Negative Declaration & Notice Of Determination

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

ENVIRONMENTAL DETERMINATION NO. ED13-189 **DATE:** 5/1/14

PROJECT/ENTITLEMENT: Stoller Winery Minor Use Permit; DRC2013-00014

APPLICANT NAME: Craig Stoller
ADDRESS: P.O. Box 391, Paso Robles, CA 93447
CONTACT PERSON: Jamie Kirk - Kirk Consulting **Telephone:** 805-461-5765

PROPOSED USES/INTENT: Request by Craig Stoller for a Minor Use Permit to allow for a 13,525 square foot (S.F.) production winery that would be constructed in two phases. Phase I construction would include one building totaling 6,350 SF that includes: tank room (3,335 S.F.), a fermentation room (1,400 S.F.), and office/lab (625 S.F.), and a caretakers unit (970 S.F.). Areas outside of the winery building that is connected by a breeze way would include a covered crush pad (8,085 S.F.) and a deck (480 S.F.). Phase 2 construction to be completed by 2020 would include an additional 7,175 SF building that would include: a barrel storage room (4,700 SF), and a 2 storage rooms (2,475 S.F.). Maximum wine production with build out would be 15,000 cases. The project does not include public tasting and special events. The project will result in the approximate disturbance of 2.5 acres of the 114 acre parcel.

LOCATION: The project is located within the Agriculture land use category, on the (west) side of South El Pomar at the intersection with Almond Drive, in the El Pomar/Estrella planning area, approximately 7 miles east of the community Templeton.

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

STATE CLEARINGHOUSE REVIEW: YES ☒ **NO** ☐

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

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 AT .....4:30 p.m. (May 15, 2014)

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.

	Rob Fitzroy		County of San Luis Obispo
Signature	**Project Manager Name**	**Date**	**Public Agency**

Initial Study Summary – Environmental Checklist

PLANNING & BUILDING DEPARTMENT • COUNTY OF SAN LUIS OBISPO
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(ver 5.1)Using Form

Project Title & No. **Stoller Winery Minor Use Permit ED13-189 DR2013-00014**

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.

☒ Aesthetics	☐ Geology and Soils	☐ Recreation
☐ Agricultural Resources	☐ Hazards/Hazardous Materials	☒ Transportation/Circulation
☒ Air Quality	☐ Noise	☒ Wastewater
☒ Biological Resources	☐ Population/Housing	☐ Water /Hydrology
☐ Cultural Resources	☒ Public Services/Utilities	☐ 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.

Rob Fitzroy			4/23/14
Prepared by (Print)	Signature		Date
Steve McMasters		Ellen Carroll, Environmental Coordinator	4/23/14
Reviewed by (Print)	Signature	(for)	Date

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture; agricultural uses single-family residence(s)	*East:* Agriculture; agricultural uses single-family residence(s)
South: Residential Rural; single-family residence(s)	*West:* Agriculture; agricultural uses single-family residence(s)

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.

1. AESTHETICS

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	☐	☐	☒	☐
b) Introduce a use within a scenic view open to public view?	☐	☐	☒	☐
c) Change the visual character of an area?	☐	☒	☐	☐
d) Create glare or night lighting, which may affect surrounding areas?	☐	☒	☐	☐
e) Impact unique geological or physical features?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☒

Setting. The project is located on west side of South El Pomar at the intersection of South El Pomar and Almond Drive, approximately 7 miles east of the community of Templeton. The area is rural in character. The surrounding area is consists of vineyards, almond orchards, livestock grazing, bed and breakfasts, and single-family residences. The topography of the area consists of gently rolling hills. The project site is currently planted with approximately 95 acres of grapes. Unplanted areas consists of the steeper on north and east facing slopes and a drainage swale. The proposed project will be located amongst several large oak trees.

Impact. The applicant proposes the phased construction of a 13,525 square foot wine production facility that would be located approximately 100 feet west of South El Pomar Road. As proposed the winery would be visible from South El Pomar Road and Almond Drive. A photographic simulation was submitted to demonstrate how the project would be viewed from South El Pomar Road. The proposed building would not silhouette against ridgelines.

Landscaping is proposed around the perimeter of the proposed winery and proposed parking spaces to reduce visual impacts. The existing vineyards and oak tree located near the proposed project also reduce the visual impacts.

The proposed project could introduce the installation of exterior lighting for the buildings which could result in off-site glare and create a significant visual impact.

