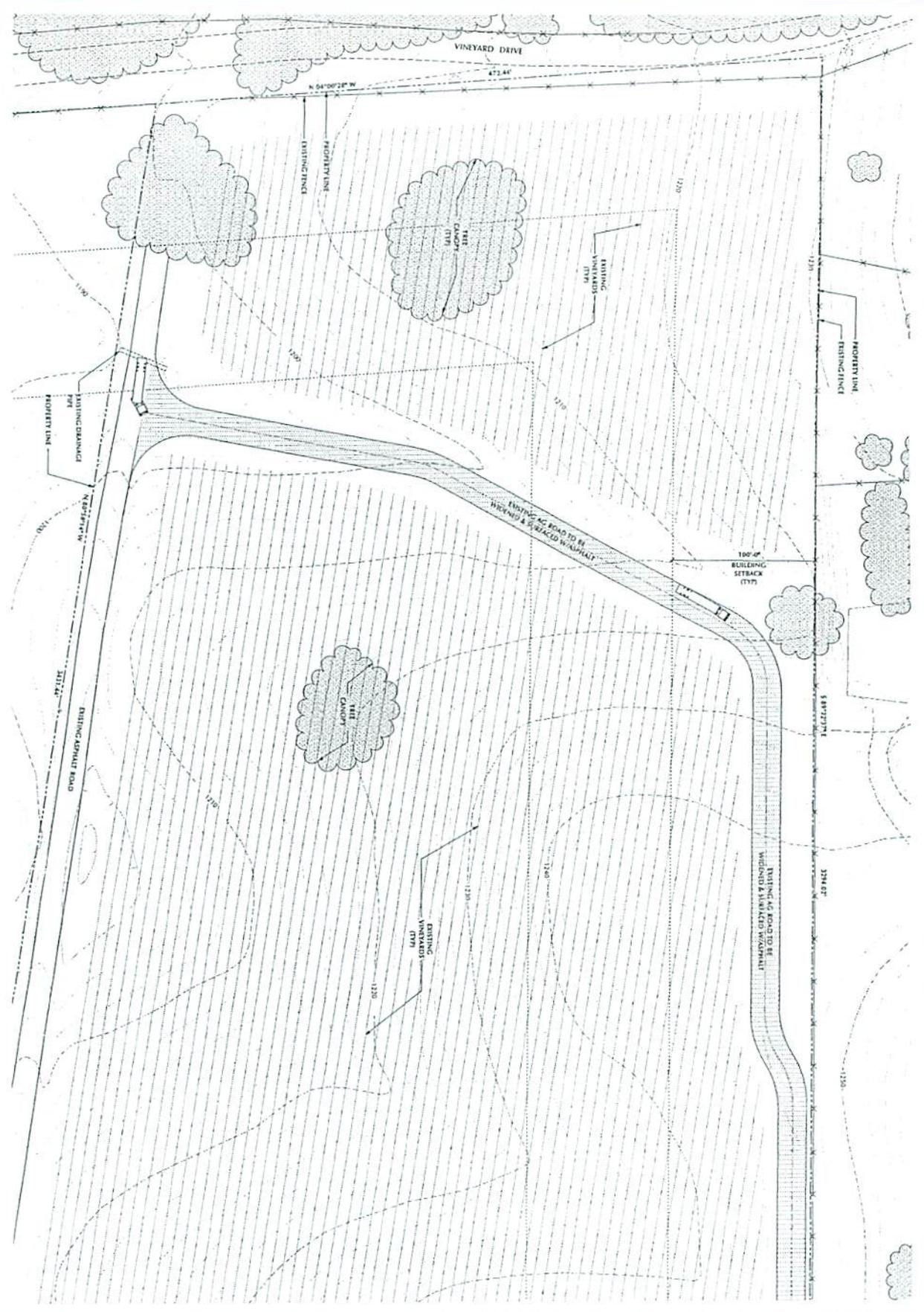
Date: 15 OCT 10
Revised:

File No: 1028
Sheet:

AH2.1

PHASE III

SCHEMATIC ENLARGED SITE PLAN - ENTRY (PHASE III)
 1" = 30' - 0"



123
 WINEY
 BUILDING
AC1.2

1233
 WINEY
 BUILDING

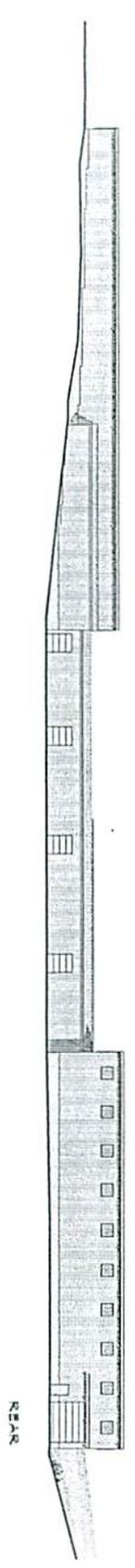
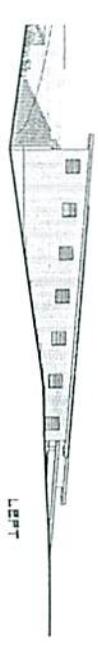
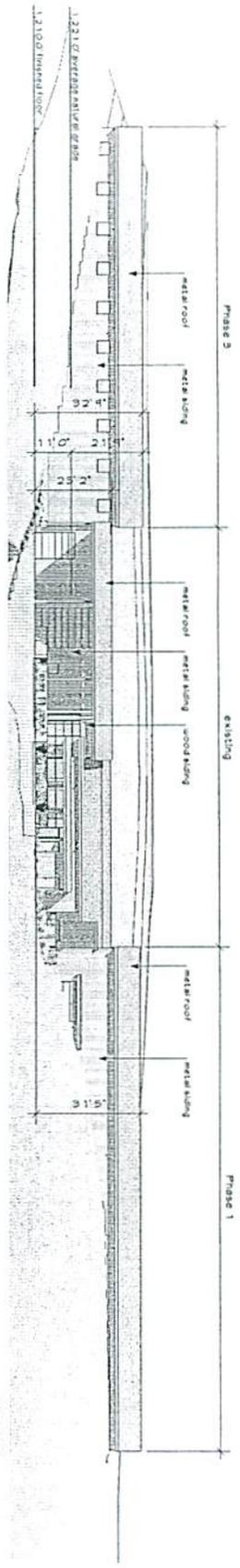
1233
 WINEY
 BUILDING

