



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

ENVIRONMENTAL DETERMINATION NO. ED12-081

DATE: April 25, 2013

PROJECT/ENTITLEMENT: (Poza Valley Winery) Minor Use Permit; (DRC2012-00020)

APPLICANT NAME: Poza Valley Winery
ADDRESS: 98 E. Poza Road, Santa Margarita, CA 93453
CONTACT PERSON: Kirk Consulting

Telephone: 805-461-5765

PROPOSED USES/INTENT: Request by Poza Valley Winery for a Minor Use Permit to allow for the construction of an approximate 1,900 square foot (sf) winery facility and tasting room that would be constructed in two phases, and includes a limited number (six) of special events. The project will result in the disturbance of approximately 5,000 sf on an approximate 466 acre parcel.

LOCATION: The proposed project is located on the north side of East Poza Road, adjacent to and east of the village of Poza, in the Las Pilitas planning area.

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

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

OTHER POTENTIAL PERMITTING AGENCIES: Environmental Health
Regional Water Quality Control Board

STATE CLEARINGHOUSE REVIEW: YES NO

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

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 4:30 p.m. May 9, 2013

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 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.

Holly Phipps

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
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(ver 5.0) Using Form

Project Title & No. Pozo Valley Winery Minor Use Permit ED12-081 (DRC2012-00020)

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 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 type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water /Hydrology
<input 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.

Holly Phipps
Prepared by (Print)

Holly Phipps
Signature

April 1, 2013
Date

Steven McMasters
Reviewed by (Print)

Steven McMasters
Signature

Ellen Carroll,
Environmental Coordinator
(for) 4/15/13
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 County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

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

A. PROJECT

DESCRIPTION: Request by Pozo Valley Winery for a Minor Use Permit to allow for the construction of an approximate 1,900 square foot (sf) winery facility and tasting room that would be constructed in two phases, and includes a limited number (six) of special events. The project will result in the disturbance of approximately 5,000 sf on an approximate 466 acre parcel. The proposed project is located on the north side of East Pozo Road, adjacent to and east of the village of Pozo, in the Las Pilitas planning area.

The project as proposed includes the following:

Phase I construction of a 979 sf building to include a 275 sf tasting room, 480 sf production and barrel storage area, 182 sf case good storage area, 42 sf restroom, and a outside patio and 800 sf crush pad.

Phase II construction would include a 960 sf building to be used for fermentation and barrel storage area.

Wine production is estimated at 10,000 cases per year. Six special events per year no more than 80 people. Industry-wide events are allowed per land use ordinance. The project site is located in the southwestern corner of the 466 acre parcel, adjacent to the village of Pozo.

ASSESSOR PARCEL NUMBER(S): 071-221-002

Latitude: 35° 18' 35.985" Longitude: -120° 22' 44.1906"

SUPERVISORIAL DISTRICT # 5

B. EXISTING SETTING

PLANNING AREA: Las Pilitas, Rural

TOPOGRAPHY: Nearly level to gently rolling

LAND USE CATEGORY: Agriculture

VEGETATION: Grasses , vineyards

COMBINING DESIGNATION(S): Flood Hazard

PARCEL SIZE: 466 acres

EXISTING USES: Single-family residence(s) agricultural uses including dry farm hay fields, 32 acres of vineyards, 2 wells on site

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Agriculture; undeveloped	<i>East:</i> Agriculture; agricultural uses single-family residence(s)
<i>South:</i> Agriculture; agricultural uses single-family residence(s)	<i>West:</i> Agriculture, Commercial Retail, Residential Suburban; agricultural uses, Pozo Saloon, scattered residential

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 <i>Will the project:</i>	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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The proposed project is approximately 16 miles east of community of Santa Margarita. The surrounding area is dominated by agricultural uses such as grazing, agricultural accessory uses, and single-family dwellings. The Pozo Saloon and the village of Pozo is located 145 feet to the west.

The proposed winery will be located approximately 350 feet from Pozo Road. The project has been sited to avoid any impacts to oak trees and to utilize existing access roads. The site is relatively flat which will reduce the need for significant grading.

The proposed winery will be visible from Pozo Road. The applicant is proposing metal Nunno steel buildings which are agrarian in character. Exterior enhancements include corrugated metal siding and rustic type doors.

Impact. Standard county regulations require shielding of exterior lighting to minimize glare. Based on the location, size and design, the project is considered compatible with the surrounding area. As required by the ordinance, the project will be conditioned to require an exterior lighting plan prior to issuance of construction permits. The requirements of the plan, including shielding of lighting elements, will ensure that the project will not create off-site glare.

As required by the Winery Ordinance, landscape screening for the winery and parking areas shall provide screening as viewed from public roads (Pozo Road), additionally any tank located outside structures shall be screened 100 percent from public roads (e.g. proposed commercial fire suppression system water storage tanks).

Mitigation/Conclusion. All ordinance requirements will be included as conditions of approval for the proposed project to ensure compliance with the Land Use Ordinance and to also ensure that visual impacts are less than significant. Therefore no mitigations beyond ordinance requirements are required.

No additional mitigation measures are necessary.

