



# 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

**ENVIRONMENTAL DETERMINATION NO. ED14-206**

**DATE:** November 25, 2015

**PROJECT/ENTITLEMENT:** SWG Paso Vineyards, LLC Grading Permit; PMT2012-01775

**APPLICANT NAME:** Jim Ledbetter  
**ADDRESS:** 1377 East Lodi Ave, Lodi, Ca 95240  
**CONTACT PERSON:** Kirk Consulting / Sarah Staton

**Telephone:** 805-441-3152

**PROPOSED USES/INTENT:** Request by Jim Ledbetter and SWG Paso Vineyards, LLC for a major grading permit to construct two high-density polyethylene (HDPE)-lined agricultural reservoirs (Reservoir 1 and Reservoir 2) with maximum holding capacities of 49.8 and 33.6 acre-feet, respectively, to provide frost protection and irrigation for an existing 493.24-acre vineyard. The project includes the removal of 2.66 acres of existing irrigated alfalfa, which is proposed to offset annual evaporative losses of reservoir water (11.19 acre-feet per year [afy] under average rainfall conditions to 11.97 afy under drought conditions). The proposed project is located within the Agriculture land use category, on Estrella Road, approximately 1.4 miles west of Airport Road, approximately 2.5 miles southeast of the unincorporated community of San Miguel.

**LOCATION:** The proposed project is located on Estrella Road, approximately 1.4 miles west of Airport Road, approximately 2.5 miles southeast of San Miguel. Reservoir 1 would be located approximately 1.25 miles northeast of Estrella Road, and Reservoir 2 would be located approximately 0.63 mile northeast of Estrella Road. The 17-acre alfalfa field, which would be reduced by 2.66 acres, is located immediately west of Estrella Road, on an adjacent parcel under the same ownership. The site is in the rural El Pomar-Estrella and Salinas River sub-areas of the North County 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>

**STATE CLEARINGHOUSE REVIEW:** YES  NO

**OTHER POTENTIAL PERMITTING AGENCIES:**

**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. (2 wks from above DATE)**

**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.

	Airlin Singewald		County of San Luis Obispo
<b>Signature</b>	<b>Project Manager Name</b>	<b>Date</b>	<b>Public Agency</b>



# Initial Study Summary – Environmental Checklist

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

(ver 5.7) Using Form

**Project Title & No. SWG Paso Vineyards, LLC Major Grading Permit ED#14-206 (PMT2012-01775)**

**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 type="checkbox"/> Aesthetics                        | <input type="checkbox"/> Geology and Soils           | <input type="checkbox"/> Recreation                  |
| <input checked="" type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Transportation/Circulation  |
| <input checked="" type="checkbox"/> Air Quality            | <input type="checkbox"/> Noise                       | <input type="checkbox"/> Wastewater                  |
| <input checked="" type="checkbox"/> Biological Resources   | <input type="checkbox"/> Population/Housing          | <input checked="" type="checkbox"/> Water /Hydrology |
| <input type="checkbox"/> Cultural Resources                | <input 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.

Airlin Singewald  
Prepared by (Print)

*Airlin Singewald*  
Signature

11/19/2015  
Date

Steve McMasters  
Reviewed by (Print)

*Steve McMasters*  
Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

11/19/2015  
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 Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

## **A. PROJECT**

**DESCRIPTION:** A request by Jim Ledbetter and SWG Paso Vineyards, LLC for a major grading permit to construct two high-density polyethylene (HDPE)-lined agricultural reservoirs (Reservoir 1 and Reservoir 2) with maximum holding capacities of 49.8 and 33.6 acre-feet, respectively, to provide frost protection and irrigation for an existing 493.24-acre vineyard. The project includes the removal of 2.66 acres of existing irrigated alfalfa, which is proposed to offset annual evaporative losses of reservoir water (11.19 acre-feet per year [afy] under average rainfall conditions to 11.97 afy under drought conditions). The proposed project is located within the Agriculture land use category, on Estrella Road, approximately 1.4 miles west of Airport Road, approximately 2.5 miles southeast of the unincorporated community of San Miguel. Reservoir 1 would be located approximately 1.25 miles northeast of Estrella Road, and Reservoir 2 would be located approximately 0.63 mile northeast of Estrella Road. The 17-acre alfalfa field, which would be reduced by 2.66 acres, is located immediately west of Estrella Road, on an adjacent parcel under the same ownership. The site is in the rural El Pomar-Estrella and Salinas River sub-areas of the North County planning area.

Construction of the two reservoirs will result in the disturbance of 10.1 acres including 146,037 cubic yards of cut and fill on a 487-acre parcel. Reservoir 1 will require 5.4 acres of disturbance, including 31,568 cubic yards of cut and 26,169 cubic yards of fill. Reservoir 2 will require 4.7 acres of disturbance, including 45,800 cubic yards of cut and 42,500 cubic yards of fill. 2.66 acres of irrigated alfalfa would be converted to dry-farming within an approximately 151-acre parcel. Therefore, the total area of disturbance would be 12.76 acres.