Date: 13 NOV 10
 Revised: 13 NOV 11



2801 TOWNSCAPE ROAD
 WESTLAKE
 CA 91361
 (805) 228-5593

PULLS
 Steven D. Pulls, AIA & Associates, LLP



PULLITS
Steven D. Pullits, AIA & Associates, LLP

WINERY
EXPANSION
TASTING ROOM
& BARREL
BUILDING

7115 VINEYARD DRIVE
PALO VERDE
CA 94546

RICK DINN
C/O OPELO
VINEYARDS

2881 TOWNGATE ROAD
WESTLAKE VILLAGE
CA 91381
(818) 228-8183

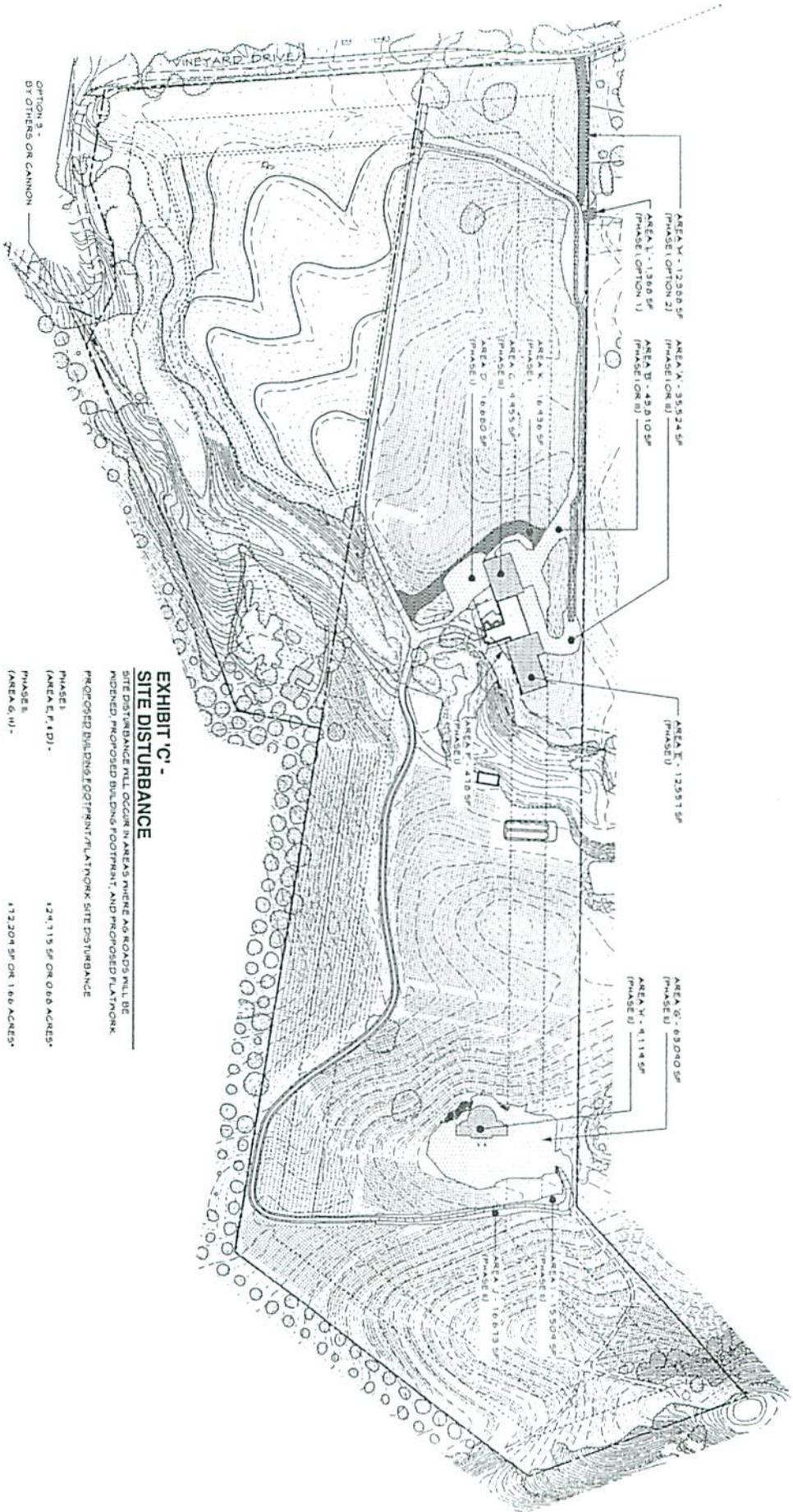


Date: 08/11/10
Project: WA-2

Scale: 1/8" = 1'-0"
Sheet: 1023

WA-2

OPOLO WINERY
SECONDARY/EMERGENCY ACCESS
OPTIONS 1, 2 and 3



**EXHIBIT 'C' -
SITE DISTURBANCE**

SITE DISTURBANCE WILL OCCUR IN AREAS WHERE AS ROADS WILL BE
WIDENED, PROPOSED BUILDING FOOTPRINT, AND PROPOSED FLATWORK
PROPOSED BUILDING FOOTPRINT FLATWORK SITE DISTURBANCE

PHASE I (AREA E, F, I, D) -	124,113 SF OR 0.66 ACRES*
PHASE II (AREA G, H) -	172,204 SF OR 1.66 ACRES*
PHASE III (AREA C) -	14,955 SF OR 0.23 ACRES*

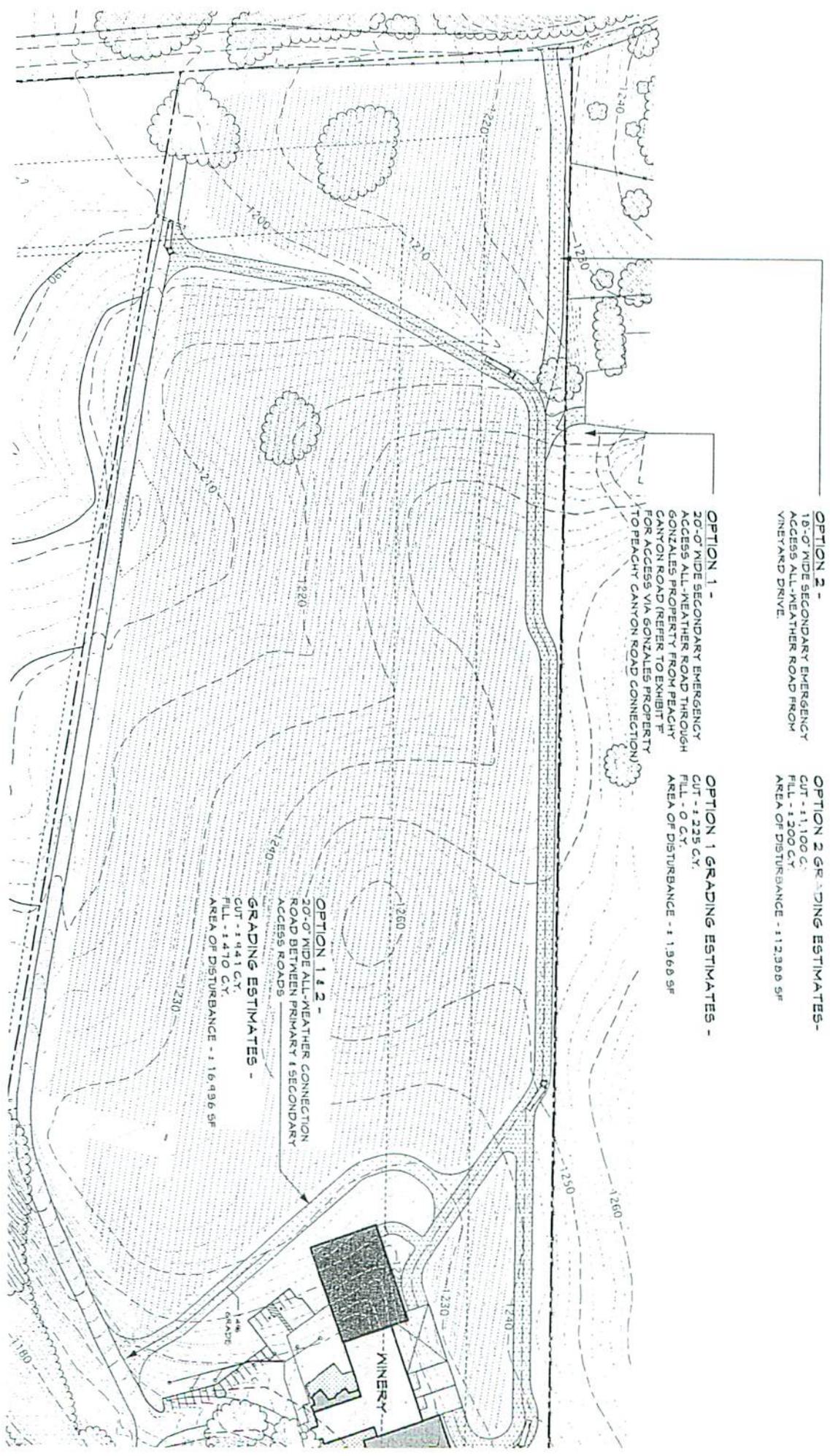
PROPOSED ACCESS SITE DISTURBANCE

WINEY ACCESS PHASE I OR II (AREA A, I, B) -	174,334 SF OR 1.62 ACRES*
PHASE I (AREA I, AND J) -	132,182 SF OR 0.74*

SECONDARY ACCESS OPTIONS ADDITIONAL SITE DISTURBANCE

PHASE I OPTION 1 (AREA L, K) -	116,304 SF OR 0.42 ACRES*
PHASE I OPTION 2 (AREA M, N) -	124,324 SF OR 0.67 ACRES*

* ADD A 20% CONTINGENCY TO TOTAL FOR CONSTRUCTION ACTIVITIES.



OPTION 2 -
 19'-0" WIDE SECONDARY EMERGENCY
 ACCESS ALL-WEATHER ROAD FROM
 VINTYARD DRIVE.

OPTION 2 GRADING ESTIMATES-
 CUT - : 1,100 C.Y.
 FILL - : 200 C.Y.
 AREA OF DISTURBANCE - : 12,388 SF

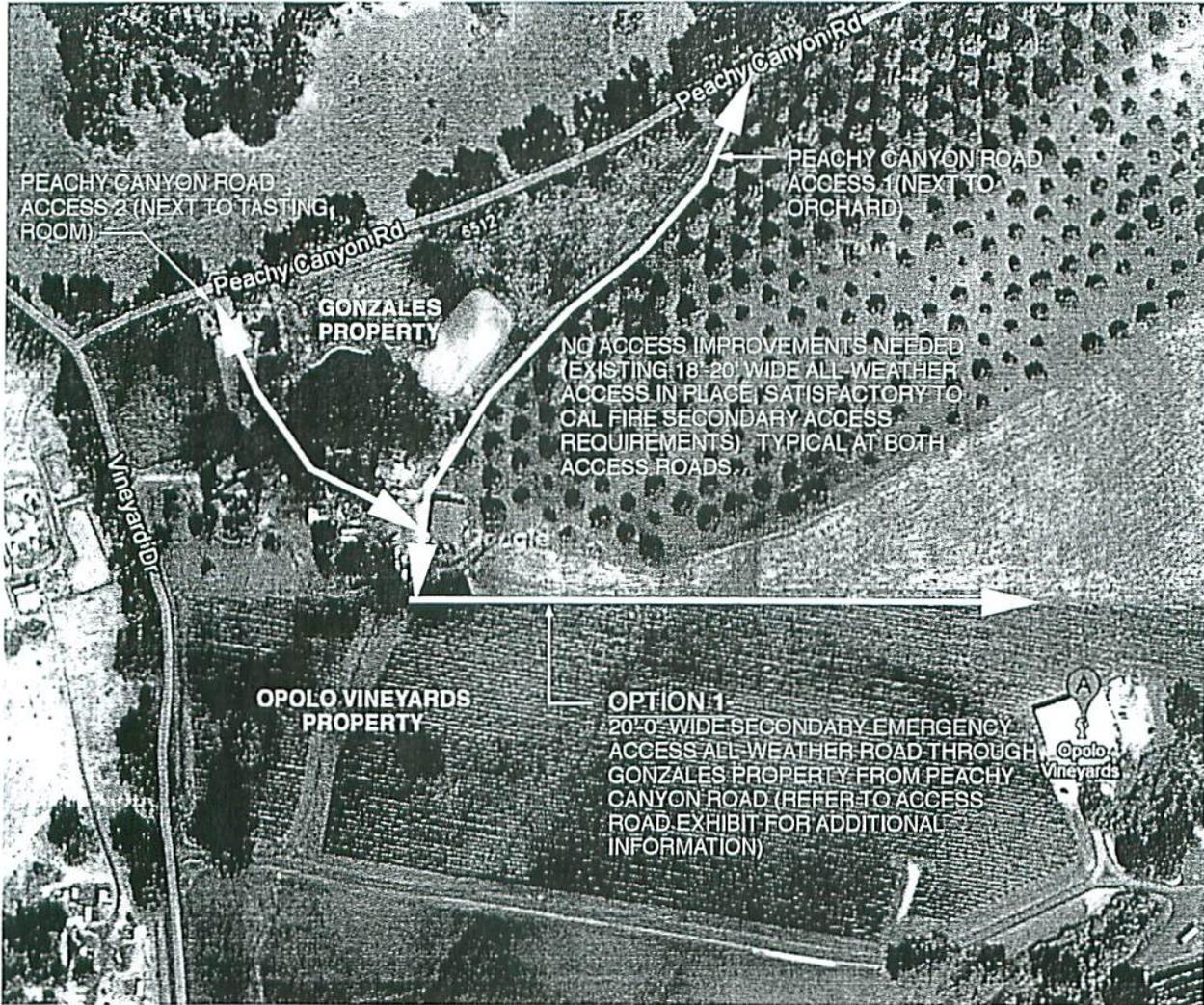
OPTION 1 -
 20'-0" WIDE SECONDARY EMERGENCY
 ACCESS ALL-WEATHER ROAD THROUGH
 GONZALES PROPERTY FROM PEACHY
 CANYON ROAD (REFER TO EXHIBIT F
 FOR ACCESS VIA GONZALES PROPERTY
 TO PEACHY CANYON ROAD CONNECTION)