Mitigation/Conclusion. The following visual mitigation measures will help to reduce the proposed project to a level of insignificance by: 1) planting of landscaping to mask building form; 2) requiring structure to blend in with the surroundings; 3) use of dark muted exterior colors to reduce contrast and reflectivity; 4) reduction of exterior illumination by limiting light direction. Please see Exhibit B for detailed mitigation measures.

In addition, the applicant has agreed to protect the existing oak trees by installing construction fencing during proposed grading and construction activities and avoiding disturbance of oak trees during operation of the winery.

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?	☐	☐	☒	☐
b) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	☐	☐	☒	☐
c) Impair agricultural use of other property or result in conversion to other uses?	☐	☐	☒	☐
d) Conflict with existing zoning for agricultural use, or Williamson Act program?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☒

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

Land Use Category: Agriculture

State Classification: Not prime farmland, Farmland of Statewide Importance

Historic/Existing Commercial Crops: Vineyards

In Agricultural Preserve? No

Under Williamson Act contract? Yes

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

Lockwood-Concepcion complex (2 - 9% slope).

Lockwood. This gently sloping soil is considered well drained. The soil has moderate erodibility and moderate 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.

Concepcion. This gently sloping 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 II when irrigated.

Lockwood-Concepcion complex (9 - 15 % slope).

Lockwood. This moderately sloping soil is considered moderately drained. The soil has moderate erodibility and moderate 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.

Concepcion. This moderately sloping 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.

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.

The site is in an area designated Agriculture. The parcel was enrolled in a Land Conservation contract (Williamson Act) in 2003. Such contracts limit the use of the property to agricultural uses. Williamson Act and Laird Bill. The project site is currently under a Williamson Act contract, and 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 on the parcel. AB1492 allows the State Department of Conservation to issue fines and penalties for breaches of contract (e.g., excessive construction of structures or facilities not specific to the agricultural use of the land). Section 51250(b) defines a material breach on land subject to a Williamson Act contract as a commercial, industrial or residential building(s) exceeding 2,500 square feet that is not permissible under the Williamson Act or contract, local uniform rules or ordinances. According to the Agriculture Department, the State considers wineries and associated tasting rooms to be consistent with AB 1492.

Impact. The Agriculture (AG) Department has reviewed (Lynda L. Auchinachie, October 4, 2013) the project. The AG Department finds that the proposed project would result in a less than significant impact to agricultural resources.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	☐	☐	☒	☐
b) Expose any sensitive receptor to substantial air pollutant concentrations?	☐	☒	☐	☐
c) Create or subject individuals to objectionable odors?	☐	☐	☒	☐
d) Be inconsistent with the District's Clean Air Plan?	☐	☐	☒	☐

3. AIR QUALITY *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) 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?	☐	☐	☒	☐
GREENHOUSE GASES				
f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐
h) Other: _____	☐	☐	☐	☒

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).

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 2.5 acres on a 114.59 acre parcel and will move approximately 8,900 cubic yards of soil. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Grading activities will generate short-term construction dust. As identified by the APCD, air quality impacts during construction include: the creation of fugitive dust (PM_{10}), the potential release of naturally occurring asbestos during grading, and unpermitted developmental burning.

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 small-scale winery. APCD calculated the expected GHG emissions from the project. The project is expected to emit 111 metric tons per year. As a result, the project would not exceed 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.

Mitigation/Conclusion. To minimize nuisance dust impacts, the applicant will be required to implement APCD fugitive dust mitigation measures including reducing the amount of disturbed area where possible, the use of water trucks or sprinkler systems to water down airborne dust, daily spraying of dirt stock-pile areas, paving of applicable surfaces as soon as possible after grading, laying of building pads as soon as possible. Please see Exhibit B for detailed mitigation measures.

4. BIOLOGICAL RESOURCES

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a loss of unique or special status species or their habitats?*	☐	☐	☒	☐
b) Reduce the extent, diversity or quality of native or other important vegetation?	☐	☒	☐	☐
c) Impact wetland or riparian habitat?	☐	☐	☒	☐
d) Interfere with the movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?	☐	☐	☒	☐
e) Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish & Wildlife or U.S. Fish & Wildlife Service?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☒

*** Species – as defined in Section15380 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 proposed project relating to potential biological concerns:

On-site Vegetation: vineyard

Name and distance from blue line creek(s): unnamed creek located on-site approximately 1,320 feet northeast of proposed project