An approximately 100-foot long benched access road would extend from the existing agricultural road to Reservoir 1. Additional Reservoir 1 improvements include rock check dams, 36-inch diameter storm drains, storm drain manholes, drain inlets, a riprap lined swale along the perimeter of the reservoir, reservoir supply line outlets, and two polyvinyl chloride (PVC) supply lines (12-inch and 15-inch diameters each) that would connect to an existing well. A 65-foot long benched access road would extend from the existing agricultural road to Reservoir 2. Additional Reservoir 2 improvements would include a lined swale along the eastern perimeter of the reservoir, rock slope protection along the northern and western perimeter, an outlet pipe, a 12-inch diameter PVC reservoir supply pipe connecting to an existing water supply main, storm drains, and a vertical pipe boot and 18-inch PVC pipe leading to a rip-rap field.

The project would be accessed via existing unpaved agricultural roads. An 8-foot wire fence and gate would be installed around each reservoir. Proposed erosion control measures include rip-rap, fiber rolls, silt fencing, burlap or synthetic net bags, hydro-seeding, and designated stock pile areas.

The project includes the removal of 2.66 acres of existing irrigated alfalfa, which is proposed to offset annual evaporative losses of reservoir water (11.19 acre-feet per year [afy] under average rainfall conditions to 11.97 afy under drought conditions). A restricted covenant is proposed to limit the amount of irrigated alfalfa on the parcel to 14.34 acres. The covenant would remain in effect until the Level of Severity of the Paso Robles Groundwater Basin is adjusted by the County Board of Supervisors to Level of Severity II or better. The project includes the following management strategies to reduce evaporative water loss:

- Empty reservoirs of well supplied water November 1 through March 31;
- Maintain full reservoirs (100 percent capacity) for potential frost protection April 1 through May 31; and
- Maintain quarter-full reservoirs (25 percent capacity) for irrigation operations June 1 through October 31.

**ASSESSOR PARCEL NUMBER(S):** 027-071-006 (reservoirs); 027-191-035 (alfalfa removal)

Latitude: 35 degrees 44' 19" N Longitude: -120 degrees 38' 52 " W

**SUPERVISORIAL DISTRICT # 1**

**B. EXISTING SETTING**

**PLAN AREA:** North County

**SUB:** El Pomar/Estrella

**COMM:** Rural

**LAND USE CATEGORY:** Agriculture

**COMB. DESIGNATION:** Flood Hazard

**PARCEL SIZE:** 486.99 and 151.44 acres (total 638.43 acres)

**TOPOGRAPHY:** Gently rolling to moderately sloping

**VEGETATION:** Grasses, Oak woodland, Scattered Oaks, Vineyards

**EXISTING USES:** Agricultural uses

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Agriculture; vineyards, scattered residences, vacant land	<i>East:</i> Agriculture; vineyards, scattered residences, vacant land
<i>South:</i> Agriculture; vineyards, scattered residences, vacant land	<i>West:</i> Agriculture; vineyards, alfalfa, scattered residences, vacant land

## C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, at least one issue was identified as having a potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.



### COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

#### 1. AESTHETICS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>

#### Aesthetics

**Setting.** The proposed project is located on Estrella Road, approximately 2.5 miles southeast of the community of San Miguel, within a predominantly agricultural area. Land uses include vineyards, alfalfa fields, and livestock grazing. Scattered residences and agricultural structures are visible from the roadway. The topography ranges from gently to moderately sloping hills to nearly level plains along the Estrella River.

The project site includes parcels on both the eastern and western sides of Estrella Road. The eastern property supports vineyards, agricultural roads and structures, fences, and irrigation facilities. The topography ranges from nearly level to moderately sloping. The western property is nearly level, and supports alfalfa fields along the Estrella River and structures supporting the property's management office.

**Impact.** The proposed project is a request to construct two agricultural reservoirs, 49.8 and 33.6 acres each, to provide frost protection and irrigation water for an existing 493-acre vineyard. Construction of Reservoir 1 and Reservoir 2 would require the disturbance of approximately 5.4 and 4.7 acres, respectively. Reservoir 1 would be located approximately 1.25 miles northeast of Estrella Road, and Reservoir 2 would be located approximately 0.63 mile northeast of Estrella Road. Neither reservoir would not be visible from Estrella Road, nor any other public roadway due to distance and intervening topography. Construction of access improvements would be limited to extensions from

existing agricultural roads proximate to the reservoirs; no additional new roads or utility trenching outside of the reservoir construction areas would be required, and no additional lighting would be installed. Therefore, construction and operation of the reservoirs would not result in significant visual impact.

The project includes the removal of 2.66 acres of existing alfalfa immediately west of Estrella Road. The existing 17-acre alfalfa field is immediately visible from the roadway. The removal of alfalfa or change from an irrigated to a non-irrigated crop would not be inconsistent with the visual setting, which includes agricultural fields and crops in various stages of use and production. Therefore, these changes would not result in a significant visual impact.