2. AGRICULTURAL RESOURCES

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Conflict with existing zoning for agricultural use, or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Land Use Category: Agriculture

Historic/Existing Commercial Crops: Vineyard (grap), field-rotational

State Classification: Prime Farmland if irrigated

In Agricultural Preserve? Yes, La Panza AG Preserve

Under Williamson Act contract? Yes

The soil type(s) and characteristics on the 466 acre subject property include:

Arbuckle fine sandy loam (2 - 9% slope). This gently sloping coarse loamy soil is considered moderately drained. The soil has moderate erodibility and low 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.

Arbuckle-Positas complex (9 - 15 % slope).

Arbuckle. This gently to moderately sloping coarse loamy soil is considered moderately drained. The soil has moderate erodibility and low 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 III when irrigated.

Positas. This gently to moderately sloping coarse loamy soil is considered very poorly drained. The soil has moderate erodibility and low 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 III when irrigated.

Arbuckle-Positas complex (15 - 30 % slope).

Arbuckle. This moderately to steeply sloping coarse loamy soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.



Positas. This moderately to steeply sloping coarse loamy soil is considered very poorly drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

Hanford and Greenfield fine sandy loams (0 - 2% slope).

Hanford. This nearly level, coarse loamy bottom soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: no severe limitations identified. The soil is considered Class IV without irrigation and Class I when irrigated.

Greenfield. This nearly level, coarse loamy bottom soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: no severe limitations identified. The soil is considered Class IV without irrigation and Class I when irrigated.

Hanford and Greenfield fine sandy loams (2 - 9% slope).

Hanford. This gently sloping, coarse loamy bottom soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: no severe limitations identified. The soil is considered Class IV without irrigation and Class II when irrigated.

Greenfield. This gently sloping, coarse loamy bottom soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: no severe limitations identified. The soil is considered Class IV without irrigation and Class II when irrigated.

Metz loamy sand (0 - 5 % slope). This nearly level to gently sloping sandy bottom soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: flooding. The soil is considered Class IV without irrigation and Class III when irrigated.

Millsholm-Dibble clay loams (30 - 50 % slope).

Millsholm. This steeply sloping soil is considered very poorly 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. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

Dibble. This steeply sloping soil is considered not well drained. The soil has high 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 VII without irrigation and Class is not rated when irrigated.

Pico fine sandy loam (0 - 2% slope). This nearly level soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: no severe limitations identified. The soil is considered Class IV without irrigation and Class I when irrigated.

Xerofluents-Riverwash association. This variably sloping soil's drainage is not rated. The soil's erodibility and shrink-swell characteristics are not rated, as well as having potential septic system constraints due to: is not rated. The soil is considered Class VIII without irrigation and Class is not rated when irrigated.

The subject property is within the Agriculture land use category, and supports agricultural uses including dry farm hay, and 32 acres of vineyards.

The project is located in the La Panza Agricultural preserve which encompasses much of the planning area. The intent of this designation is to support continuing availability of these areas for production of food and fiber. This approximate 466 site is enrolled in a Land Conservation contract (Williamson Act). Such contracts limit the use of the property to agricultural uses. The project site is subject to both the Williamson Act and Assembly Bill 1492 (Laird). AB 1492 added Section 51250 to the Government Code, the intent of which is to limit construction of structures on contracted lands to uses that are directly related to the agricultural use of the land. A use is considered incidental when it is required for or is part of the agricultural use and is valued in line with the expected return of the agriculture use on the site. AB1492 allows the State Department of Conservation to issue fines and penalties for breaches of contract (e.g. excessive construction of structures or facilities not specific to the agricultural use of the land). Section 51250(b) defines a material breach on land subject to a Williamson Act contract as a commercial, industrial or residential building(s) exceeding 2,500 square feet that is not permissible under the Williamson Act or contract, local uniform rules or ordinances. According to the Agriculture Department, the State considers wineries and associated tasting rooms to be consistent with AB 1492.

Impact. The proposed project would result in a winery, tasting room, and special events parking on approximately 2 acres of prime farm land (Department of Agriculture, Lynda Auchinachie, November 9, 2012). The area required for the 200 foot setback (as required by the Winery Ordinance – setback of a tasting room to property line) from the western property line and the proposed development creates an area unlikely to be used for future intensified agricultural production because of the location of adjacent development.

Agriculture Element AGP6 goal is to minimize impacts to agriculture resources. The Agricultural Department identified potential impacts to agriculture based on conversion of portions of the site to non-agricultural related uses (e.g. parking area). The Department concludes that impacts could be reduced by locating the proposed events parking in the setback area rather than an area that could support ongoing intensified agricultural activities. With the exception of the events parking area, the proposed project appears consistent with AGP6 because it would be beneficial to the local agricultural industry and the visitor serving uses area clearly secondary to the winery production.

The Agricultural Department determined that the proposed project would have less than a significant impact to agricultural resources or operations with the incorporation of mitigations to minimize any impacts to agriculture and conform to policies.

Mitigation/Conclusion. Mitigation measures recommended by the Agriculture Department include:

- Locating all special events parking in the 200 foot setback area from the western property line rather than the east.
- Maximize the use of pervious and semi-pervious areas in all areas of development including parking areas.