OPTION 1 GRADING ESTIMATES -
 CUT - : 225 C.Y.
 FILL - 0 C.Y.
 AREA OF DISTURBANCE - : 1,968 SF

OPTION 1.2 -
 20'-0" WIDE ALL-WEATHER CONNECTION
 ROAD BETWEEN PRIMARY & SECONDARY
 ACCESS ROADS

GRADING ESTIMATES -
 CUT - : 441 C.Y.
 FILL - : 470 C.Y.
 AREA OF DISTURBANCE - : 16,496 SF

EXHIBIT 'E' -
EMERGENCY ACCESS ROAD



2 DEC 11

**EXHIBIT 'F' -
EMERGENCY ACCESS ROAD
THROUGH GONZALES
PROPERTY TO PEACHY
CANYON ROAD**

OPTION 3

OPOLO WINERY 20' WIDE SECONDARY ACCESS ROAD COUNTY OF SAN LUIS OBISPO, CALIFORNIA

CONSTRUCTION NOTES

1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. CONSTRUCTION SHALL BE LIMITED TO THE BOUNDARY LINES AND SHALL BE LIMITED TO THE BOUNDARY LINES AND SHALL BE LIMITED TO THE BOUNDARY LINES.
3. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
5. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
6. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
7. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
8. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
9. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
10. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

EROSION CONTROL NOTES

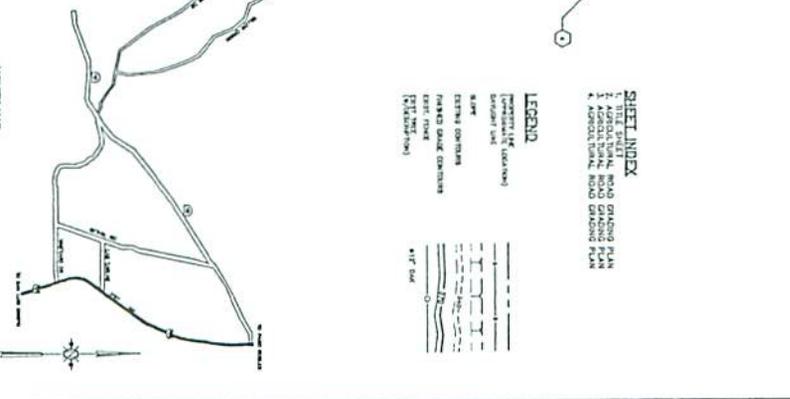
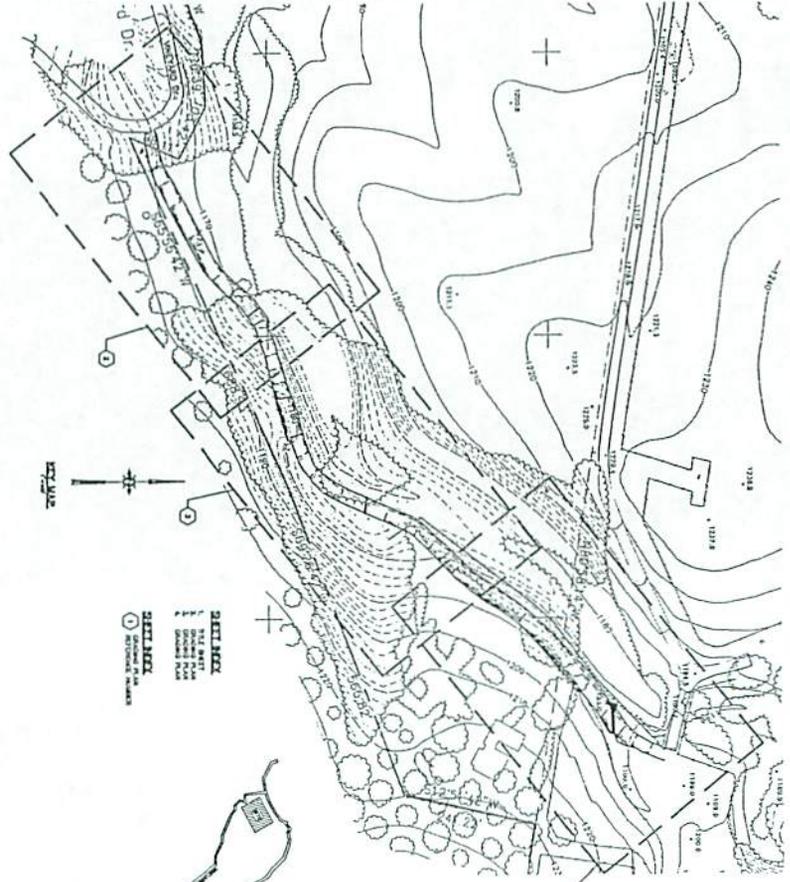
1. DURING CONSTRUCTION THE CONSTRUCTION AREA SHALL BE LIMITED TO THE BOUNDARY LINES AND SHALL BE LIMITED TO THE BOUNDARY LINES.
2. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
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7. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
8. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
9. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
10. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

ESTIMATED EARTHWORK QUANTITIES

ITEM	QUANTITY	UNIT
1. EXCAVATION	1000	CY
2. FILL	1000	CY
3. ASPHALT PAVEMENT	1000	SQ YD
4. GRAVEL	1000	CY
5. SAND	1000	CY
6. CONCRETE	1000	CY
7. BRICK	1000	SQ YD
8. ROOFING	1000	SQ YD
9. MECHANICAL	1000	SQ YD
10. ELECTRICAL	1000	SQ YD

GRADING NOTES

1. ALL GRADING SHALL BE DONE IN ACCORDANCE WITH THE GRADING PLAN AND THE GRADING NOTES.
2. ALL GRADING SHALL BE DONE IN ACCORDANCE WITH THE GRADING PLAN AND THE GRADING NOTES.
3. ALL GRADING SHALL BE DONE IN ACCORDANCE WITH THE GRADING PLAN AND THE GRADING NOTES.
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SHEET INDEX

1. AGRICULTURAL ROAD GRADING PLAN
2. AGRICULTURAL ROAD GRADING PLAN
3. AGRICULTURAL ROAD GRADING PLAN

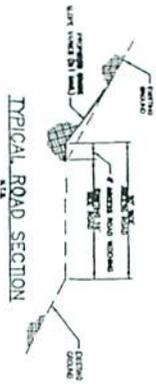
LEGEND

- EXISTING ROAD (DASHED LINE)
- PROPOSED ROAD (SOLID LINE)
- EXISTING BUILDING (HATCHED AREA)
- PROPOSED BUILDING (SOLID AREA)
- EXISTING UTILITY (DASHED LINE WITH CROSS-TICKS)
- PROPOSED UTILITY (SOLID LINE WITH CROSS-TICKS)
- EXISTING FENCE (DASHED LINE WITH SHORT DASHES)
- PROPOSED FENCE (SOLID LINE WITH SHORT DASHES)
- EXISTING TREE (CIRCLE WITH CROSS)
- PROPOSED TREE (CIRCLE WITH CROSS)
- EXISTING WATER FEATURE (WAVE DASHED LINE)
- PROPOSED WATER FEATURE (WAVE SOLID LINE)
- EXISTING EROSION CONTROL (HATCHED AREA)
- PROPOSED EROSION CONTROL (HATCHED AREA)

NO.	DESCRIPTION	DATE
1	PRELIMINARY PLAN	10/15/10
2	FINAL PLAN	11/15/10
3	AS BUILT	12/15/10

PROJECT NO.	10000
PROJECT NAME	OPOLO WINERY 20' WIDE SECONDARY ACCESS ROAD
CLIENT	OPOLO WINERY
DESIGNER	ATKINS CONSULTANTS
DATE	11/15/10
SCALE	AS SHOWN
PROJECT LOCATION	OPOLO WINERY, SAN LUIS OBISPO, CALIFORNIA
PROJECT NO.	10000
PROJECT NAME	OPOLO WINERY 20' WIDE SECONDARY ACCESS ROAD
CLIENT	OPOLO WINERY
DESIGNER	ATKINS CONSULTANTS
DATE	11/15/10
SCALE	AS SHOWN
PROJECT LOCATION	OPOLO WINERY, SAN LUIS OBISPO, CALIFORNIA

TYPICAL ROAD SECTION



SEE SHEET 3

<p>SHIMON INCORPORATED MISSISSAUGA, ONTARIO</p>	
<p>20' WIDE SECONDARY ACCESS RD. GRADING PLAN PROJECT NO. 165084 DATE: 10/25/05 DRAWN BY: [Name] CHECKED BY: [Name] SCALE: AS SHOWN</p>	
<p>NO. 165084 SHEET NO. 165084-01</p>	<p>DATE: 10/25/05 SCALE: AS SHOWN</p>

DATE: Revised January 31, 2012

**DEVELOPER'S STATEMENT FOR
QUINN CONDITIONAL USE PERMIT/DRC2004-00276**

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

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

Aesthetics

V-1 Upon application for construction permits for Phase II, the applicant shall submit a landscape plan to the County Department of Planning and Building for review and approval. The plans shall be developed and signed by a licensed landscape architect and shall show screen planting to include trees and shrubs for the purpose of screening the structures as seen from Vineyard Drive. Trees and shrubs within the screen planting area shall be maintained in perpetuity. Trees and shrubs within the screen planting area that die shall be replaced.