**Mitigation/Conclusion.** No mitigation measures are necessary.

**2. AGRICULTURAL RESOURCES**  
*Will the project:*

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

**Agricultural Resources**

**Setting.** The subject parcels are located within the Agriculture land use category, within the Estrella Agricultural Preserve Area. The project site is not under a Williamson Act contract or Agricultural Preserve. Parcels to the southeast, southwest, and south are under contract. The parcels contain Farmland of Statewide Importance, Prime Farmland if irrigated, Unique Farmland, Farmland of Local Importance, Farmland of Local Potential, and land designed as not Prime Farmland (Grazing Land). The parcels support approximately 493 acres of vineyards and 17 acres of alfalfa. Surrounding parcels support vineyards, orchards, alfalfa, and livestock grazing.

The proposed reservoirs would be located on the following soil types:

Nacimiento-Los Osos complex (9 - 30 % slope).

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

Los Osos. This moderately sloping, fine loamy soil is considered not well drained. The soil has moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic

system constraints due to: steep slopes, shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

San Emigdio fine sandy loam (2 - 9% slope). This gently sloping 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.

Additional soil types mapped within the subject parcels include:

Arbuckle-Positas complex (50 - 75 % slope).

Arbuckle. This very steeply sloping 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 very steeply 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: steep slopes, slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

Arbuckle-San Ysidro complex (2 - 9% slope).

Arbuckle. 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.

San Ysidro. This gently sloping coarse loamy soil is considered moderately to well drained. The soil has high 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.

Nacimiento-Los Osos complex (30 - 50 % slope).

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

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

Nacimiento-Los Osos complex (50 - 75 % slope).

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

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

Rincon clay loam (9 - 15 % slope). This moderately sloping, fine loamy bottom 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: slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

**Impact.** The proposed project is a request to construct two agricultural reservoirs, 49.8 and 33.6 acres each, to provide frost protection and irrigation water for an existing 493-acre vineyard. Construction of the two reservoirs will result in the disturbance of 10.1 undeveloped and unplanted acres including 146,037 cubic yards of cut and fill on a 487-acre parcel. Reservoir 1 will require 5.4 acres of disturbance, including 31,568 cubic yards of cut and 26,169 cubic yards of fill. Reservoir 2 will require 4.7 acres of disturbance, including 45,800 cubic yards of cut and 42,500 cubic yards of fill. 2.66 acres of alfalfa would be converted to dry-farming within an approximately 151-acre adjacent parcel. Therefore, the total area of disturbance would be 12.76 acres.

Construction of Reservoir 1 would occur on Natural Resources Conservation Service (NRCS) soils designated as “not prime farmland”. The Important Farmland Map for San Luis Obispo County designates this area as Grazing Land (California Department of Conservation 2015). Construction of Reservoir 2 would occur primarily on NRCS soils designated as “prime farmland if irrigated”. This land is not currently irrigated. The Important Farmland Map for San Luis Obispo County identifies land along San Jacinto Creek (including portions of the Reservoir #2 site) as Farmland of Local Potential (lands having the potential for Farmland, which have Prime Farmland or Farmland of Statewide Importance characteristics and are not cultivated). The remainder of the Reservoir #2 project site is designated as Grazing Land. Although the reservoir would be located on Farmland of Local Potential, the site itself is not irrigated, and the reservoir is considered an agricultural use, which would support the production of existing vineyards. Based on consultation with the County Agricultural Commissioner’s Office, no concerns were identified, as these reservoirs are to support the on-site vineyards (Auchinachie 2015). Therefore, the project would not result in the conversion of agricultural or prime farmland to non-agricultural use. Construction and operation of the reservoirs would not adversely affect the existing vineyards onsite, and based on the proposed agricultural-offset (converting 2.66 acres of irrigated alfalfa to dry-farming or other non-irrigated agricultural use) the storage of water would not adversely affect proximate agricultural uses. In addition, mitigation is identified below that would ensure that the stored water is only used as stated by the applicant for agricultural uses, and the water cannot be sold or used off-site. The project’s water supply impacts are described in Section 14, Water and Hydrology.

The project includes the permanent removal of 2.66 acres of existing alfalfa crop and/or conversion to dry-farming within an existing 17-acre alfalfa field. This land is designated as “prime farmland if irrigated”. The land would continue to be used for agricultural use (dry farming); therefore, this component of the project would not result in a conversion of prime farmland to non-agricultural use.

**Mitigation/Conclusion.** At the time of application for grading permits, the project plans must clearly state that the purpose of the proposed reservoir is for on-site frost protection only and that off-site transfer of reservoir water and/or other uses of the reservoir are prohibited. With implementation of this mitigation measure, impacts to agriculture would be less than significant.