Based on implementation of these measures, potential agriculture impacts would be less than significant. The applicant has agreed to incorporate the above mitigations into the project. Refer to Exhibit B – Mitigation Summary Table for mitigation details.

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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

GREENHOUSE GASES

f) <i>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed and updated their CEQA Air Quality Handbook (2012) 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).

Soil Wind Erodability: On the parcel, there are ratings that include 2, 3, 6 which is low to moderate.

Greenhouse Gas (GHG) Emissions are said to result in an increase in the earth's average surface temperature. This is commonly referred to as global warming. The rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of California into law. The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. **Qualitative GHG Reduction Strategies (e.g. Climate Action Plans):** A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. **Bright-Line Threshold:** Numerical value to determine the significance of a project's annual GHG emissions; or,
3. **Efficiency-Based Threshold:** Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO₂/year (MT CO₂e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO₂e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and will be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio standards and the Clean Car standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

Under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

Impact. As proposed, the project will result in the disturbance of approximately 5,000 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust and/or emission control measures during construction.

From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project will not exceed operational thresholds triggering mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.



This project is a wine processing facility and tasting room. Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, no mitigation is required.

Operational impacts – odor control. The applicant is proposing to collect the processing wastewater that will be stored in tanks and then subsequently reapply back to the land consistent with the Regional Water Quality Control Board General Winery Waste Water Requirements. It is not anticipated that the project will result in any significant odor impacts.

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.

Mitigation/Conclusion. No significant air quality impacts were identified, and no mitigation measures above what are already required by ordinance are necessary.

4. BIOLOGICAL RESOURCES

Will the project:

	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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish & Game or U.S. Fish & Wildlife Service?</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"/>

* Species – as defined in Section 15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.

Setting.

The following are existing elements on or near the subject property relating to potential biological concerns:

On-site Vegetation: Herbaceous, Blue Oaks, Wooded Wetland, Agriculture

Name and distance from blue line creek(s): Pozo Creek, on property, greater than 300 feet from project site

Habitat(s): Blue Oak Woodland

Site's tree canopy coverage: Approximately 10-33%.

The Natural Diversity Database identified the following species potentially existing within approximately one mile of the proposed project:

Vegetation List:

Leafy tarplant (*Deinandra increscens* ssp. *foliosa*) List 1B

Leafy tarplant (*Deinandra increscens* spp. *foliosa*) has been found about 0.98 miles to the southwest. This perennial herb is generally found in valley and foothill grassland areas between the 300 and 500-meter elevation (985 to 1,640 feet). It has a blooming period of June-September. Leafy tarplant is considered rare by CNPS (List 1B, RED 2-2-3).

Wildlife List:

Prairie Falcon (*Falco mexicanus*) CSC

Prairie falcon (*Falco mexicanus*) has been found about 0.50 miles to the south. This species is a California Species of Special Concern (CSC). The species frequent open habitats, including grasslands. The species nests on cliffs or in rock crevices in areas facing open habitat. Prairie falcon nests are very sensitive to disturbance during the breeding season. Typical prey items include small mammals, and birds taken in the air.

The specific project site (within the 466 acre property) is currently undeveloped and composed mostly of ruderal grassland with some oak trees in close proximity. This portion of the subject property has been historically used as parking for the adjacent Pozo Saloon. The surrounding area is open rural rangeland. Pozo Creek, an ephemeral creek in this location, runs along the northern portion of the site. A large pond is located on the property approximately 600 feet north of the project site.

An 11 acre portion of the subject property, encompassing the project site and immediate surroundings was evaluated (Terra Verde, Consulting, LLC, May 11, 2012), and no sensitive resources were identified.

Impact. No sensitive resources were identified on the project site. The project has been designed to avoid oak trees impacts and removal. While Prairie falcon may occur in the area and use the site for hunting or foraging, the project site does not contain suitable nesting habitat and no impacts are anticipated.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb archaeological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historical resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



5. CULTURAL RESOURCES

Will the project:

d) *Other:* _____

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

Setting. The project is located in an area historically occupied by the Obispeno Chumash and Salinan. No historic structures are present and no paleontological resources are known to exist in the area.

The project is greater than 300 feet of a blue line creek. Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources.

Impact. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

6. GEOLOGY AND SOILS

Will the project:

a) *Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?*

b) *Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?*

c) *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?*

d) *Include structures located on expansive soils?*

e) *Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?*

f) *Preclude the future extraction of valuable mineral resources?*

g) *Other:* _____

* Per Division of Mines and Geology Special Publication #42

Setting. The following relates to the project's geologic aspects or conditions:

Topography: Nearly level to gently sloping in the area of the proposed project.

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low to high

Liquefaction Potential: Low to moderate

Nearby potentially active faults?: No Distance? Not applicable

Area known to contain serpentine or ultramafic rock or soils?: No

Shrink/Swell potential of soil: Low to moderate

Other notable geologic features? None

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110) 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 project's soil erodibility is as follows:

Soil erodibility: Low

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.120) 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.