Monitoring: Compliance will be verified by the Department of Planning and Building.

V-2 Prior to issuance of construction permits for Phase II, the applicant shall submit a bond to the County of San Luis Obispo for an amount determined by the County to be sufficient to cover the estimated cost of planting and establishing the equivalent of the total number of trees and shrubs described in landscaping mitigation measures. The bond shall be held for a minimum of five years to ensure the successful establishment and maintenance of the mitigation planting.

Monitoring: Compliance will be verified by the Department of Planning and Building.

V-3 Prior to final inspection of Phase II, the approved landscape plan shall be implemented, and the applicant shall provide a letter to the San Luis Obispo County Department of Planning and Building for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the screen planting area. The monitoring contract shall include a requirement that the monitor conduct at a minimum an annual site visit and assessment of the planting success for five years. At the end of the five year monitoring period, the monitoring report shall be submitted to the San Luis Obispo County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- V-4 Prior to issuance of building permits for Phase II, the applicant shall submit architectural elevations to the County Department of Planning and Building for review and approval. The elevations shall show exterior finish materials and colors, as follows:
- a. Exterior wall colors shall be limited to dark muted earth-tones. Exterior colors shall be no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building.
 - b. Roof colors shall be limited to deep earth tones, dark muted greens, browns and grays and no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County Department of Planning and Building. Reds and orange hues shall not be used. If natural copper roofing is utilized, it shall be pre-patinaed in dark brown/green hues prior to installation. Samples shall be provided to County Planning for review and approval.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- V-5 Upon application for construction permits, the applicant shall submit a unified signage plan that defines consistent and harmonious architectural and siting standards throughout the development. The form, color and materials of sign structures should complement the architectural style of the development and reinforce the "rural-type" character of the Vineyard Drive corridor.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- V-6 Prior to issuance of building permits, the applicant shall submit an exterior lighting plan for review and approval by the Department of Planning and Building which includes the following:
- a. Direct views of all exterior lighting sources shall be shielded from view from Vineyard Drive.
 - b. Exterior lighting shall be designed to not focus illumination onto exterior walls nor the hillside or oak woodland areas adjacent to the buildings.
 - c. Any security lighting installed on the property shall be equipped with motion detectors to prevent the illumination from remaining on.
 - d. If access road lighting is proposed, the luminaires shall be a shielded "bollard-type" and shall be a maximum of 3 feet above the ground.

Monitoring: Compliance will be verified by the Department of Planning and Building.

Agriculture

- AG-1 **Prior to issuance of construction permits**, the applicant shall note on construction plans and **prior to final** provide evidence from the Agriculture Department that the following measures have been completed:
- a. Preclude lawn/turf areas associated with the winery, minimize or avoid irrigated landscaping, and require all landscaped areas to be drip irrigated. This measure minimizes non-agricultural water use and helps to protect groundwater resources for agricultural production.

- b. Incorporate best management practices for water conservation purposes throughout winery facility.
- c. Maximize the use of pervious and semi-pervious areas in order to promote groundwater recharge, minimize erosion and sedimentation and protect farmland for agricultural use.

Monitoring: Compliance will be verified by the Department of Planning and Building.

Air Quality

- AQ-1 **Prior to construction permit issuance**, in order to reduce greenhouse gas (GHG) emissions, the applicant has agreed to implement identified measures from the California Air Pollution Control Officer Association's (CAPCOA) January 2008 published document entitled "CEQA and Climate Change" or from other proven GHG measures for construction. The project shall incorporate measures into the project and shall show on all applicable plans. The document is available online at:
www.capcoa.org/wpcontent/uploads/downloads/2010/05/CAPCOA-White-Paper.pdf.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Air Pollution Control District.

- AQ-2 **Prior to issuance of grading permit**, the applicant shall contact the APCD and submit a geologic evaluation is conducted to determine if Naturally Occurring Asbestos (NOA), is present with the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site the applicant must comply with all the requirements outlined in the Asbestos ATCM.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Air Pollution Control District.

- AQ-3 As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application. For any questions regarding these requirements, Karen Brooks of APCD's Enforcement Division may be contacted (805/781-5912).

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Air Pollution Control District.

- AQ-4 **Prior to operation of the facility**, the applicant shall provide evidence they have contacted APCD on any proposed portable equipment requiring APCD or CARB registration, such as: 50-hp portable generators, IC engines, unconfined abrasive

blasting operations, concrete batch plants, rock and pavement crushing, tub grinders, trammel screens, etc. Should any of these types of equipment be used during construction activities California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit may be required.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Air Pollution Control District.

AQ-5 Prior to issuance of construction permits for Phase I expansion, submit evidence of APCD permit for expanded production from 50,000 to 75,000 case per year production.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Air Pollution Control District.

AQ-6 Upon application for construction permits for the wastewater treatment system and wine processing facility, the applicant shall submit plans incorporating the use of methods to minimize the creation of objectionable odors, which can occur due to anaerobic processes that mix with ambient air upon discharge of wastewater and handling of grape skins.

- a. New wineries or expanding wineries with the capacity of 26,000 gallons per year or more require a Permit to Operate for fermentation and storage of wine;
- b. Portable generators and equipment with engines that are 50 hp or greater.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Air Pollution Control District.

AQ-7 Prior to any agricultural burning, agricultural operations must obtain an APCD Agricultural Burn Permit to burn dry agricultural vegetation on Permissive Burn Days. The ARB provides educational handbooks on agricultural burning (English and Spanish) to growers which are available at the following websites:
www.arb.ca.gov/cap/handbooks/handbooks.htm

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Air Pollution Control District.

AQ-8 Prior to commencement of construction activities, the applicant shall notify the APCD, by letter and submit a copy to the Department of Planning and Building, that the above air quality mitigation measures have been applied.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Air Pollution Control District.

Biological

Note: The project includes three options for secondary access. Option 3. includes development of a new access road through the southern 68 acre parcel along Summitt Creek to create a second access off of Vineyard Drive.

- B-1 At the time of application for grading permits for development of Option 3 secondary access, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all *oak* trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. No more than 8 oak trees having a five inch diameter or larger at four feet from the ground shall be removed as a result of the development of the project, and no more than 36 trees shall be impacted, but not removed, as a result of the development of the project (as shown on the attached exhibit). Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).
- B-2 These newly trees shall be planted and maintained until successfully established. This shall include:
- a) Protection from animals (e.g., deer, rodents), which shall include tree shelters, as well as installation of a staked (using T-posts) enclosure (welded wire cattle panels [54" tall] or equivalent) that provide at least a 4-foot diameter of protected area per tree) for above-ground, and wire mesh baskets used below ground (at least 2-foot diameter and 2 feet deep);
 - b) Regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant;
 - c) Adequate temporary watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period.
 - d) Wherever possible, planting during the warmest, driest months (June through September) shall be avoided.
 - e) Standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- B-3 Prior to final inspection, and after the trees have been planted, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- B-4 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the

submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- B-5 To protect sensitive bird species and those species protected by the Migratory Bird Treaty Act and/or the Fish and Game Code, the Applicant should avoid vegetation clearing and earth disturbance during the typical nesting season (February 15 -August 31). If avoiding construction during this season is not feasible, a qualified biologist shall survey the area one week prior to activity beginning on the site. If nesting birds are located, they shall be avoided until they have successfully fledged. A buffer zone of 50 feet will be placed around all non-sensitive bird species, a 500-foot buffer zone for raptors, and all activity will remain outside of that buffer until the applicant's biologist has determined that the young have fledged. If special status bird species are located, no work will begin until an appropriate buffer is determined by consultation with the County, the local California Department of Fish and Game biologist, and/or the U. S. Fish and Wildlife Service.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- B-6 Construction should be limited to the typical dry season (April 15 to October 15) in order to avoid indirect impacts (erosion, sedimentation) to Summit Creek, the drainage (swale 2), and swale 1. If work must occur during the rainy season, the Applicant shall install adequate erosion and sedimentation controls to prevent any sediment-laden runoff from entering the creek, swale or drainage. Erosion control measures shall be installed in the following areas:
- a. During construction of the tasting and barrel room, erosion and sediment control will be installed outside the limits of disturbance in order to prevent sediment from entering the man-made ditch and Summit Creek.
 - b. During expansion of the tasting room and processing facility, erosion and sediment control will be installed outside the limits of disturbance in order to prevent sediment from Summit Creek.
 - c. During improvements to existing maintenance roads, erosion and sediment control will be installed outside the limits of disturbance in order to prevent sediment from entering the swale, drainage, and Summit Creek.
 - d. During widening of the existing access road for emergency purposes, erosion and sedimentation controls shall be installed to prevent erosion and sedimentation from entering Summit Creek.