**3. AIR QUALITY**

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 3. AIR QUALITY

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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"/>
<b>GREENHOUSE GASES</b>				
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 type="checkbox"/>

#### Air Quality

**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 CO<sub>2</sub>/year (MT CO<sub>2</sub>e/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 CO<sub>2</sub>e/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 would result in approximately 10.1 acres of disturbance including 146,037 cubic yards of cut and fill. An additional 2.66 acres of disturbance would occur during removal of alfalfa. Therefore, the total area of disturbance would be 12.76 acres, and grading activities would occur over 10.1 acres. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. APCD thresholds of significance are incorporated into the table below. The APCD does not have a daily construction emissions threshold for PM<sub>10</sub> or CO<sub>2e</sub>.

**Table 1. Construction Emissions**

	ROG	NO <sub>x</sub>	PM <sub>10</sub>	DPM	CO <sub>2e</sub>
Winter Emissions (lbs/day)	6.58	74.96	18.24	6.88	6,940.78
Threshold (lbs/day)	137 (ROG and NO <sub>x</sub> )		n/a	7	n/a
Mitigation Required	No		n/a	No	n/a
Annual Emissions (tons/yr)	0.18	1.84	0.21	0.18	175.65
Annual Threshold (tons/yr)	25 (ROG and NO <sub>x</sub> )		25	n/a	n/a
Mitigation Required	No		No	n/a	n/a

As noted in the table above, the project would not result in construction emissions exceeding APCD's daily or annual thresholds of significance. Assuming that the project would require approximately one quarter to construct, construction of the project would result in 0.18 tons/quarter of DPM, which would exceed the APCD's quarterly Tier 1 threshold for DPM (0.13 tons/quarter). The project would not exceed quarterly thresholds for ROG+NOx (2.5 tons/quarter) or PM10 (2.5 tons/quarter). Use of Air Resources Board Tier 2 certified engines would reduce the quarterly emissions to 0.0743 tons per quarter, which would be under the APCD's quarterly threshold for DPM (0.13 tons/quarter).

The project proposes to disturb soils that have been given a wind erodibility rating of 3 to 7, which is considered "moderately low" to "high". The project is not proximate to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust and/or emission control measures during construction. However, the project will be subject to fugitive dust control measures pursuant to Land Use Ordinance Section 22.52.160.C (Construction Procedures, Air Quality Controls), which will provide additional protection of the vineyards from dust, and would ensure fugitive dust emissions are adequately controlled to below the 20 percent opacity limit as identified in the APCD's 401 "Visible Emissions" rule and that dust is not emitted offsite. Grading and construction activities would occur over 1,000 feet from any sensitive receptor (residence) in the area.

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, and would not generate additional operational trips. No significant air quality impacts are expected to occur.

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 (construction emissions are identified in Table 1 above). 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.

The project site is not located in an APCD designated naturally occurring asbestos zone (SLOAPCD 2012 CEQA Handbook, Figure 4-1).

**Mitigation/Conclusion.** Implementation of Land Use Ordinance standards for dust control will reduce the project's air quality impacts to less than significant levels. Use of Air Resources Board Tier 2 certified engines would reduce the quarterly emissions to a less than significant level.

<b>4. BIOLOGICAL RESOURCES</b> <i>Will the project:</i>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Result in a loss of unique or special status species* or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### 4. BIOLOGICAL RESOURCES

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) <b>Conflict with any regional plans or policies to protect sensitive species, or regulations of the California Department of Fish &amp; Wildlife or U.S. Fish &amp; Wildlife Service?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <b>Other:</b> _____	<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.

#### Biological Resources

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

On-site Vegetation: Non-native annual grassland, scattered blue oaks

Name and distance from blue line creek(s): San Jacinto Creek, approximately 40-50 feet from the edge of proposed disturbance

Habitat(s): Non-native annual grassland, scattered blue oaks

The proposed reservoir sites support non-native annual grassland, previously-dry farmed (now fallow) land, and scattered blue oak trees (*Quercus douglasii*). Blue oak woodland is present primarily along ridgelines and canyons throughout the subject parcels. San Jacinto Creek flows through the subject parcels near the proposed location for Reservoir 2, and joins the Estrella River east of Estrella Road. At the time of the field visit (April 9, 2015), the creek bed was dry, and limited vegetation was present. A mapped “blue-line stream” is shown through the proposed location for Reservoir 1; while a natural swale exists, this area has been historically modified by agricultural development including disking, agricultural roads, and agricultural grading, and no evidence of a defined bed and bank is present. The lack of a jurisdictional feature was confirmed by the applicant’s biologist (Monsoon 2013). Both reservoir sites are surrounded by active agricultural areas, including vineyards and orchards.