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 5,000 sf of increased impervious surface is required to utilized at least LID measures to help reduce stormwater runoff.

Impact. As proposed, the project will result in the disturbance of approximately 5,000 sf. This has the potential to result in erosion and sedimentation.

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 and Drainage Plan . 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 mitigation measures are necessary.



7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impair implementation or physically interfere with an adopted emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) <i>Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?</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 checked="" type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

With regards to potential fire hazards, the subject project is within the very high Fire Hazard Severity Zone(s). Based on the County's fire response time map, it will take over 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.

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. As stated by CAL FIRE a commercial fire

suppression system water storage tanks must be steel and located a minimum of 20 feet from structures. The current proposed location is not allowable, but there is adequate room to identify a location that meets the requirements.

The applicant is required to comply with the California Fire Code, California Building Code, the Public Resources Code, and any other applicable fire laws (Commercial Fire Plan Review/Fire Safety Plan, Laurie Donnelly, October 21, 2012).

Per the Winery Ordinance, Section 22.30.070 and Section 22.30.610, wineries holding special events shall be required to provide two unobstructed access points from the event site to a publicly maintained road and special event parking shall consist at a minimum of an open area with a slope of 10 percent or less, at a ratio of 400 square feet per car, on a lot free of combustible material.

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
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate permanent increases in the ambient noise levels in the project vicinity?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Cause a temporary or periodic increase in ambient noise in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?</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 checked="" type="checkbox"/>

Setting. The project is not within close proximity of loud noise sources. Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

Impact. The applicant is requesting to participate in six special events per year with no more than 80 guests at each event. The winery will also participate in periodic industry-wide events as currently allowed by the Land Use Ordinance (LUO). Noise impacts can occur as a result of amplified music if the events occur in close proximity to sensitive receptors (e.g. residences). The location of the special events is located approximately 750 feet from the nearest residence. No significant impacts are anticipated.

Mitigation/Conclusion. Any special event with amplified music shall only be allowed from 10 a.m. to

5 p.m. as allowed per the LUO, Section 22.30.070.D.2.i.(3). No outside amplified music shall occur before 10 a.m. or after 5 p.m. The project shall comply with the County Noise Element. No additional measures are required above LUO requirements.

9. POPULATION/HOUSING

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated. No mitigation measures are necessary.

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) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

g) *Other:* _____

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

Police: County Sheriff **Location:** North County Patrol (Approximately 40 miles to the west)
Fire: Cal Fire (formerly CDF) - La Panza Station **Hazard Severity:** Very High **Response Time:** More than 40 minutes
Location: Approximately 13 miles to the northeast.
School District: Atascadero 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/sheriff 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. 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
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Increase the use or demand for parks or other recreation opportunities?*
- b) *Affect the access to trails, parks or other recreation opportunities?*
- c) *Other* _____

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. County Parks Division did not identify any impacts to trails and no trail-related improvements are necessary (Elizabeth Kavanaugh, December 2012).

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

12. TRANSPORTATION/CIRCULATION

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

Will the project:

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 "Level 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Conflict with an applicable congestion management program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</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 checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The County has established the acceptable Level of Service (LOS) on roads in rural area as "C" or better. The existing road network in the area Pozo Road (a collector road) is operating at acceptable levels.

The project proposes the phased construction of an approximately 1,900 sf winery facility with public tasting room, and a 800 sf outdoor crush pad. The project includes up to six Special Events with no more than 80 attendees in addition to the standard Industry-wide events allowed by ordinance. Primary access to the project is from Pozo Road, with secondary access also being from Pozo Road. Referrals were sent to Public Works/Caltrans. No comments were submitted by Caltrans.

Impact. The proposed project is estimated to generate about 10 – 20 additional trips per day on a busy weekend. Peak traffic associated with the tasting room is expected to occur between the hours of 11:00 am and 5:00 pm, which are considered "non-peak" hours. Weekday average daily trips related to the production facility are expected to be less than 10 traffic trips a week. There may up to 5 additional trips that would be related to harvest/crush activities.

This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels. The project does not conflict with adopted policies, plans and programs on

transportation.

Public Works did not request a road safety analysis. No significant traffic-related concerns were identified in their review of the proposed project. Public Works recommends (referral response dated September 27, 2012) that the standard improvements (tapers and widening) be made to the primary driveway approach. Large trucks that deliver grapes to the processing facility have the potential to impact traffic flows and could create a stacking safety issue along Pozo Road if adequate space is not available between the road and entrance gate (if one is installed). Public Works recommends (September 27, 2012) that if an existing gate is used or one is constructed, that the gate be constructed to Public Works standards and codes including sufficient stacking space between the gate and the road.

Mitigation/Conclusion. Parking shall be in compliance with LUO Section 22.18.060, special event and industry-wide event parking shall be in compliance with LUO Section 22.30.610, and all driveways and gates constructed on a driveway shall be constructed in accordance to County Public Improvement Standards and per Resolution 2008-152.

No significant traffic impacts were identified, and no mitigation measures above what are already required by ordinance are necessary.