- e. All disturbed areas should be re-established with a native seed mix appropriate to the area or landscaping.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- B-7 Avoidance of flowing water protection measure. During construction and general property maintenance, all employees shall not drive through areas with flowing water in order to prevent erosion and sediment from entering water courses which could potentially impact sensitive species if present on the property. If crossing water cannot be avoided, timber mats or other materials to avoid creating sedimentation will be installed and utilized until the area has dried and no further threat of sedimentation is present.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- B-8 To prevent damage to the swales and prevent erosion and/or sediment from entering Summit Creek, the proposed road placement adjacent to the existing vines should be placed as close as possible to the vines in order to avoid direct impacts to the swales.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- B-9 Coast range newt and Pacific pond turtle protection measure: At the time of application for grading permits for development of Option 3 secondary access, a qualified biologist will survey the project area (e.g., access road and riparian corridor) adjacent to Summit Creek a minimum of 48 hours before the onset of construction activities. If any life stages of turtles or newts are found within the proposed work area, the California Department of Fish and Game will be contacted for guidance as to how to proceed. If southern Pacific pond turtles or newts are discovered, they shall be moved out of the way into appropriate habitat (i.e., ponded area.)

- a. A qualified biologist shall be present during any clearing or grading work in the project area. In addition, the biologist shall relocate any newts or turtles, found during clearing and grading.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- B-10 California red-legged frog protection measure. At the time of application for grading permits for development of Option 3 secondary access, the following measures shall be implemented in order to avoid and/or reduce the potential for impacts to California red-legged frogs.

- a. Prior to issuance of permits or prior to development of Option 3. Secondary Access, the applicant shall provide evidence to the County that a formal consultation with the U.S. Fish and Wildlife Service has been completed. For any work associated with the capture, handling, or monitoring of California red-legged frogs, only a U.S. Fish and Wildlife Service approved biologist shall be used. The applicant shall adhere to any recommendations from the U.S. Fish and Wildlife Service in order to ensure the protection of California red-legged frogs.

- b. Work activities shall be completed in the dry season (April 15 to October 15) in order to minimize potential impacts to California red-legged frogs.
- c. A qualified biologist will perform two surveys occurring the night before and morning of construction. If any life stage of California red-legged frog is observed within the proposed work area, the United States Fish and Wildlife Service (USFWS) will be contacted for guidance as to how to proceed. No work shall occur until approved by the County and the USFWS.
- d. A qualified biologist shall be present during any clearing or grading work in the project area. The biologist or their designee shall check under any equipment and stored construction supplies left in the work area overnight prior to the start of construction each day.
- e. Erosion and sedimentation controls as described above shall be implemented in order to prevent impacts to suitable habitat for California red-legged frog.
- f. All refueling and maintenance shall occur at least 100 feet away from drainage features and Summit Creek. If this refueling is not feasible, the

Monitoring: Compliance will be verified by the Department of Planning and Building.

- B-11 The proposed Option 3 secondary access could result in direct impacts to silvery legless lizard if present in the oak woodland if present during construction activities. Likewise, elevated noise levels, increased traffic and human activity, and construction-related disturbance associated with implementation of the proposed project could result in indirect impacts to this species. At the time of application for grading permits for development of Option 3 secondary access, the following actions shall occur:
- a. A qualified biologist shall conduct a pre-construction survey 14 days prior to the onset of construction activities within all potentially impacted areas of suitable habitat for silvery legless lizard within the project area. The surveys shall include raking of duff, leaf litter for legless lizards. If this species is not detected, construction activities may commence.
 - b. If silvery legless lizards are observed during pre-construction surveys, the biologist shall relocate the animals to an acceptable location on the property but well outside of the area of disturbance.
 - c. A qualified biologist shall be present during any clearing or grading work. The biologist shall relocate any silvery legless lizards found during clearing and grading.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- B-12 A qualified biologist shall survey the area for purple martins one week prior to activities beginning on the site if construction is slated to occur during the typical nesting season (February 15 -August 31). If purple martins are noted as nesting within the survey area on the parcels during construction activities, any work that could disturb or affect the birds will be ceased until the Applicant can coordinate with the County of San Luis Obispo and the California Department of Fish and Game.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- B-13 At the time of application for grading permits for development of Option 3 secondary access, the proposed grading plans shall avoid the northern side of the riparian corridor adjacent to Summit Creek in order to prevent impacts to the sensitive plant and wildlife species identified and potentially occurring within this area. In addition, if it is deemed necessary that vegetation trimming is needed; all specimens of the sensitive native walnut trees will be flagged for avoidance.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- B-14 Monterey dusky footed wood rat protection measure. At the time of application for grading permits for development of Option 3 secondary access, a qualified biologist shall survey the proposed project (widening of access road for emergency purposes) corridor prior to construction in order to avoid impacts to dusky footed wood rat breeding season (February to November), or if evidence of a nest is found, the nest and surrounding trees shall be avoided until the young are weaned (typically three weeks after birth). In addition, if it is deemed necessary that vegetation trimming is needed; nests and a buffer of 50 feet shall be maintained.

Monitoring: Compliance will be verified by the Department of Planning and Building.

Cultural Resources

- CR-1 **Cultural Resources - Environmentally Sensitive Area.** At the time of application for construction permits, the applicant shall delineate the archaeological site(s) as Environmentally Sensitive Area(s) on the project plans, as shown on the attached exhibit. All new development (e.g. winery, access roads, and utility trenches, etc.) will be located outside of the delineated area(s). Environmentally sensitive areas that are within fifty feet of construction or grading activities will be marked for protection (e.g., with flagging) and the limits of the sensitive area fenced prior to any grading.

Monitoring: Compliance will be verified by the Department of Planning and Building.

- CR-2 **Cultural Resources - Monitoring Plan.** Prior to issuance of construction permits, the Applicant shall submit a monitoring plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved monitoring plan. The monitoring plan shall include at a minimum:

- a. List of personnel involved in the monitoring activities;
- b. Inclusion of involvement of the Native American community, as appropriate;
- c. Description of how the monitoring shall occur;
- d. Description of frequency of monitoring (e.g., full-time, part time, spot checking);
- e. Description of what resources are expected to be encountered;
- f. Description of circumstances that would result in the halting of work at the project site (e.g., What is considered "significant" archaeological resources?);

- g. Description of procedures for halting work on the site and notification procedures;
and
- h. Description of monitoring reporting procedures.

Monitoring: Compliance will be verified by the Department of Planning and Building.

CR-3 **Cultural Resource – Construction Monitoring.** During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist approved by the Environmental Coordinator to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

Monitoring: Compliance will be verified by the Department of Planning and Building.

CR-4 **Cultural Resource Monitoring – Completion Report.** Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.

Monitoring: Compliance will be verified by the Department of Planning and Building.

Noise

- N-1 Outdoor amplified sound levels shall average 70 dBA and shall not exceed 90 dBA at the position seven feet in front of the speakers.
- N-2 Special events with up to 250 attendee are limited to the existing winery (Phase I) location.
- N-3 Special events at the upper winery location (Phase II) are limited to 150 attendees.

Monitoring: Compliance will be verified by the Department of Planning and Building.

Transportation

- T-1. Prior to Phase I occupancy or final inspection, and in accordance with the OEG Traffic Engineering Report, the existing Opolo Winery monument sign located northerly along Vineyard Drive from the main project entrance shall be removed from the right-of-way

Monitoring: Compliance will be verified by the Department of Public Works.



SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us

MEMORANDUM

Date: December 19, 2011 (revised)
August 23, 2011
August 9, 2011
February 16, 2011

To: Karen Nall, North County Team

From: Glenn Marshall, Development Services Manager *GM*

Subject: Public Works New Project Referral for DRC2004-00276-Quinn Conditional Use Permit for phased construction including an addition to an existing winery, new barrel storage rooms, and a new building with tasting room. Vineyard Drive, Paso Robles, APN 035-051-020

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Public Works Comments:

- A. The collision history on Vineyard Dr between SR 46 and Peachy Cyn is not above the County's average; therefore no RSA is required per Resolution 2008-152.
- B. The proposed public serving project site is located within 1-mile from a collector or arterial (22.30.070D2a).
- C. The project meets the applicability criteria outlined in Title 22.10.155 or Title 23.04.450 for Stormwater Management; therefore, the project may be subject to the NPDES General Permit Attachment 4 Design Standards. A condition to include the applicants BMPs into the project design is being recommended.
- D. The proposed project is within the **Templeton Road Improvement Fee Area B** and future building permits are subject to payment of road Improvement Fees.
- E. It is recommended that the proposed project be designed to promote groundwater recharge (22.52.140) by application of LID design. Techniques to mitigate the proposed impervious parking and building areas should be implemented.
- F. Drainage plan is required and it will be reviewed at the time of Building Permit submittal. The applicant should review Chapter 22.52 of the Land Use Ordinance prior to plan submittal.
- G. Public Works has reviewed the OEG Traffic Report dated June 9, 2011; the resubmittal dated Dec 12, 2011, and have modified our below recommended conditions of approval.

Draft Recommended Project Conditions of Approval:

Roads

1. **Prior to Phase I occupancy or final inspection**, the existing primary Vineyard Drive driveway approach shall be reconstructed in accordance with County Public Improvement Standard B-1e, and all existing private improvements within the right of way (e.g. existing decorative wall, signs, fences, etc) shall either be removed or legalized at the discretion of the Public Works Department

with issuance of a conditional encroachment permit. All work within the County right-of-way shall require an encroachment permit.