#### San Joaquin Kit Fox

The Natural Diversity Database identified this area as important habitat for the San Joaquin Kit Fox, a federally listed endangered species and a state listed threatened species. The San Joaquin kit fox is Federal Endangered and California Threatened. The kit fox is uncommon to rare. They reside in arid regions of the southern half of the state (Grinnell et al. 1937, Wilson and Ruff 1999:150). This usually nocturnal mammal lives in annual grasslands or grassy open stages of vegetation dominated by scattered brush, shrubs, and scrub. Kit foxes primarily are carnivorous, subsisting on black-tailed jackrabbits and desert cottontails, rodents (especially kangaroo rats and ground squirrels), insects, reptiles, and some birds, bird eggs, and vegetation (Egoscue 1962, Laughrin 1970, Morrell 1971, 1972, Orloff et al. 1986). Their cover is provided by dens they dig in open, level areas with loose-textured, sandy and loamy soils (Laughrin 1970, Morrell 1972). Pups are born in these dens in February through April. Pups are weaned at about 4-5 months. Some agricultural areas may support these foxes. Potential predators are coyotes, large hawks and owls, eagles, and bobcats. Cultivation has eliminated much habitat. Kit foxes are vulnerable to many human activities, such as hunting, use of rodenticides and other poisons, off-road vehicles, and trapping.

**Impact.** Based on historic and on-going agricultural uses, the project site does not support any special-status vegetation species. A San Joaquin Kit Fox Habitat Evaluation Form was prepared by Kevin Merk Associates, Inc. on February 5, 2013. The Evaluation assessed each reservoir, and was

approved by the California Department of Fish and Wildlife (CDFW 2013).

Reservoir 1. The evaluation resulted in a score of 66, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). Although the project would result in 5.4 acres of site disturbance during grading and construction, it would result in the permanent removal of 2.8 acres of kit fox habitat for the open water surface of the reservoir.

Reservoir 2. The evaluation resulted in a score of 71, which requires that all impacts to kit fox habitat be mitigated at a ratio of 3 acres conserved for each acre impacted (3:1). Although the project would result in 4.7 acres of site disturbance during grading and construction, it would result in the permanent removal of 2.1 acres of kit fox habitat for the open water surface of the reservoir.

Implementation of the project would require the removal of up to five blue oak trees, which are located within or adjacent to the proposed grading limits and drainage improvements. These trees may provide habitat for nesting birds; removal of these trees and construction activities proximate to blue oak woodland may have adverse effects on nesting birds, including disruption and harm.

Construction of Reservoir 2 would occur at varying distances from the bank of San Jacinto Creek (40-50 feet). No work is proposed within the creek. Potential impacts to the creek may include inadvertent use or storage of equipment, soils, and materials within or adjacent to the creek, down-gradient sedimentation, and potential accidental discharge of pollutants (i.e. oils, fuels) into the creek, which intercepts the Estrella River west of Estrella Road and the existing alfalfa field.

During construction of the reservoirs, there is a potential for wildlife to enter and become trapped in the reservoir. Once trapped, there is a risk of mortality due to dehydration or starvation. Use of a wildlife ladder or similar feature inside the reservoirs would enable wildlife to exit, which would mitigate this potential impact. The project includes the construction of an 8-foot fence around each reservoir, which would prohibit wildlife from entering the reservoirs.

**Mitigation/Conclusion.** With regards to the San Joaquin kit fox, the applicant will be required to mitigate the loss of 4.9 acres of kit fox habitat by one of the following ways:

- ✓ Deposit of funds to an approved in-lieu fee program;
- ✓ Provide for the protection of kit foxes in perpetuity through acquisition of fee or conservation easement of suitable habitat in the kit fox corridor area; or
- ✓ Purchase credits in an approved conservation bank.

To prevent inadvertent harm to kit fox, the applicant has agreed to retain a biologist for a pre-construction survey, a pre-construction briefing for contractors, and monitoring activities in addition to implementing cautionary construction measures. These mitigation measures are listed in detail in Exhibit B Mitigation Summary Table. In addition, use of a wildlife ladder or similar feature to enable wildlife to exit the reservoirs is identified.

To mitigate for the removal of up to five blue oak trees, the applicant has agreed to clearly mark oak trees for removal or protection/avoidance, and replace removed trees (within the subject property) at an in-kind 4:1 ratio. Prior to removal, the applicant shall retain a qualified biologist to conduct a nesting bird survey to ensure no active nests would be harmed or disturbed during construction. In the event an active nest is present, the biologist shall identify a suitable buffer (depending on the bird species) and no construction activity shall be allowed within the buffer zone until the eggs have hatched and the birds have fledged and left the nest. To protect potential impacts to San Jacinto Creek and blue oak trees to remain, the applicant has agreed to install temporary protection fencing for the duration of the construction period and prepare and implement a pollution prevention and contingency plan. The applicant is required, pursuant to the County Ordinance, to prepare and implement a sedimentation and erosion control plan and Stormwater Pollution Prevention Plan. The full extent of these measures is presented in Exhibit B.

The implementation of the above measures will mitigate biological impacts to a level of insignificance.

## 5. CULTURAL RESOURCES

<i>Will the project:</i>	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"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Cultural Resources

**Setting.** The proposed project is within the historic territory of the Obispeno Chumash and Salinan-speaking Native Americans. These Native Americans established a sophisticated system of horticulture, using seed scattering, harrowing, selective harvesting, coppicing and spot burning to produce crops of acorns, grass, and wildflower seeds. They also hunted wildlife and foraged for juncus, willow, redbud, and elderberry for basket making. The founding of Mission Asistencia at Santa Margarita in the 1780s and Mission San Miguel in 1797 led to the gradual depopulation of native communities in this area. The Highway 41/46 corridor has historically served as a traveling route between the coastal areas and the Central Valley. These same routes were previously used by aboriginals for the movement of people and goods as well.