13. WASTEWATER

<i>Will the project:</i>	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, day-lighting)?</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. The project proposes to use on-site systems, as its means to dispose of wastewater. The winery will use two wastewater systems, one for domestic waste and one for process waste. For domestic waste, the leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Based on the proposed project, adequate area appears available for an on-site system. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that can show that the leach area can adequately percolate to achieve this threshold. The liquid waste from the winery shall be stored in an approved tank to be recycled back on the land (e.g. dust control, vineyard irrigation). The proposed winery project will be conditioned to provide from the Regional Water Quality Control Board a waste discharge permit or an exemption for liquid waste disposal (the process waste). The RWQCB will conduct final review and approval of the winery wastewater disposal system.

The applicant estimates winery wastewater disposal to be about 556 gallons a day during non-peak crush periods and 806 gallons of gallons of wastewater per day during peak crush and anticipates application for a small winery waiver with the Regional Water Quality Control Board.

-**poor filtering characteristics** due to the very permeable nature of the soil, without special engineering will require larger separations between the leach lines and the groundwater basin to provide adequate filtering of the effluent.

- shallow depth to bedrock**, which is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth's surface.
- slow percolation**, where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components.
- **wetness or high groundwater**, where this soil at this location tends to frequently be in a saturated condition due to several possible factors, such as high groundwater or it is in a low lying area that is being regularly fed by a water source. The on-site system needs at least five feet between the bottom of the leach line to the saturated soil (e.g. high groundwater) where the five feet of soil does not remain in a saturated condition for any length of time. Otherwise, special engineering will be required to provide this separation.
- **seepage in bottom layer**, where effluent seeps quickly through (rather than be absorbed by) the soil horizon(s) to a soil layer just above bedrock that is typically in a saturated condition. The on-site system needs at least five feet between the bottom of the leach line to the saturated soil (e.g. high groundwater) with possible treatment of the soil to insure effluent movement rate through the soil meets basin plan requirements. Special engineering may be required to provide this acceptable percolation rate.
- **cemented pan**, where there is thin in an upper soil horizon that may interfere with or intercept effluent percolation and create saturated soil conditions above the impervious layer which may be near the soil surface. When such conditions exist, one of the following is necessary to resolve the potential problem: leach lines must either penetrate or be below the cemented pan, if leach lines above the cemented pan layer, this layer must be removed or permanently modified to allow effluent to percolate through this layer.

Impact. Based on the above discussion and information provided, the site appears to be able to design an on-site system that will meet California Plumbing Code (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.

Mitigation/Conclusion. The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the standard septic systems will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met. The proposed wastewater treatment will require a waste discharge permit or exemption permit from the Regional Water Quality Control Board prior to construction. Based on compliance with existing regulations and requirements, potential wastewater impacts would be less than significant.

14. WATER & HYDROLOGY

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QUALITY			<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <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"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
QUANTITY			<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) <i>Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project proposes to obtain its water needs from an on-site well. The Environmental Health Division has reviewed the project (September 27, 2012) for water availability and has determined that the water source appears adequate, but a pump test and water quality test should be performed to verify the water quantity and quality for the proposed project.

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 nearly level The closest creek (Poza Creek) from the proposed



development is approximately 350 feet away. 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's Land Use Ordinance requires that temporary erosion and sedimentation measures to be installed.

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

Within the 100-year Flood Hazard designation? Yes, the property is located with the Flood Hazard designation however, the proposed project is located outside the Flood Hazard designation.

Closest creek? Pozo Creek Distance? Project is located greater than 300 feet from Pozo Creek

Soil drainage characteristics: Well drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110) 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, area 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 project's soil erodibility is as follows:

Soil erodibility: Low to moderate

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) 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.

Impact – Water Quality/Hydrology

With regards to project impacts on water quality the following conditions apply: Approximately 5,000 square feet of site disturbance.

- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project is not on highly erodible soils, nor on moderate to steep slopes;
- ✓ The project is not within a 100-year Flood Hazard designation;
- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant.

Water Quantity

Based on the project description, the winery proposes to produce 10,000 cases which would require 806 gallons per day during peak production and 556 during non-peak.

Winery wastewater will be pumped from the processing area into treatment storage tanks where it will be treated. Winery wastewater will be recycled and land applied when needed. This will help with

ground water recharge.

Regarding surface water quality, as proposed, the project will result in the disturbance of approximately 5,000 square feet of impervious area which has the potential to increase runoff resulting in potential for downstream flooding impacts.

Mitigation/Conclusion. As specified above for water quality, existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above what are required or proposed are needed to protect water quality.

The applicant shall also implement Low Impact Development designs to help promote groundwater re-charge. Possible measures include: roof runoff directed to landscape areas (rain gardens) and / or vegetated drainage swales. Runoff should not be allowed to cross surfaces that have the potential to contain pollutants such as parking areas. These measures are listed in Exhibit B – Mitigation Summary Table will provide sufficient measures to adequately protect surface and groundwater quality.

Based on the proposed amount of water to be use and the water source, no significant impacts from water use are anticipated.

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 type="checkbox"/>	<input checked="" 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"/>
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 checked="" 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, Local Coastal Plan, 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.