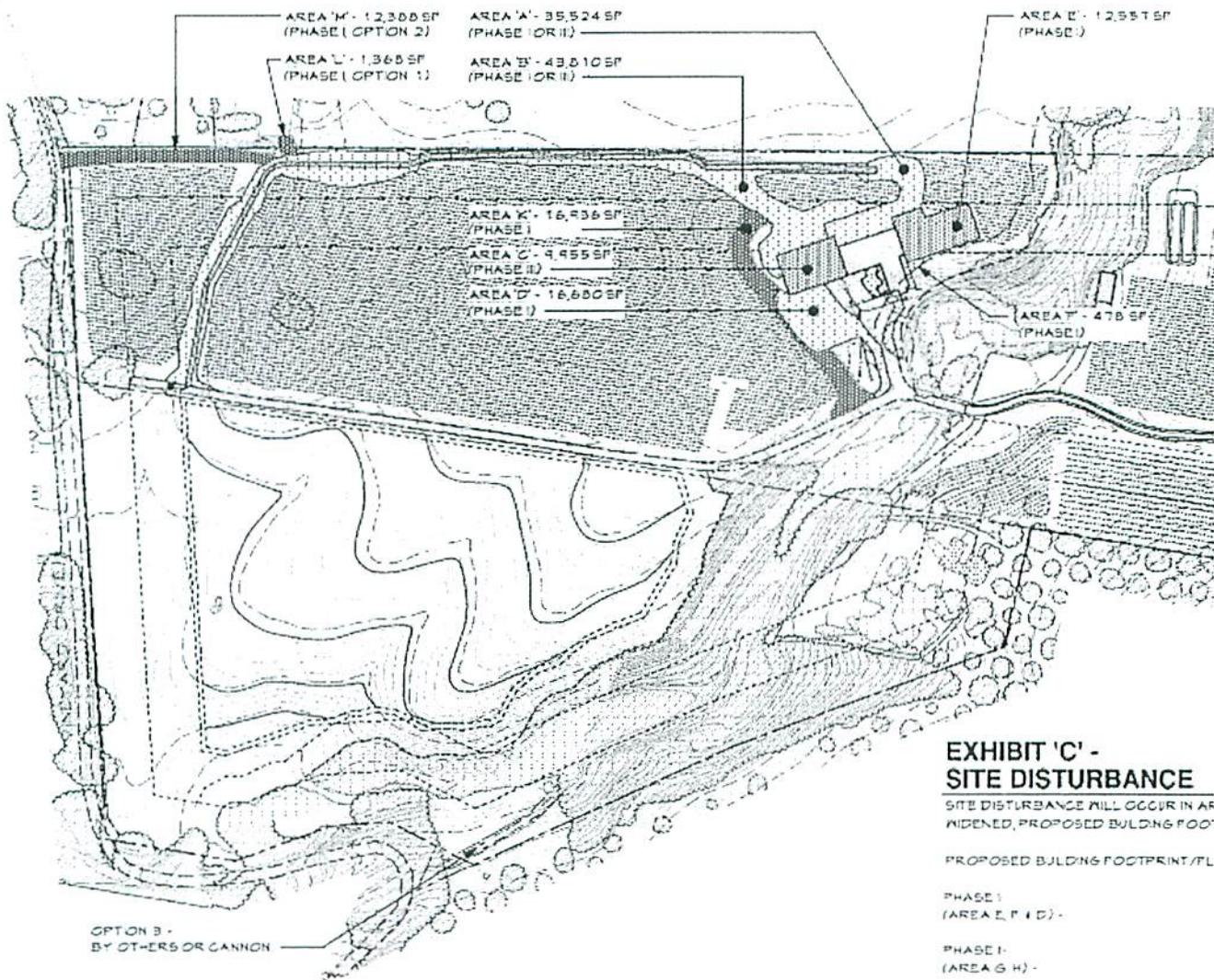
2. **Prior to Phase I occupancy or final inspection**, a secondary driveway approach shall be constructed in one of the four optional locations (Options 1A, 1B, 2 or 3) evaluated in the Orosz Engineering Group report entitled *Opolo Winery Emergency Access Location Evaluation*, dated December 12, 2011, and in accordance with the County Public Improvement Standards for rural driveways and sight distance. Options 2 and 3 shall also require that a gate be installed in accordance with Cal Fire requirements; and that it remain normally closed and locked; and that access be restricted to emergencies or when required to be available for site egress by Cal Fire. All work within the County right-of-way shall require an encroachment permit.
3. **Prior to Phase I occupancy or final inspection**, and in accordance with the OEG Traffic Engineering Report, the existing Opolo Winery monument sign located northerly along Vineyard Drive from the main project entrance shall be removed from the right-of-way
4. **Prior to Phase I occupancy or final inspection**, the existing primary Vineyard Drive driveway approach gate shall be a relocated minimum of 75-feet from the nearest edge of traveled way of Vineyard Drive.
5. **On-going condition of approval (valid for the life of the project)**, in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way, including but not limited to project and event signage.
6. **On-going condition of approval (valid for the life of the project)**, the property owner shall be responsible for operation and maintenance of public road frontage landscaping located within the right-of-way in a viable condition and on a continuing basis into perpetuity or until specifically accepted for maintenance by a public agency.
7. **On-going condition of approval (valid for the life of the project)**, any new or existing gates constructed on a driveway where off-site grapes are delivered and/or product is exported from the site shall be a minimum of 75-feet from the nearest edge of traveled way of any road open to public traffic.

Fees

8. **On-going condition of approval (valid for the life of the project)**, the applicant shall pay to the Department of Public Works the Templeton Area B Road Improvement Fees (RIF) in the amount prevailing at the time of payment. Future development on the site shall be subject to the payment of road fees.

Drainage

9. At the time of application for construction permits, the applicant shall demonstrate that the project construction plans are in conformance with the Source Control BMP's as identified for project incorporation in the applicant's *Stormwater Quality Plan Application for Priority Projects*.
10. At the time of application for construction permits, the applicant shall submit complete drainage calculations for review and approval in accordance with Sections 22.52.110 (Drainage Plan Required) of the Land Use Ordinance.
11. At the time of application for construction permits, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
12. On-going condition of approval (valid for the life of the project), the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.



SAN LUIS OBISPO COUNTY HEALTH AGENCY



Public Health Department

2191 Johnson Avenue
San Luis Obispo, California 93401
805-781-5500 • FAX 805-781-5543

Jeff Hamm
Health Agency Director

Penny Borenstein, M.D., M.P.H.
Health Officer

February 8, 2011

To: Department of Planning and Building
Karen Nall

From: Environmental Health
Leslie Terry

Project Description: DRC2004-00276 Quinn CUP

Applicant to contact Brad Prior in this office to determine if an annual permit will be required for the water supply at this facility.

Applicant to evaluate if project will necessitate modifications / updates to Hazardous Materials Business Plan. To be considered includes but is not limited to: site lay-out, chemical inventory, chemical quantities, emergency response plan and employee training. If applicable, provide this office with copies of changes.

If plan review for cross connection determines a device is necessary, then an annual device test requirement shall be added as a condition of this CUP.

Applicant to contact Rose Mijares in this office for any changes to the existing food facilities. Changes include but are not limited to: installation of new equipment (refrigerators, sinks, etc.), structural changes and operational changes.



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Weights and Measures

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556

(805) 781-5910 • FAX (805) 781-1035

www.slocounty.ca.gov/agcomm

AgCommSLO@co.slo.ca.us

DATE: September 12, 2011
TO: Karen Nall, Project Manager
FROM: Lynda L. Auchinachie, Agriculture Department *JH*
SUBJECT: Opolo Conditional Use Permit DRC2004-00276 (1063)

The Agriculture Department's review finds that the proposed Opolo Conditional Use Permit for phased development that would result in the expansion of the existing winery, tasting room, and special events program as well as the construction of a new multi-level wine storage and future tasting room facility will have less than significant impacts to agricultural resources or operations. The Department recommends the following conditions to maximize the availability of water for agricultural production, to minimize runoff, and to maximize groundwater recharge:

- Preclude lawn/turf areas associated with the winery, minimize or avoid irrigated landscaping, and require all landscaped areas to be drip irrigated. This measure minimizes non-agricultural water use and helps to protect groundwater resources for agricultural production.
- Incorporate best management practices for water conservation purposes throughout winery facility.
- Maximize the use of pervious and semi-pervious areas in order to promote groundwater recharge, minimize erosion and sedimentation and protect farmland for agricultural use.

Comments and recommendations are based on policies in the San Luis Obispo County Agriculture Element, Conservation and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA), and on current departmental policy to conserve agricultural resources and to provide for public health, safety and welfare while mitigating to the extent feasible the negative impacts of development to agriculture.

If you have questions, please call 781-5914.

Project Description and Agricultural Setting

The project site is located at 7110 Vineyard Drive, west of Paso Robles. The 68-acre site is located within the Agriculture land use category and is developed with wine grape vineyards, an approximately 11,000 square foot winery and tasting room facility, and agricultural accessory structures. Agricultural uses in the area primarily consist of wine grape vineyards, nut orchards, and field crop production. The subject property includes Cropley clay 2-9 percent slope, an Important Agricultural Soils as identified in the Conservation and Open Space Element, and Linne-Calodo complex 9-30 and 30-50 percent slope. The project site is under Williamson Act contract.

The proposal includes three phases of development that will result in the expansion of the existing winery, tasting room, and special events program as well as the construction of a new multi-level wine storage and tasting room facility (formerly proposed as a bed and breakfast). The original tasting room is proposed to be converted to a winery administration area at the completion of Phase II development. The proposed development includes:

Phase I – Expansion of the existing winery by adding approximate 12,585 square feet of barrel storage and a 2,404 square foot crush pad. The tasting room will be expanded by 730 square feet plus a 1,532 square foot tasting room terrace for a total of 2,262 square feet. The applicant is also requesting 25 events with 150 attendees each.

Phase II – Construction of a new multi-story structure for barrel storage and a replacement tasting room located approximately 2,200 feet east of the existing facility. The new facility will be approximately 17,000 square feet with the majority of area dedicated to production uses. The original tasting room is proposed to be converted to a winery administration area at the completion of Phase II.

Phase III – Is limited to expanding the original winery facility to provide for additional storage and crush space.