Habitat(s): Valley Oak Woodland (10-33%)

The Natural Diversity Database (or other biological references) identified the following species potentially existing within approximately one mile of the proposed project:

Plants-none

Wildlife-none

Habitat- Valley oak woodland (10-33%) has been found about 0.74 mile to the west. Historically, the valley oak (*Quercus lobata*) was a prominent species in the Central Valley, but the most impressive displays are now found in valleys of the coast ranges, including the upper Salinas River drainage. Valley oaks, one of the "white oaks", are central to this habitat and are the monarch of California oaks by virtue of size, age and beauty, and may be the largest North American oak. The tree prefers rich bottomland and requires plenty of water, nutrients and deep, rich soils to thrive. Threats to this habitat are agricultural and residential conversion, as well as groundwater pumping that has lowered higher groundwater areas. Preferable elevations are below 2,000 feet, but it can be found as high as 5,600 feet.

Impact. The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species. The proposed project would impact one oak tree located adjacent to the

proposed parking lot.

Mitigation/Conclusion. Impacts to the oak tree will be mitigated with a replanting ratio of 4:1. No additional significant biological impacts are expected to occur and no mitigation measures are necessary. Please see Exhibit B for detailed mitigation measures.

5. CULTURAL RESOURCES *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Disturb archaeological resources?*	☐	☐	☒	☐
b) *Disturb historical resources?*	☐	☐	☒	☐
c) *Disturb paleontological resources?*	☐	☐	☒	☐
d) *Other:* _____	☐	☐	☐	☒

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.

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:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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?*	☐	☐	☒	☐

6. GEOLOGY AND SOILS *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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: Relatively flat where building are proposed, rest of site moderately sloping.

Within County's Geologic Study Area?: No

Landslide Risk Potential: Moderate

Liquefaction Potential: Low

Nearby potentially active faults?: Yes Distance? 1.92 miles to the west.

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

Shrink/Swell potential of soil: Low to moderate

Other notable geologic features? None

Impact. There is no evidence based on the above information and the Geotechnical Report prepared for the project (Buena Geotechnical Services, LLC dated June 12, 2008) that the project would result in significant impacts to geology or soils. However, the geotechnical report indicated that certain site geologic and soil conditions warrant site-specific grading practices.

Mitigation/Conclusion. The applicant will be required to implement all recommendations of the geotechnical investigation. Implementation of these measures would ensure that impacts would be less than significant.

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) 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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?	☐	☐	☒	☐
d) 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?	☐	☐	☒	☐
e) Impair implementation or physically interfere with an adopted emergency response or evacuation plan?	☐	☐	☒	☐
f) 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?	☐	☐	☒	☐
g) Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?	☐	☐	☒	☐
h) Be within a 'very high' fire hazard severity zone?	☐	☐	☒	☐
i) Be within an area classified as a 'state responsibility' area as defined by CalFire?	☐	☐	☒	☐
j) Other: _____	☐	☐	☐	☒

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 the 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.

Impact. The project does not propose the use of hazardous materials. The project is not expected to conflict with any regional evacuation plan. The applicant is not requesting public tasting and special events. Prior to development on the project site, the applicant would be required to obtain Commercial

Fire Plan approval from Cal Fire. The Fire Plan includes requirements for access, addressing, on-site water storage, and fuel load reductions.

Mitigation/Conclusion. Based on compliance with standard regulations, hazards and hazardous materials impacts would be less than significant.

8. NOISE

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Expose people to noise levels that exceed the County Noise Element thresholds?*	☐	☐	☒	☐
b) *Generate permanent increases in the ambient noise levels in the project vicinity?*	☐	☐	☒	☐
c) *Cause a temporary or periodic increase in ambient noise in the project vicinity?*	☐	☐	☒	☐
d) *Expose people to severe noise or vibration?*	☐	☐	☒	☐
e) *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?*	☐	☐	☒	☐
f) *Other:* _____	☐	☐	☐	☒

Setting. The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences). 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 not proposing any special events. The project would not generate loud noises, nor conflict with the surrounding uses.