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

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

Will the project:

- a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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 Department has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<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 type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	Attached
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input type="checkbox"/>	Community Service District	Not Applicable
<input checked="" type="checkbox"/>	Other _____	Santa Margarita Area Advisory Committee
<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 checked="" type="checkbox"/> Las Pilitas Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<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., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other
<input type="checkbox"/> Real Property Division Ordinance	
<input type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	



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

Botanical Survey; by Terra Verde, Consulting, LLC, May 11, 2012,

Exhibit B - Mitigation Summary Table

Agriculture

- AG-1 **At the time of application for construction permits**, the applicant shall submit a revised site plan to the Department of Planning and Building for review and approval. The site plan shall show the following:
- a. Special event parking shall be located within the 200 foot setback area from the western property line rather than the area from the east.
 - b. Special event parking area and winery parking area (excluding ADA parking requirements) shall remained unimproved so that the soil remains pervious.

Water

- W-1 **At the time of application for construction permits**, a pump test should be performed to ensure that there will be sufficient water available to serve the proposed project. The applicant shall contact the Environmental Health Department for specific pump requirements.
- W-2 **At the time of application for construction permits**, the applicant shall submit to the Environmental Health Department for review and approval, a water quality test.
- W-3 **At the time of application for construction permits**, the applicant shall show on the construction permits, project designs that will promote groundwater recharge (22.52.140) by application of Low Impact Development (LID) design techniques. For example roof runoff should be directed to drainage swales and not to impervious surfaces, rain barrels, stormwater ponds, bio-retention systems, or other methods as approved by Public Works. At least two designer selected LID measures shall be applied to the project.



**DEVELOPER'S STATEMENT FOR
POZO VALLEY MINOR USE PERMIT / DRC2012-00020**

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.

The following mitigation measures address impacts that may occur as a result of the development of the project.

Agriculture

AG-1 At the time of application for grading and/or construction permits, the applicant shall submit a revised site plan to the Department of Planning and Building for review and approval. The site plan shall show the following:

- a. Special event parking shall be located within the 200 foot setback area from the western property line rather than the area from the east.
- b. Special event parking area and winery parking area (excluding ADA parking requirements) shall remained unimproved so that the soil remains pervious.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Department of Planning and Building.

Water

W-1 At the time of application for construction permits, a pump test should be performed to ensure that there will be sufficient water available to serve the proposed project. The applicant shall contact the Environmental Health Department for specific pump requirements.

Monitoring: Required prior to issuance of a construction permit. Compliance will be verified by the County Department of Planning and Building in consultation with the County Environmental Health Department.

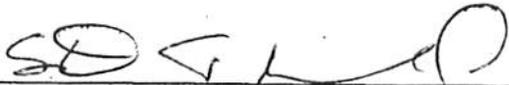
W-2 At the time of application for construction permits, the applicant shall submit to the Environmental Health Department for review and approval, a water quality test.

Monitoring: Required prior to issuance of a construction permit. Compliance will be verified by the County Department of Planning and Building in consultation with the County Environmental Health Department.

W-3 At the time of application for grading and/or construction permits, the applicant shall show on the construction permits, project designs that will promote groundwater recharge (22.52.140) by application of Low Impact Development (LID) design techniques. For example roof runoff should be directed to drainage swales and not to impervious surfaces, rain barrels, stormwater ponds, bio-retention systems, or other methods as approved by Public Works. At least two designer selected LID measures shall be applied to the project.

Monitoring: Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Department of Planning and Building in consultation with the County Department of Public Works.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.



Signature of Owner(s)