Upon completion of Phase III development there will be approximately 60,000 square feet of wine production and visitor serving uses plus associated access and parking areas. Consistent with Agriculture Element AGP 6, the proposal is beneficial to the local agricultural industry, the visitor serving uses are clearly secondary to winery production for each phase of development, and the facilities are sited adjacent to existing roads and are compatible with ongoing agricultural activities.

Impacts to Agricultural Resources

The proposed phased development would result in the expansion of the existing winery, tasting room, and special events program as well as the construction of a new multi-level wine storage and future tasting room. Impacts to agricultural resources will be less than significant; however, the Department recommends the following conditions to maximize the availability of water for agricultural production, to minimize runoff, and to maximize groundwater recharge:

- Preclude lawn/turf areas associated with the winery, minimize or avoid irrigated landscaping, and require all landscaped areas to be drip irrigated. This measure

minimizes non-agricultural water use and helps to protect groundwater resources for agricultural production.

- Incorporate best management practices for water conservation purposes throughout winery facility.
- Maximize the use of pervious and semi-pervious areas in order to promote groundwater recharge, minimize erosion and sedimentation and protect farmland for agricultural use.



Re: Fw: DRC2004-00276 QUINN, (Revised) North County E-Referral, (CUP, Paso Robles)

Andrew Mutziger to: Karen Nall

09/19/2011 05:01 PM

Cc: Aeron Arlin Genet, Gary Willey, Alyssa Roslan

Hi Karen,

I reviewed the Quinn/Opolo Winery project you emailed me about and the below are APCD's comments - please let me know if you have any questions:

1. Construction and Operational Phase Impacts & Mitigation

a. Traditional Construction Emissions: Running the construction phase of the project through the CalEEMod model demonstrates that the project will be below the APCD's construction thresholds of significance. Therefore with the exception of the General Construction Phase Mitigation listed below under item 2, no other construction mitigation is needed.

b. Traditional Operational Emissions:

1. Operational ROG & NOx: Running the operational phases of the project's new 33,662 square feet of tasting room, admin, barrel and case storage, and special event traffic through the CalEEMod model demonstrates that the project will be below the APCD's daily and annual operational phase thresholds of significance for the ozone precursors, ROG & NOx. The following were assumptions used in the daily and annual CalEEMod simulations:

a. APCD's Evaluation of Daily Emissions Using CalEEMod: Worst case scenario included 33,662 sf of new light industry area source emissions with traffic emissions associated with a special event with 150 people w/ 2 people per vehicle resulting in 150 trip ends at a 13 mile trip length. The Trip Rate to yield this is 4.456 trips/1000SF. APCD did not have information on the amount of new staff and support individuals would be required to service the special events. Regardless of this number, the modeled daily emissions are low enough that these extra trips would not result in a threshold exceedence.

b. APCD's Evaluation of Annual Emissions Using CalEEMod: This modeling included 25 events at 150 people (spread out in the model as 52 events at 72.12 people/event; a trip rate of 2.142 trips/1000SF). It also included 10 new employees at build out based on the employee level is expected to be 30 at build out stated in the referral and an increase from 50K to 75K cases per year which would indicate that the current employee level is 20. An assumption that the employee average vehicle ridership would be 1.2 yields 16.67 trip ends/workday or 0.495 trips/1000SF. A 13 mile trip length was assumed for all trips.

2. Operational Fugitive Dust: The referral stated that the "new tasting building will be accessed from an existing on-site ag road" which will have minor improvements to bring it up to Cal Fire standards. In our call today, you noted that the plans do call for that ag road to be asphalted. This information coupled with the above listed CalEEMod assumptions resulted in the daily and annual operational fugitive dust emissions being below APCD's threshold of significance.

Therefore, the pertinent operational phase mitigation for this project are limited those presented in items 1c and 3 below.

c. Green House Gas Emissions (GHG):

1. Construction: Using CalEEMod's default settings the estimated construction GHG emissions for the new Opolo construction would be 114 metric tons of CO2 equivalence.

2. Operational: The CalEEMod modeling of the winery's new proposed facilities estimate that the operational GHG emissions would be 1,482 metric tons of CO2 equivalence.

Please implement the following:

Greenhouse Gas Impacts and Mitigation

Assembly Bill 32, the California Global Warming Solution Act of 2006 requires reductions of

greenhouse gases (GHG) in the State of California. Following the adoption of SB 97, the Natural Resources Agency adopted Amendments to the CEQA Guidelines for greenhouse gas emissions. Based on these guidelines, GHGs (e.g., CO₂, N₂O and CH₄) from all projects subject to CEQA must be quantified and mitigated to the extent feasible. **The California Office of Planning and Research has provided the following direction to lead agencies for the assessment and mitigation of GHG emissions:**

- Make a good-faith effort to calculate, model, or estimate the amount of CO₂ and other GHG emissions from a project, including the emissions associated with vehicular traffic, energy consumption, water usage and construction activities;
- Regardless of the size, projects are cumulatively considerable. Lead agencies shall evaluate a proposed project's direct and/or indirect climate change impacts; and,
- Implement all feasible mitigation measures to reduce GHG emissions.

The APCD has made a good-faith effort to quantify the project's GHG impacts from both operational and construction phase. The lead agency will need to work with the applicant to ensure that the implementation of feasible GHG mitigation measures are a project condition. A list of potential measures can be found in Section 3.7.2 of the APCD's 2009 CEQA Air Quality Handbook. An additional resource is the CAPCOA CEQA & Climate Change document entitled Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act (January 2008; www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf).

2. General Construction Phase Mitigation

a. Asbestos / Naturally Occurring Asbestos

Naturally occurring asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain naturally occurring asbestos. The SLO County APCD has identified areas throughout the County where NOA may be present (see the APCD's 2009 CEQA Handbook, Technical Appendix 4.4). If the project site is located in a candidate area for Naturally Occurring Asbestos (NOA), the following requirements apply. Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any construction activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the APCD.** If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. If NOA is not present, an exemption request must be filed with the Air District. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.php>.

b. Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** If you have any questions regarding these requirements, contact the APCD Enforcement Division at 781-5912.

c. Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. Operational sources may also require APCD

permits.

The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2009 CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers
- Portable generators and equipment with engines that are 50 hp or greater
- Electrical generation plants or the use of standby generator
- Internal combustion engines
- Rock and pavement crushing
- Unconfined abrasive blasting operations
- Tub grinders
- Trommel screens
- Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc)

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

3. Specific Operational Phase Mitigation

a. APCD Permit 1555-1

Opolo Wines currently has an APCD permit to operate for their existing 50,000 case per year production. To expand to the proposed 75,000 case per year production, the winery will need to apply to the APCD for a permit modification.

b. Nuisance Odors from Wineries

Wine production facilities can generate nuisance odors during various steps of the process. Proven methods for handling wastewater discharge and grape skin waste need to be incorporated into the winery practices to reduce off-site odor. Odor complaints could result in a violation of the SLO County APCD Rule 402 *Nuisance* .

c. Agricultural Burning

Agricultural operations must obtain an APCD Agricultural Burn Permit to burn dry agricultural vegetation on Permissive Burn Days. The ARB provides educational handbooks on agricultural burning (English and Spanish) to growers which are available at the following websites: www.arb.ca.gov/cap/handbooks/handbooks.htm

Andy Mutziger
Air Quality Specialist
San Luis Obispo County Air Pollution Control District
(805) 781-5956
fax: (805) 781-1002
www.slocleanair.org

Karen Nall Hello Andy Any referral response for this project? 09/14/2011 03:23:18 PM

From: Karen Nall/Planning/COSLO
To: Andrew Mutziger/APCD/COSLO@Wings
Cc: Aeron Arlin Genet/APCD/COSLO@Wings
Date: 09/14/2011 03:23 PM
Subject: Fw: DRC2004-00276 QUINN, (Revised) North County E-Referral, (CUP, Paso Robles)

Hello Andy



CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805-543-4244 • Fax: 805-543-4248
www.calfireslo.org



Robert Lewin, Acting Fire Chief

COMMERCIAL FIRE PLAN REVIEW

February 16, 2011

County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA. 93408

Subject: DRC2004-00276 - **REVISED** (Quinn/Opolo Vineyards)

This Fire Safety Plan shall supersede all others previously provided under the same project number.

Ms. Nall,

I have reviewed the project referral information and building plans submitted for the 3 phase winery expansion proposal to be located on site of the existing commercial winery operation at 7110 Vineyard Drive near Peachy Canyon. The project is located within a "**High**" Fire Hazard Severity Zone adjacent to a "**Very High**" Fire Hazard Severity Zone. The project location has a minimum **15+** minute response time from the nearest County Fire Station. The project and applicant shall comply with the 2010 California Fire Code (CFC), the 2010 California Building Code (CBC), the Public Resources Code (PRC) and any other applicable fire laws. The requirements of Chapter 7A of the 2010 California Fire Code shall be adhered to throughout project design and construction.

Concerns:

As stated within the original Fire Safety Plan provided by then Fire Marshal Rob Lewin on October 2, 2005, "This use may be inappropriate for an area with an extended fire engine response time of 15 minutes where emergency services are not readily available".

The cumulative effects of large scale special events, Bed & Breakfast type occupancies and increased commercial operations within areas such as this, continue to place challenges upon CAL FIRE/County Fire's ability to provide emergency services within rural areas.

The nearest CAL FIRE/County Fire Station (#30-Paso) is located at least 10 miles and 15+ minutes away at 2510 Ramada Drive near Paso Robles, CA.

Roof Coverings:

The roof type will have to be consistent with the requirements of Chapter 7A and Chapter 15 of the 2010 California Building Code and no less than a **Class B** roof.

As mitigation for fire/life safety concerns related to increased commercial development and associated activities within remote “**High**” Fire Hazard Severity Zones, a minimum **Class A** roof shall be required.