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

9. POPULATION/HOUSING

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?*	☐	☐	☒	☐

9. POPULATION/HOUSING

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	☐	☐	☒	☐
c) Create the need for substantial new housing in the area?	☐	☐	☒	☐
d) Other: _____	☐	☐	☐	☒

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, and 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) Fire protection?	☐	☒	☐	☐
b) Police protection (e.g., Sheriff, CHP)?	☐	☒	☐	☐
c) Schools?	☐	☒	☐	☐
d) Roads?	☐	☒	☐	☐
e) Solid Wastes?	☐	☐	☒	☐
f) Other public facilities?	☐	☐	☐	☒
g) Other: _____	☐	☐	☐	☒

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

Police: County Sheriff Location: Templeton (Approximately 8.39 miles to the west)

Fire: Cal Fire (formerly CDF) Hazard Severity: High Response Time: 15-20 minutes

Location: Paso Robles (Approximately 10.35 miles to the northwest)

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. 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?*	☐	☐	☒	☐
b) *Affect the access to trails, parks or other recreation opportunities?*	☐	☐	☒	☐
c) *Other* _____	☐	☐	☐	☒

Setting. The County Trails Plan 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 or other recreational resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

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

12. TRANSPORTATION/CIRCULATION

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Increase vehicle trips to local or areawide circulation system?*	☐	☒	☐	☐
b) *Reduce existing "Level of Service" on public roadway(s)?*	☐	☐	☒	☐
c) *Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?*	☐	☐	☒	☐
d) *Provide for adequate emergency access?*	☐	☐	☒	☐
e) *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.)?*	☐	☐	☒	☐
f) *Conflict with an applicable congestion management program?*	☐	☐	☒	☐

12. TRANSPORTATION/CIRCULATION

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐
h) Result in a change in air traffic patterns that may result in substantial safety risks?	☐	☐	☒	☐
i) Other: _____	☐	☐	☐	☒

Setting. Access to the project site will be provided by South El Pomar. This roadway and other roadways in the area are operating at acceptable levels. The project is located within the Templeton Circulation Fee Area which provides for improvements to areawide circulation facilities.

Impact. Based on the project description provided by the applicant, the proposed project would generate the following number of vehicle trips:

- Truck Deliveries: 1-3 per day
- 4 to 6 Employees: (assume 2.5 trips per car) 10 – 15 per day
- Harvest: 1-2 per Harvest

Peak travel times for employees will be expected to be 7-8 am and 4-6 pm. Typical Truck deliveries are expected (e.g. UPS) throughout the day.

The small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels. Public Works reviewed the proposed project and did not identify any significant transportation-related concerns. This project, along with other projects will contribute to the cumulative impact to areawide roads and intersections.

Mitigation/Conclusion. To offset cumulative impacts to areawide circulation facilities, the applicant will be required to pay into the Templeton Circulation Fee program (and the subsequent improvements provided by the fund). No mitigation measures are required beyond standard requirements.

13. WASTEWATER

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	☐	☐	☒	☐
b) Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?	☐	☒	☐	☐

13. WASTEWATER *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) Adversely affect community wastewater service provider?	☐	☐	☒	☐
d) Other: _____	☐	☐	☐	☒

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.

The project proposes to use on-site systems to dispose of wastewater. The winery will use two wastewater systems, one for domestic waste and one for process waste. For domestic wastewater, 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 is available for an on-site system.

A process waste water pond treatment system is proposed. The process waste system will be designed to meet RWQCB requirements. 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 proposed winery project has been conditioned through the Minor Use Permit 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 wastewater disposal system.

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:

--***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. In this case, based on soil boring information, it is expected that there will be sufficient separation between leach line and bedrock to provide for adequate filtering of effluent, and no special requirements (e.g., engineered system) are anticipated to be able to meet Basin Plan/CPC requirements.

--***steep slopes***, where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effuent. 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. In this case, the soils report identified percolation rates for the soil was 30 min/inch) (Geotechnical Engineering and Percolation Report, by Buena Geotechnical Services, LLC dated June 12, 2008).

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 be required to demonstrate 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.

Prior to construction of the wastewater pond, the applicant shall be required to submit plans for review and approval of the County Department of Public Works and Regional Water Quality Control Board (RWQCB) and obtain a wastewater discharge permit or letter of exemption from the RWQCB. Implementation of these measures and permit conditions would reduce wastewater impacts to a level of insignificance.