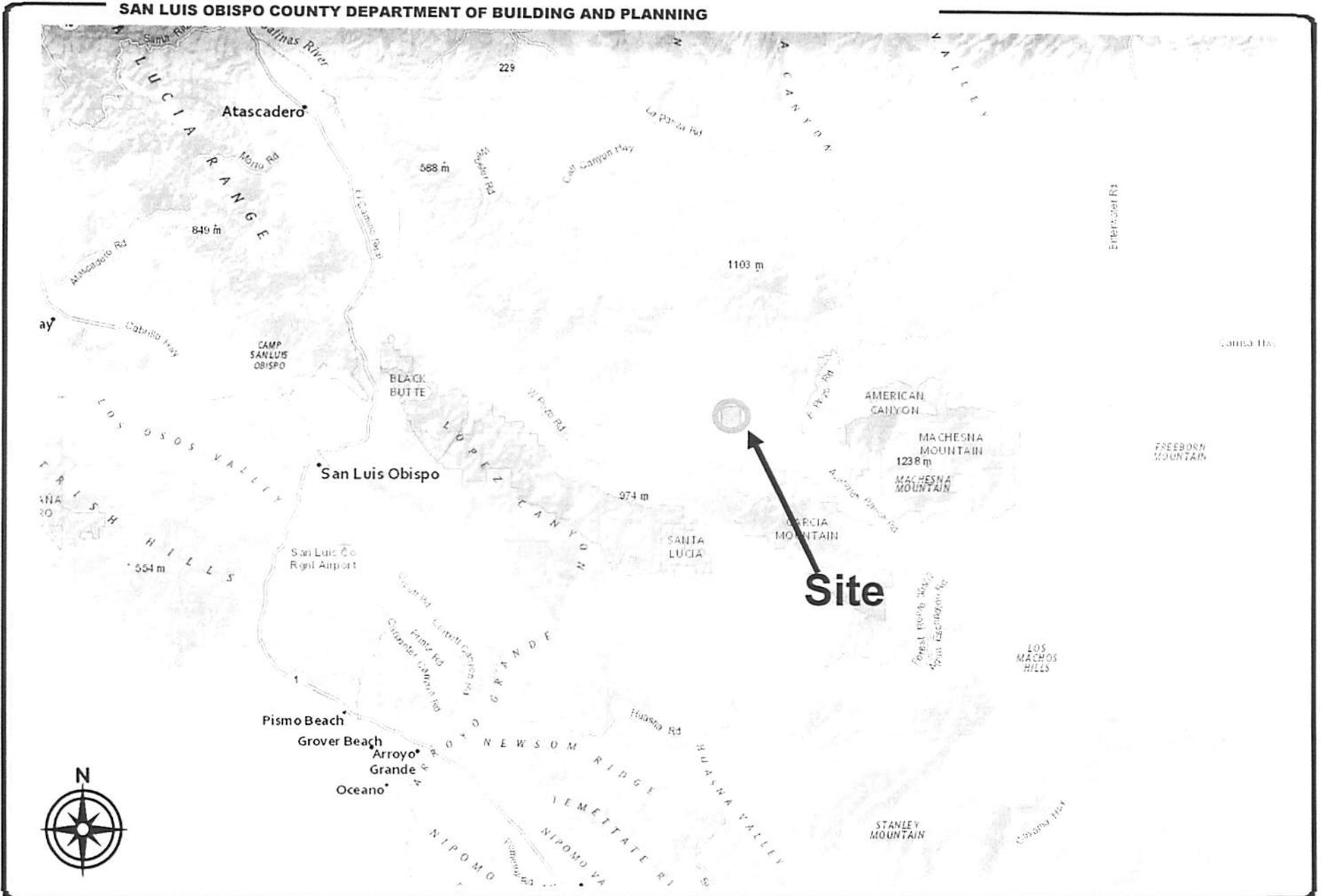
11-8-13

Date

Steven T. Arnold

Name (Print)

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

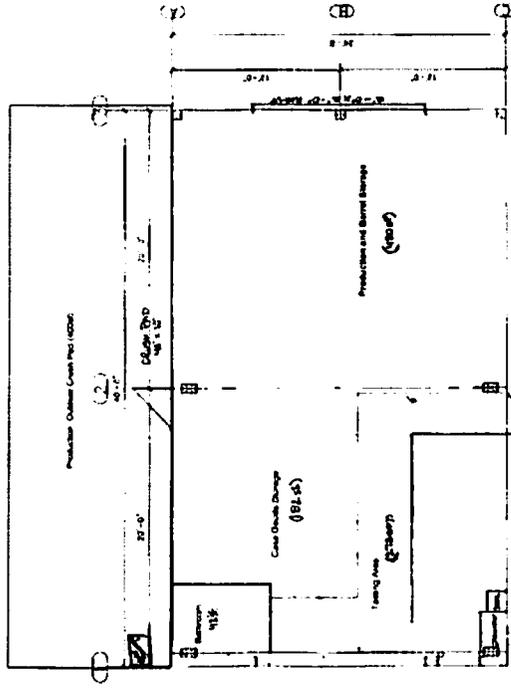


PROJECT
Minor Use Permit
Poza Valley Winery DRC2012-00020



EXHIBIT
Vicinity Map

CHALK N



FLOOR PLAN
SCALE 1/4" = 1'-0"

PHASE 1
960 SF

FLOOR PLAN

Existing Entrance

← Prop Rd →

S

PROJECT

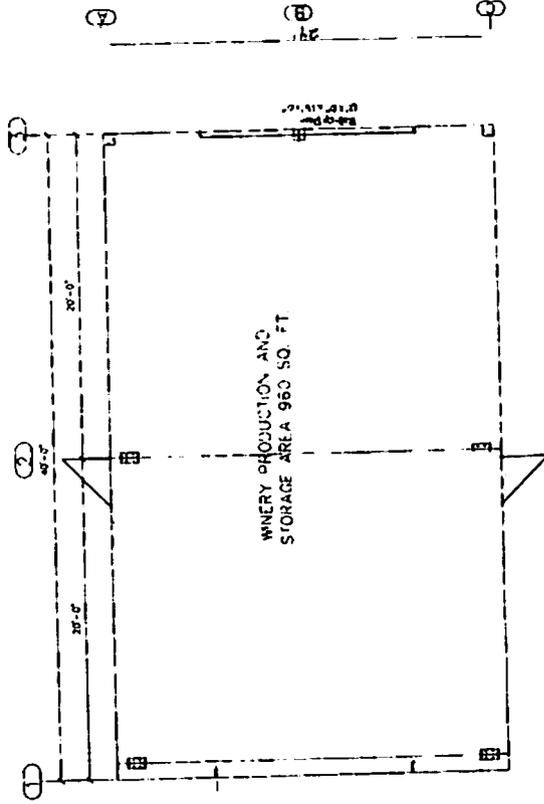
Minor Use Permit
Poza Valley Winery DRC2012-00020



EXHIBIT

Floor Plan

N



FLOOR PLAN
SCALE: 1/4" = 1'-0"

PHASE 2
960 SF.