Roof Access:

- All buildings over 18 feet in height will have fixed laddering at two exterior remote locations or provide landscaping which reduces the ladder access height to 18 feet. The exception to this requirement is if the building has a protected stairway to the roof.

Phase I - At least one exterior ladder will be required on the proposed barrel storage room. To ensure that the exterior ladder is properly placed to provide safe/adequate roof access to existing structures as well as the proposed Phase I barrel storage room (12,585 square feet), CAL FIRE/County Fire shall assist the applicant with placement.

- Buildings must have a protected stairway access to the roof if the building is over 25 feet in height and the building is over 5,000 square feet in area. The stairwell must be accessible from the exterior of the building and at a location approved by the Fire Department. A permanently attached sign must be posted stating “Roof Access”.

Exception: Roof access is not required if the roof has a slope steeper than 6 units vertical and 12 units horizontal (50%).

Fire Flow Requirements outside Community Water Systems:

Several properly located pressurized fire hydrants shall be required for the current project as proposed. The fire hydrants shall meet specifications set forth within the San Luis Obispo County Department of Public Works – *Public Improvements Standards W-2* (Fire Hydrant Installation). The County Fire Department shall assist the applicant with ensuring proper placement of fire hydrants throughout the phasing process. Existing fire hydrants shall be taken in to account when reviewing plans.

The minimum main size shall not be less than 6 inches. Pressures may not be less than 20 psi or more than 150 psi. The Plans for the entire system should be submitted to the County Fire Department.

- Buildings over 100,000 square feet will require secondary power supply for the fire protection system pumps.
- All buildings that are greater than 12,000 square feet in area that will be used for high piled storage, and buildings of undetermined use capable of high piled storage, will be required to have a smoke and heat removal system as required by relative code(s).
- Sprinkler systems in buildings that have an undetermined use will require an automatic sprinkler system with a density of no less than that required for an Ordinary Hazard Group 2 use with a minimum design area of 3,000 square feet. For buildings of undetermined use with ceiling heights of over 20 feet, the system shall be designed for density of 0.33 gpm per square foot with a minimum design area of 3,000 square feet.

The Registered Fire Protection Engineer shall determine whether or not a secondary power supply is required based upon the total square footage of all structures on site served by the fire protection system(s).

Fire Protection Systems:

A Fire Alarm System is **required**. The alarm system shall terminate at a 24-hour monitoring point. 2010 California Fire Code Section 907. Two sets of plans shall be submitted to the County Fire Department for approval.

This project will **require** installing a commercial fire sprinkler system in all buildings associated with the current proposal. The type of sprinklers required will depend on the occupancy classification type and must comply with NFPA 13. The automatic fire extinguishing system shall comply with the National Fire Protection Association (NFPA) 13, 231, 20, 22. The applicant will have to identify what Hazard Class the project is for review by the fire department (exp. Ordinary Hazard Class II), for each of the buildings in the project.

Three sets of plans and calculations shall be submitted for functional review and approval to the County Fire Department. The contractor shall be licensed by the State of California in accordance with the California Fire Code. A licensed alarm company shall monitor the fire sprinkler and alarm system. The fire department connection (FDC) supporting the sprinkler systems shall be located within 20 feet of a County standard hydrant and visible on fire engine approach to the building. A letter from the monitoring company shall be submitted to the County Fire Department verifying service.

Additional water storage dedicated to fire suppression purposes will be required. Based upon the size/scope of the proposed project(s), the Registered Fire Protection Engineer shall determine the exact additional amount required.

Technical Report:

A Fire Protection Engineer shall review the existing and proposed fire protection systems and water storage for this project.

A list of Fire Protection Engineers is available on our website at <http://www.calfireslo.org>. The Fire Protection Engineer will require that you provide working plans as outlined in NFPA 13, 14.1 (2002). The Fire Protection Engineer will be required to send an original letter of their project review when completed, including all changes needed.

Portable Fire Extinguishers:

Portable fire extinguishers shall be installed in all the occupancies in compliance with the 2010 California Fire Code Section 906 and Title 19. The contractor shall be licensed by the State Fire Marshal.

Exiting:

All egress and exiting requirements shall comply with *Chapter 10 - Means of Egress* of the 2010 California Fire Code to provide egress from the building(s) to the public way.

Building Set Backs:

A minimum 30-foot setback shall be provided from all property lines, PRC 4290, Section 1276.01.

Note: Setbacks are subject to County Planning Department approval.

Defensible Space and Construction Type:

Each building site will be built with a "Defensible Space". PRC 4291 requires all structures to provide a 100 foot clearance free of flammable vegetation. This does not mean all vegetation must be removed but that the vegetation shall not provide a means of readily transmitting fire. Building sites should be located so that the structure is not directly above or below a topographic "chimney." The construction type should be designed to withstand a wildfire. This would include a Class A roof, unexposed venting, fire resistant exterior walls, unexposed rafters, windows appropriately placed, LPG tanks properly placed, fire resistive decks and balconies, and other fire resistive construction techniques. All landscaping should be of fire resistive plants, preferably natives. **A Wildland Fire/Vegetation Management Plan must be developed and approved by CAL FIRE/County Fire.**

Commercial Access Road:

- A commercial access road must be a minimum of 20 feet wide.
- Parking is only allowed where an additional 8 feet of width is added for each side of the road that has parking.
- "No Parking - Fire Lane" signs will be required.
- Fire lanes shall be provided as set forth in the 2010 California Fire Code Section 503.
- Fire access shall be provided within 150 feet of the outside building(s) perimeter.
- Must be an all weather non-skid paved surface.
- All roads must be able to support a fire engine weighing 40,000 pounds..
- Vertical clearance of 13'6" is required.

Gates:

- Must be setback from the road 30 feet from the intersection.
- Must automatically open with no special knowledge.
- Must have a KNOX key box or switch for fire department access. Call the Prevention Bureau for an order form at (805) 543-4244, ext. 2220.
- Gate shall have an approved means of emergency operation at all times. California Fire Code Section 503.6.
Gate must be 2 feet wider than the road on each side.
- Gates must have a turnaround located at each gate.

Emergency Access:

All commercial buildings shall install a Knox key box for fire department emergency access. 2010 California Fire Code Section 506. The box shall be installed prior to final inspection of the building(s). An order form is available from the Prevention Bureau, call for more information at (805) 543-4244, extension 2220.

Phase II - A new Knox box shall be required to be installed at the proposed tasting room and barrel storage building to be located on the hill. CAL FIRE/County Fire shall assist the applicant with proper placement of the new Knox box.

Either all new construction shall be keyed to match locks on existing buildings or new keys must be installed within the existing Knox box.

Addressing:

Address numbers must be legible from the roadway and on all buildings. They shall be on a contrasting background and a minimum of 8 inches high with a 1/2" stroke for commercial and 10 inches high for industrial. All occupancies shall have a distinct address. A monument sign displaying the location of all buildings in the complex must be displayed in a prominent location at the entrance to the facility and streets/roads shall be identified with approved signs. California Fire Code Section 505.

Fire Safety during Construction:

Prior to construction, an operational water supply system and established access roads must be installed. California Fire Code Section 503 & 507. During construction all applicable Public Resources Codes must be complied with to prevent a wildfire. These will include the use of spark arresters, adequate clearance around welding operations, smoking restrictions and having extinguishers on site. The Industrial Operations Fire Prevention Field Guide will assist the applicant.

Special Events (If Approved):

All special events shall be approved by the County Fire Department 30 days in advance and/or as an on going condition of project approval. A list of Special Events should be submitted each year. The applicant must submit a site plan, a description of the events, the number of anticipated participants, measures taken to mitigate the impact of the events on public safety and a written emergency plan for medical aids, injuries, structure fires, wildland fires and other emergencies. The buildings which will be used for special events must be identified during plan review as they may impact the occupancy classification, thus changing the building requirements. No special events will be allowed in buildings designed for other uses, such as stables and barns unless the building is in full compliance of all requirements for assembly occupancy type.

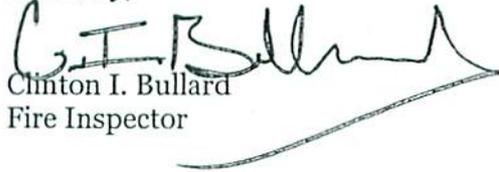
- *Any approved increase in the amount of attendees and/or frequency of events on site shall be reviewed to confirm compliance with **Chapter 4 – Emergency Planning and Preparedness** of the 2010 California Fire Code.*

The following are mitigation requirements discussed by CAL FIRE/County Fire, Opolo Vineyards Management and Kirk Consulting during two separate on site reviews in 2009. Given the remote location, an extensive response time from emergency services and the fact this is within a "**High**" Fire Hazard Severity Zone adjacent to a "**Very High**" Fire Hazard Severity Zone, these requirements are necessary in order to help ensure the safety of those attending special events at this specific location.

- *Opolo Vineyards must provide a dedicated individual to act as a fire watch to be on site throughout all special events on site regardless of total attendees. This individual must be trained and/or certified to a minimum level of Emergency Medical Technician within San Luis Obispo County.*
- *All existing and proposed gates must remain in the open position during all special events.*
- *All special events must take place on approved sites and only within properly permitted and inspected structures.*
- *All Opolo Vineyards event staff must be properly trained in emergency procedures.*
- *Prior notification must be made by event staff to CAL FIRE/County Fire for each separate event.*
- *Proposed secondary access must be reviewed and approved by CAL FIRE/County Fire, San Luis Obispo County Dept. of Planning and Building and San Luis Obispo County Dept. of Public Works.*

If I can provide additional information or assistance on this mater, please don't hesitate to contact me at (805) 543-4244, extension 2125.

Sincerely,



Clinton I. Bullard
Fire Inspector

cc: Quinn, Applicant
Kirk Consulting, Agent