14. WATER & HYDROLOGY

Will the project:	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
QUALITY				
a) Violate any water quality standards?	☐	☐	☒	☐
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?	☐	☐	☒	☐
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	☐	☐	☒	☐
d) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?	☐	☐	☒	☐

14. WATER & HYDROLOGY *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) Change rates of soil absorption, or amount or direction of surface runoff?	☐	☐	☒	☐
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	☐	☐	☒	☐
g) Involve activities within the 100-year flood zone?	☐	☐	☒	☐
QUANTITY				
h) Change the quantity or movement of available surface or ground water?	☐	☐	☒	☐
i) Adversely affect community water service provider?	☐	☐	☒	☐
j) Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure,etc.), or inundation by seiche, tsunami or mudflow?	☐	☐	☒	☐
k) Other: _____	☐	☐	☐	☒

Setting. The project proposes to obtain its water from an on-site well. The Environmental Health Division has reviewed the project (September 12, 2013) and had no significant concerns. Percolation testing was done on site in accordance with San Luis Obispo standards. The percolation rates were 30 (Min./Inch). The site is suitable for the proposed development (Geotechnical Engineering and Percolation Report, by Buena Geotechnical Services, LLC dated June 12, 2008).

The topography of the project is gently sloping to moderately sloping. The closest creek (unnamed) from the proposed development is on-site. As described in the NRCS Soil Survey, the soil surface is considered to have moderate 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.

The project is located in the Paso Robles Ground Water Basin Urgency Ordinance Area. The County has established the basin at Level of Severity III, which is the highest level and represents the most serious resource problem. The 2011 Resource Capacity Study concluded that the basin was at or approaching its safe yield, meaning that more water is pumped out than is going back in resulting in continual and widespread lowering of groundwater levels.

The San Luis Obispo County Flood Control and Water Conservation District maintains monitoring well locations throughout the groundwater basin. Measurements are conducted twice a year to determine groundwater levels. The latest measurements taken in April 2013 are related in "hydrographs" which are graphic representations of changes in groundwater levels over time along with yearly rainfall. Hydrographs are developed for four areas of the main basin. These hydrographs graphically show that groundwater levels have recently fallen in all four areas:

- Shandon - Water levels have dropped approximately 17 feet from 2011 to 2013.
- Creston – Water levels dropped approximately 25 feet from 2011 to 2013.
- Estrella – Water levels have dropped approximately 25 feet from 2011 to 2013.
- San Juan – Water levels have dropped approximately 5 feet from 2012 to 2013.

On August 27, 2013, the Board of Supervisors adopted Urgency Ordinance 3246, which requires that all new water demand created from new or expanded crop production or new development depended on a well within the basin must be offset at a minimum ratio of 1:1.

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

Within the 100-year Flood Hazard designation? No

Closest creek? unnamed Distance? on-site

Soil drainage characteristics: Moderately drained to 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: Moderate

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.

Impact – Water Quality/Hydrology

With regards to project impacts on water quality the following conditions apply:

- ✓ Approximately 2.5 acres of site disturbance is proposed and the movement of approximately 8,900 cubic yards of material;
- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project will be disturbing over an acre and will be required to prepare a SWPPP, which will be implemented during construction;
- ✓ 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;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;

- ✓ 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;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur;

Water Quantity

Based on the water demand analysis prepared by Wallace Group (October 24, 2013), the project's water usage is estimated as follows:

Winery (production uses):	0.46 AFY
Employee Domestic Use:	0.06 AFY
Landscaping:	0.50 AFY
Total Use:	1.02 AFY

The project is located in the Paso Robles Ground Water Basin Urgency Ordinance Area. Based on the requirements of the ordinance, the project will be required to offset new water demand at a minimum ratio of 1:1. The project would remove 2.5 acres of existing vineyards from project. This in effect would reduce water demand on-site by 3.75 AFY. The project would demand 1.02 AFY and therefore need to offset at least 1.02 AFY. Because the project would remove 3.75 AFY, the project would exceed the offset requirement by 2.73 AFY. The project would fully offset new water demand and result in an overall water savings; therefore, impacts would be less than significant relative to water demand.

Regarding surface water quality, as proposed, the project will result in the disturbance of approximately 2.5 acres. The project is not within close proximity to surface water sources (1,320 feet).

Mitigation/Conclusion. Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard 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. A SWPPP will be required for the project.

15. LAND USE

Will the project:	**Inconsistent**	**Potentially Inconsistent**	**Consistent**	**Not Applicable**
a) 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?	☐	☐	☒	☐
b) Be potentially inconsistent with any habitat or community conservation plan?	☐	☐	☒	☐

15. LAND USE

Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
c) Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?	☐	☐	☒	☐
d) Be potentially incompatible with surrounding land uses?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☒

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. The project would not conflict will the Williamson Act (see Agriculture section above).