FLOOR PLAN

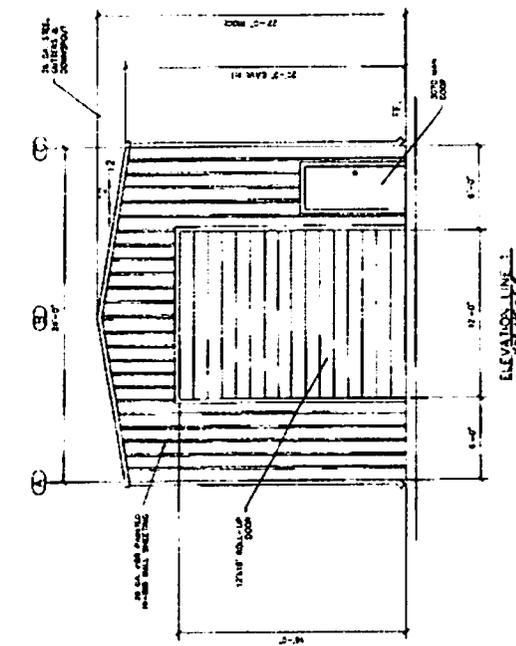
PROJECT

Minor Use Permit
Poza Valley Winery DRC2012-00020

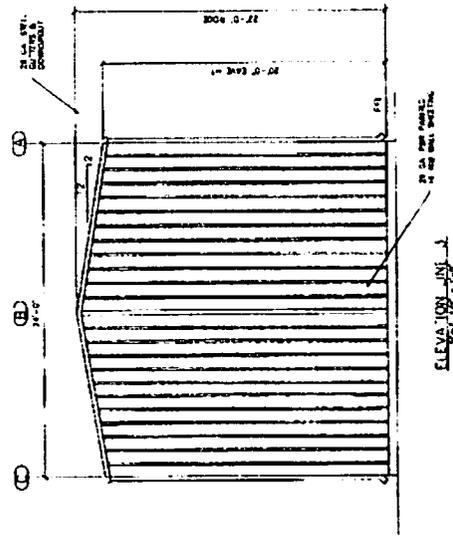
EXHIBIT

Floor Plan

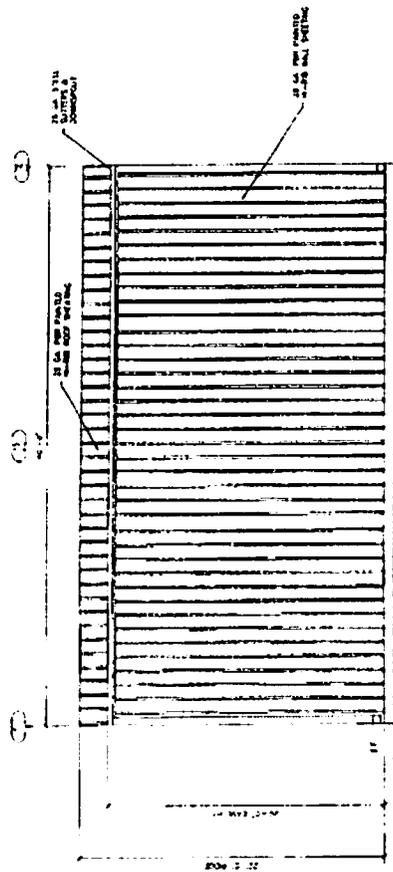




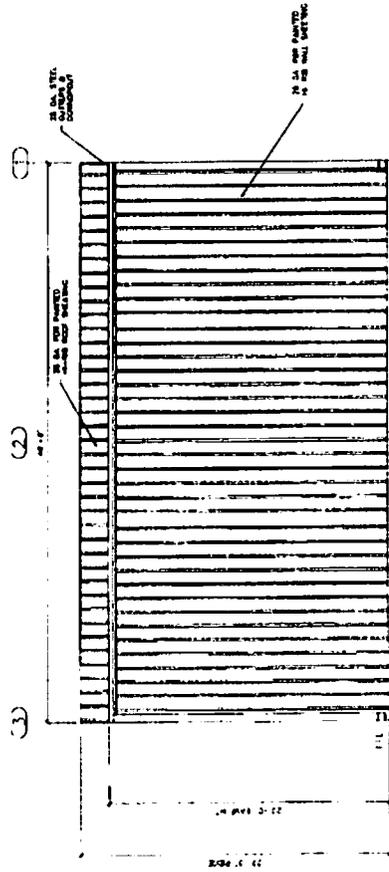
ELEVATION LINE B



ELEVATION LINE D



ELEVATION LINE A



ELEVATION LINE C

POZO VALLEY WINERY
ELEVATIONS

PROJECT

Minor Use Permit
Poza Valley Winery DRC:2012-00020

EXHIBIT

Elevations