Land Use Ordinance Section 22.94.040(A) (El Pomar-Estrella Sub-area Standards) requires archaeological surveys to be conducted for projects located with 100 feet of a blue line stream, or within 300 feet of a blue line stream where the slope of the site is less than 10 percent.

The applicant submitted an Archaeological Inventory Survey (CRMS 2013), which included the results of surface surveys and a records and literature search through the Central Coast Information Center at the University of California, Santa Barbara. Based on the records search, one previous cultural resource survey and two archaeological sites were identified within one-half mile radius of the project area. No prehistoric or historic cultural resources were encountered during the surface survey. No structures are proximate to the proposed reservoir locations, and no paleontological resources are known to exist in the area.

**Impact.** Based on the results of the Archaeological Inventory Survey (CRMS 2013), implementation of the proposed project would not result in a significant impact to cultural resources. In the unlikely event resources are uncovered during grading activities, implementation of Land Use Ordinance Section 22.10.040 (Archeological Resources) would be required:

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

A. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

B. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished".

**Mitigation/Conclusion.** No significant cultural resource impacts are expected to occur, and no mitigation measures beyond compliance with the Land Use Ordinance are necessary.

## 6. GEOLOGY AND SOILS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\* Per Division of Mines and Geology Special Publication #42

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

Topography: Gently rolling to moderately sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Moderate

Liquefaction Potential: Low

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? Estrella River runs through southwest corner of the project site.

### Geology and Soils

**Impact.** Construction of the two reservoirs will result in the disturbance of 10.1 acres including 146,037 cubic yards of cut and fill. Reservoir 1 will require 5.4 acres of disturbance, including 31,568 cubic yards of cut and 26,169 cubic yards of fill. Reservoir 2 will require 4.7 acres of disturbance, including 45,800 cubic yards of cut and 42,500 cubic yards of fill. 2.66 acres of irrigated alfalfa would

be converted to dry-farming within an approximately 151-acre parcel. Therefore, the total area of disturbance would be 12.76 acres.

An approximately 100-foot long benched access road would extend from the existing agricultural road to Reservoir 1. Additional Reservoir 1 improvements include rock check dams, 36-inch diameter storm drains, storm drain manholes, drain inlets, a riprap lined swale along the perimeter of the reservoir, reservoir supply line outlets, and two polyvinyl chloride (PVC) supply lines (12-inch and 15-inch diameters each) that would connect to an existing well. A 65-foot long benched access road would extend from the existing agricultural road to Reservoir 2. Additional Reservoir 2 improvements would include rock slope protection along the northern and western perimeter of the reservoir, a lined swale along the eastern perimeter of the reservoir, an outlet pipe, a 12-inch diameter PVC reservoir supply pipe connecting to an existing water supply main, storm drains, and a vertical pipe boot and 18-inch PVC pipe leading to a rip-rap field.

The project would be accessed via existing unpaved agricultural roads and proposed access roads to be constructed proximate to each reservoir. An 8-foot wire fence and gate would be installed around each proposed reservoir. Proposed erosion control measures include rip-rap, fiber rolls, silt fencing, burlap or synthetic net bags, hydro-seeding, and designated stock pile areas.

During grading activities, there is a potential for erosion and down-gradient sedimentation. As noted above, the applicant has included proposed erosion control measures to be implemented during construction on the project plans. In addition, based on the area of disturbance, a Stormwater Pollution Prevention Plan (SWPPP) will be required, which would further minimize the potential for erosion and subsequent sediment transport and discharge into surface waters. A sedimentation and erosion control plan is required for all construction and grading projects (LUO Section 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.

Based on the location of the project, no significant geologic hazards are anticipated. The applicant is required to comply with existing Land Use Ordinance standards, including Sections 22.52.100 (Grading Plan Requirements) and 22.52.150 (Standards). Based on compliance with existing regulations, no significant geologic or soil impacts are anticipated to occur.

**Mitigation/Conclusion.** There is no evidence that measures above what will already be required by ordinance or codes are needed.

<b>7. HAZARDS &amp; HAZARDOUS MATERIALS - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
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"/>

**7. HAZARDS & HAZARDOUS MATERIALS - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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 checked="" type="checkbox"/>	<input 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"/>
h) <i>Be within a 'very high' fire hazard severity zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Be within an area classified as a 'state responsibility' area as defined by CalFire?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Hazards and Hazardous Materials**

**Setting.** The project site is not located in an area of known hazardous material contamination and is not located on the "Cortese List" (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5) (SWRCB 2015; DTSC 2015). The project is not located within an Airport Review Area. The project is located within a high fire hazard severity zone (CAL FIRE 2007). 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.