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

16. MANDATORY FINDINGS OF SIGNIFICANCE

Will the project:

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

Contacted	Agency	Response
☒	County Public Works Department	**Attached**
☒	County Environmental Health Division	**Attached**
☒	County Agricultural Commissioner's Office	**Attached**
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☒	Air Pollution Control District	**Attached**
☐	County Sheriff's Department	**Not Applicable**
☒	Regional Water Quality Control Board	**None**
☐	CA Coastal Commission	**Not Applicable**
☐	CA Department of Fish and Game	**Not Applicable**
☒	CA Department of Forestry (Cal Fire)	**Attached**
☐	CA Department of Transportation	**Not Applicable**
☒	Templeton Community Service District	**Attached**
☒	Other City of Paso Robles Airport	**Attached**
☒	Other City of Paso Robles	**Attached**

*** "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.

☒ Project File for the Subject Application

County documents

- ☐ Airport Land Use Plans
- ☒ Annual Resource Summary Report
- ☐ Building and Construction Ordinance
- ☐ Coastal Policies
- ☒ Framework for Planning (Coastal & Inland)
- ☒ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
  - ☒ Agriculture & Open Space Element
  - ☒ Energy Element
  - ☒ Environment Plan (Conservation, Historic and Esthetic Elements)
  - ☒ Housing Element
  - ☒ Noise Element
  - ☐ Parks & Recreation Element
  - ☒ Safety Element
- ☒ Land Use Ordinance
- ☐ Real Property Division Ordinance
- ☐ Trails Plan
- ☐ Solid Waste Management Plan

☒ El Pomar/Estrella Area Plan and Update EIR
☐ Circulation Study

Other documents

☒ Archaeological Resources Map
☒ Area of Critical Concerns Map
☒ Areas of Special Biological Importance Map
☒ California Natural Species Diversity Database
☒ Clean Air Plan
☒ Fire Hazard Severity Map
☒ Flood Hazard Maps
☒ Natural Resources Conservation Service Soil Survey for SLO County
☒ Regional Transportation Plan
☒ Uniform Fire Code
☒ Water Quality Control Plan (Central Coast Basin – Region 3)
☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)

☐ Other ____

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

Water Offset Calculations for Stoller Winery MUP, by Robert Miller, Wallace Group Corporation, October 24, 2013.

Geotechnical Engineering and Percolation Report, by Buena Geotechnical Services, LLC dated June 12, 2008.

Photographic Simulations, Stoller Production Winery, Pults, July 8, 2008.

Exhibit B - Mitigation Summary Table

AESTHETICS

AES-1 **Prior to issuance of construction permits,** the applicant shall submit final architectural elevations to the Department of Planning and Building for review and approval. The elevations shall show exterior finish materials and colors, as follows:

1) Exterior wall and trim colors of structures 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.

2) Roof colors of structures shall be limited to deep earth tones, deep 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.

Monitoring: The Department of Planning and Building shall review and approve the proposed colors and materials presented on the elevations, and shall verify compliance with the submitted photographic simulations.

AES-2 At the time of application for construction permits, the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from South El Pomar and Almond Dr. Screening with topographic features, existing vegetation or existing structures shall be used as feasible. If the tank(s) cannot be fully screened with existing elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

AES-3 **Prior to issuance of construction permits,** the applicant shall submit an exterior lighting plan for review and approval by the Department of Planning and Building which includes the following:

1) Direct views of all exterior lighting sources shall be shielded from view from S. El Pomar and Almond Drive.

2) Exterior lighting shall be designed to not focus illumination onto exterior walls.

3) Any security lighting installed on the property shall be equipped with motion detectors to prevent the illumination from remaining on.

4) "White" colored light shall not be used for exterior lighting.

5) 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: The Department of Planning and Building shall verify and approve required elements on lighting plan.

AES-4 Winery related materials stored out of doors shall be screened by solid fencing and shall not be higher than the associated solid fence screening, unless the storage area is not visible from S. El Pomar and Almond Drive.

Monitoring: The Department of Planning and Building shall enforce compliance.

AES-5 **Prior to issuance of grading permit,** the applicant shall install protective fencing under the driplines of the existing oak tree located adjacent the proposed wine facility. The protective fencing shall be at least 4.0 feet high, bright, and shall remain in place until final inspection.

Monitoring: The Department of Planning and Building shall enforce compliance.

Air Quality

AQ-1 The following measures shall be incorporated into the construction phase of the project and shown on all applicable plans **prior to issuance of construction permits**:

a. Reduce the amount of the disturbed area where possible;

b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;

c. All dirt stock-pile areas should be sprayed daily as needed;

d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

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

AQ-2 **Prior to commencement of construction activities,** the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.

Monitoring: Compliance will be verified by APCD in consultation with the Department of Planning and Building

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 APCD in consultation with the Department of Planning and Building

Biological Resources

BIO-1 **Prior to final inspection**, the applicant shall demonstrate that the oak tree to be removed has been mitigated on a 4:1 ratio. No more than 1 oak trees having a five inch diameter or larger at four feet from the ground shall be impacted, as a result of the development of the project.

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

Geology and Soils

GS-1 **Prior to issuance of grading permit,** the applicant shall submit a drainage, sedimentation and erosion control plan prepared and signed by a Registered Civil Engineer. The plan shall meet the requirements of Land Use Ordinance (LUO) 22.05.034 and 22.05.082(a) and shall be approved by the Division of Environmental and Resource Management in consultation with the Public Works Department. The plan shall be incorporated into the drainage protection and restoration plan.

Monitoring: The Department of Planning and Building/Division of Environmental and Resource Management, in consultation with the Department of Public Works shall review and approve all required plans.

GS-2 **Prior to issuance of grading and building permits**, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and submit to the State Water Quality Control Board (SWQCB). The applicant shall provide proof of SWQCB Storm Water Permit or documentation from the SWQCB stating that a permit is not necessary.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management, shall verify receipt of appropriate permits and/or paperwork.

GS-3 **Prior to issuance of grading permit,** the applicant shall show all recommendations of the Geotechnical Engineering and Percolation Report, by Buena Geotechnical Services, LLC (June 12, 2008) on the grading plans.

Monitoring:	The Department of Planning and Building in consultation with the Department of Public Works shall review and approve all required plans.

GS-3 **Prior to occupancy or final inspection,** the applicant the applicant shall verify that construction is in compliance with the intent of the plan review, geologic reports and information, and the Geotechnical Engineering and Percolation Report, by Buena Geotechnical Services, LLC (June 12, 2008).

Monitoring GEO-3:	Prior to final inspection, written verification will be submitted to the Department of Planning and Building for review and approval.

Wastewater

W-1 Solid winery waste (pomace), if any, generated by the winery operation shall be composted on-site and discarded into the vineyard, or transported off-site and disposed of in a manner that will not result in the degradation of surface or groundwater.

Monitoring:	Compliance will be verified by the Department of Planning and Building in consultation with the Regional Water Quality Control Board.

W-2 Liquid waste generated by the winery operations must be discharged to a separate wastewater system designed by a civil engineer with expertise in the design of winery wastewater systems and approved by the County Building Official or Regional Water Quality Control Board. Such system shall not create offensive odors or materially impair the quality of groundwater for domestic or agricultural use.

1) **Prior to discharge of winery wastewater in excess of 2,500 gallons per day,** the applicant shall obtain approval and/or permits from the Regional Water Quality Control Board. In no case shall winery wastewater be discharged into a stream or other surface water.

Monitoring:	Compliance will be verified by the Department of Planning and Building in consultation with the Regional Water Quality Control Board.

DEVELOPER'S STATEMENT FOR
STOLLER MINOR USE PERMIT / DRC2013-00014

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.

AESTHETICS

AES-1 **Prior to issuance of construction permits,** the applicant shall submit final architectural elevations to the Department of Planning and Building for review and approval. The elevations shall show exterior finish materials and colors, as follows:

1) Exterior wall and trim colors of structures 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.

2) Roof colors of structures shall be limited to deep earth tones, deep 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.

Monitoring: The Department of Planning and Building shall review and approve the proposed colors and materials presented on the elevations, and shall verify compliance with the submitted photographic simulations.

AES-2 **At the time of application for construction permits**, the applicant shall clearly delineate on the project plans the location and visual treatment of any new water tank(s). All water tanks shall be located in the least visually prominent location feasible when viewed from South El Pomar and Almond Dr. Screening with topographic features, existing vegetation or existing structures shall be used as feasible. If the tank(s) cannot be fully screened with existing

elements, then the tank(s) shall be a neutral or dark, non-contrasting color, and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

AES-3 **Prior to issuance of construction permits,** the applicant shall submit an exterior lighting plan for review and approval by the Department of Planning and Building which includes the following:

1) Direct views of all exterior lighting sources shall be shielded from view from S. El Pomar and Almond Drive.
2) Exterior lighting shall be designed to not focus illumination onto exterior walls.
3) Any security lighting installed on the property shall be equipped with motion detectors to prevent the illumination from remaining on.
4) "White" colored light shall not be used for exterior lighting.
5) 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: The Department of Planning and Building shall verify and approve required elements on lighting plan.