**Impact.** The proposed project is a request to construct two reservoirs to support an existing vineyard. The project would not include the construction of buildings for human habitation and therefore will not expose people to any other hazard. The project does not propose the use of hazardous materials or the generation of hazardous wastes. The use of standard materials, oils, and fuels to operate and maintain construction equipment will be conducted pursuant to existing regulations (please also refer to the Water section of this Initial Study regarding water quality). The project does not present a significant fire safety risk. The project is not expected to conflict with any regional emergency

response or evacuation plan.

**Mitigation/Conclusion.** No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate permanent increases in the ambient noise levels in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Noise

**Setting.** The project is not considered a “noise sensitive land use”, and is not located near loud noise sources. The project is located within an agricultural area, and there are no existing sensitive receptors anywhere in the vicinity of the proposed project. 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 project is not expected to generate loud noises, nor conflict with the surrounding uses. It would not expose people existing noise sources.

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

## 9. POPULATION/HOUSING

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly (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"/>

**9. POPULATION/HOUSING**

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Population/Housing**

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

**Impact.** The proposed project is a request to construct two agricultural reservoirs, and does not include any structures for human habitation. The project would serve an existing vineyard, and is not anticipated to generate additional long-term employment opportunities in the County. 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Police: County Sheriff

Location: Templeton (Approximately 14 miles to the station)

Fire: Cal Fire (formerly CDF)

Hazard Severity: High

Response Time: 15-20 minutes

Location: 4050 Branch Street, Paso Robles, CA 93446 (Approximately 10 miles to the project)

**Public Services**

For additional information regarding fire hazard impacts, go to the 'Hazards and Hazardous Materials' section

**Impact.** The proposed project is a request to construct two reservoirs to serve an existing vineyard. Since it will not construct buildings for human habitation or result in a need for a significant amount of new housing, the proposed project is not anticipated to increase demands on public facilities or utilities.

**Mitigation/Conclusion.** No significant public services/utilities impacts are anticipated. No mitigation measures are necessary.

**11. RECREATION**

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

**Recreation**

**Setting.** Based on the County Trails Map, the project is within reasonably close proximity to the Whitley Gardens to San Miguel Trail. Estrella Road is used by bicyclists, although a formal bicycle path or lane is not provided.

**Impact.** The project would be located within an operational vineyard, and would not have any adverse effects on existing or planned recreational opportunities in the County. The proposed project will not create a significant need for additional park, Natural Area, and/or recreational resources.

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

**12. TRANSPORTATION/CIRCULATION**

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 12. TRANSPORTATION/CIRCULATION

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Provide for adequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with an applicable congestion management program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Result in a change in air traffic patterns that may result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Transportation

**Setting.** The County has established the acceptable Level of Service (LOS) on roads for this rural area as "C" or better. The existing road network in the area, including Estrella Road, is operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable. Referrals were sent to County Public Works and no concerns were identified.

**Impact.** The proposed project is a request to construct two reservoirs to serve an existing vineyard. After construction activities are complete, the proposed project is not anticipated to increase vehicle trips on the existing road network. As a result, it will have no impact on existing road service or traffic safety levels. The project does not conflict with adopted policies, plans and programs on transportation.

**Mitigation/Conclusion.** 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) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 13. WASTEWATER

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Adversely affect community wastewater service provider?</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 type="checkbox"/>

#### Wastewater

**Setting/Impact.** The proposed project is a request to construct two agricultural reservoirs for an existing vineyard. It would not generate wastewater or require wastewater disposal.

**Mitigation/Conclusion.** No significant wastewater impacts are anticipated, and therefore no mitigation is necessary.

### 14. WATER & HYDROLOGY

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<b>QUALITY</b>				
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
<b>QUANTITY</b>				
h) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 14. WATER & HYDROLOGY

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<b>Will the project:</b>				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
k) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Water

**Setting.** The subject parcel overlies the Estrella sub-area of the Paso Robles Groundwater Basin (the basin). Encompassing an area of approximately 505,000 acres (760 square miles), the basin extends from the Garden Farms area south of Atascadero to San Ardo in Monterey County, and from the Highway 101 corridor to east of Shandon. It is the primary, and in many places the only, source of water available to property owners throughout the North County.

### Resource Capacity Study

In January 2007 the Board of Supervisors directed the preparation of a Resource Capacity Study (RCS) for the Paso Robles Groundwater Basin in accordance with the County's Resource Management System (RMS). The RMS is a mechanism for ensuring a balance between land development and the resources necessary to sustain such development. When a resource deficiency becomes apparent, efforts are made to determine how the resource might be expanded, whether conservation measures could be introduced to extend the availability of unused capacity, or whether development should be limited or redirected to areas with remaining resource capacity. The RMS is designed to avoid adverse impacts from depletion of a resource.

The RMS describes a resource in terms of its "level of severity" (LOS) based on the rate of depletion and an estimate of the remaining capacity, if any. In response to a resource issue or recommended LOS, the Board of Supervisors may direct a Resource Capacity Study (RCS) be conducted. An RCS provides additional details that enable the Board of Supervisors to certify a LOS and adopt whatever measures are needed to eliminate or reduce the potential for undesirable consequences.