AES-4 Winery related materials stored out of doors shall be screened by solid fencing and shall not be higher than the associated solid fence screening, unless the storage area is not visible from S. El Pomar and Almond Drive.

Monitoring: The Department of Planning and Building shall enforce compliance.

AES-5 **Prior to issuance of grading permit,** the applicant shall install protective fencing under the driplines of the existing oak tree located adjacent the proposed wine facility. The protective fencing shall be at least 4.0 feet high, bright, and shall remain in place until final inspection.

Monitoring: The Department of Planning and Building shall enforce compliance.

Air Quality

AQ-1 The following measures shall be incorporated into the construction phase of the project and shown on all applicable plans **prior to issuance of construction permits**:

a. Reduce the amount of the disturbed area where possible;

b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible;

c. All dirt stock-pile areas should be sprayed daily as needed;

d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

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

AQ-2 **Prior to commencement of construction activities,** the applicant shall notify the APCD, by letter, that the above air quality mitigation measures have been applied.

Monitoring: Compliance will be verified by APCD in consultation with the Department of Planning and Building

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 APCD in consultation with the Department of Planning and Building

Biological Resources

BIO-1 **Prior to final inspection,** the applicant shall demonstrate that the oak tree to be removed has been mitigated on a 4:1 ratio. No more than 1 oak trees having a five inch diameter or larger at four feet from the ground shall be impacted, as a result of the development of the project.

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

Geology and Soils

GS-1 **Prior to issuance of grading permit,** the applicant shall submit a drainage, sedimentation and erosion control plan prepared and signed by a Registered Civil Engineer. The plan shall meet the requirements of Land Use Ordinance (LUO) 22.05.034 and 22.05.082(a) and shall be approved by the Division of Environmental and Resource Management in consultation with the Public Works Department. The plan shall be incorporated into the drainage protection and restoration plan.

Monitoring: The Department of Planning and Building/Division of Environmental and Resource Management, in consultation with the Department of Public Works shall review and approve all required plans.

GS-2 **Prior to issuance of grading and building permits,** the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and submit to the State Water Quality Control Board (SWQCB). The applicant shall provide proof of SWQCB Storm Water Permit or documentation from the SWQCB stating that a permit is not necessary.

Monitoring: The Department of Planning and Building, in consultation with the Division of Environmental and Resource Management, shall verify receipt of appropriate permits and/or paperwork.

GS-3 **Prior to issuance of grading permit,** the applicant shall show all recommendations of the Geotechnical Engineering and Percolation Report, by Buena Geotechnical Services, LLC (June 12, 2008) on the grading plans.

Monitoring: The Department of Planning and Building in consultation with the Department of Public Works shall review and approve all required plans.

GS-3 **Prior to occupancy or final inspection,** the applicant the applicant shall verify that construction is in compliance with the intent of the plan review, geologic reports and information, and the Geotechnical Engineering and Percolation Report, by Buena Geotechnical Services, LLC (June 12, 2008).

Monitoring GEO-3: Prior to final inspection, written verification will be submitted to the Department of Planning and Building for review and approval.

Wastewater

W-1 Solid winery waste (pomace), if any, generated by the winery operation shall be composted on-site and discarded into the vineyard, or transported off-site and disposed of in a manner that will not result in the degradation of surface or groundwater.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Regional Water Quality Control Board.

W-2 Liquid waste generated by the winery operations must be discharged to a separate wastewater system designed by a civil engineer with expertise in the design of winery wastewater systems and approved by the County Building Official or Regional Water Quality Control Board. Such system shall not create offensive odors or materially impair the quality of groundwater for domestic or agricultural use.

1) **Prior to discharge of winery wastewater in excess of 2,500 gallons per day,** the applicant shall obtain approval and/or permits from the Regional Water Quality Control

Board. In no case shall winery wastewater be discharged into a stream or other surface water.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Regional Water Quality Control Board.

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) 04/23/14 Date

CRAIG STALLON

Name (Print)