<b>LOS I</b>	Level I is reached for a water resource when increasing water demand projected over nine years equals or exceeds the estimated dependable supply.
<b>LOS II</b>	Level II for a water resource occurs when water demand projected over seven years (or other lead time determined by a resource capacity study) equals or exceeds the estimated dependable supply.
<b>LOS III</b>	A Level of Severity III exists when water demand equals the available resource; the amount of consumption has reached the dependable supply of the resource.

In February 2011, the County Board of Supervisors approved the Paso Robles Groundwater Basin Resource Capacity Study (RCS), which links the state of the basin to land use policy, basin monitoring and water conservation. The RCS concludes that the groundwater basin is approaching or has reached its "perennial yield" – the amount of usable water of a groundwater basin that can be withdrawn and consumed economically each year for an indefinite period of time. The RCS

established an LOS III for the main basin and a separate LOS I for the Atascadero sub-basin, which is hydrogeologically distinct from the main basin. The County Board of Supervisors, after considering a number of studies about this groundwater basin and approving related documents [i.e., Paso Robles Groundwater Basin Resource Capacity Study (RCS), February, 2011; Paso Robles Groundwater Basin Management Plan (GMP), March, 2012, have concluded the following conditions exist:

- Groundwater levels are generally dropping throughout the basin.
- Pumping of groundwater from the basin has reached or is quickly approaching the basin's "perennial yield."

California law does not allow the County to limit how much water a property owner pumps from the ground. The County must rely only on its land uses authority to address this issue.

**Basin-wide Supply and Demand**

The main basin has an estimated perennial yield of approximately 97,700 afy (Fugro 2005) and the hydrogeologically distinct Atascadero sub-basin has a perennial yield of approximately 16,400 afy (Fugro 2000). The most recent pumping estimate shows total outflows of 91,838 afy to 96,723 afy in the main basin and 15,255 afy to 16,012 in the Atascadero sub-basin as of 2009 (Fugro 2010). Although more recent water balance estimates are not presently available, the RCS includes several water balance projections or scenarios that forecast the status of the basin to the year 2025. Based on these scenarios, total basin outflows in the year 2013 would range from 83,407 afy to 107,018 afy. Under the "reasonable worst case" scenario, the basin outflows (107,018 afy) would exceed perennial yield (97,700 afy) by about 10 percent in 2013. Table 2 compares the assumptions used in each of these scenarios. The scenarios that exhibit the greatest effect on when perennial yield is reached are those that reduce the vineyard water use factor.

**Table 2. Comparison of RCS Water Balance Scenarios for the Paso Robles Groundwater Basin**

RCS Scenario	Low (# 4)	Mid (# 3)	High (#2)
Estimated 2013 Outflows	83,407 afy	92,547 afy	107,018 afy
Perennial Yield Reached	2025	2019	2011
Agricultural Groundwater Pumping	+1.5%/year	+1.5%/year	+3%/year
Rural/Small Community Groundwater Pumping	+1.5%/year	+1.7%/year	+3.4%/year
Small Commercial Pumping	+4%/year	+ 4%/year	+ 8%/year
Vineyard Water Use	0.75 – 1.00 afy/year	1.00 – 1.25 afy/year	1.25 – 1.50 afy/year
Rural Pumping	1.7 afy/acre	1.7 afy/acre	1.7 afy/acre

**Monitoring Wells**

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 May 2015 are related in "hydrographs" which are geographic representations of changes in groundwater levels over time along with yearly rainfall. Hydrographs are developed for four areas of the main basin. According to these hydrographs graphically show that groundwater levels have recently fallen in all four areas:

- Estrella – water levels have dropped approximately 30 feet from 2013 to 2015.
- Creston – water levels have dropped approximately 3 feet from 2013 to 2015.

- San Juan – water levels have dropped approximately 25 feet from 2013 to 2015.
- Shandon – water levels have dropped approximately 10 feet from 2013 to 2015.

Estimated Basin Pumping by User – Main Basin

There are five different groups of groundwater users in the basin: agriculture; commercial; rural; small community systems; and, small commercial (e.g. golf courses, wineries, institutional uses). Table 3 shows the estimated amount of pumping by each user group. In 2006, Agriculture and rural users accounted for 83 percent of water use in the basin. Urban users accounted for the remaining 17 percent of pumping.

**Table 3. Total Groundwater Pumping by User (1997, 2000, and 2006) (afy)**

<b>Groundwater User</b>	<b>1997</b>	<b>2000</b>	<b>2006</b>
Net Agriculture	49,683	56,551	56,680
Urban	13,513	14,629	15,665
Rural	9,400	9,993	10,891
Small Community <sup>1</sup>	---	---	594
Small Commercial	1,465	1,465	2,323
<b>Total</b>	<b>74,061</b>	<b>82,638</b>	<b>88,153</b>

Source: Paso Robles Groundwater Basin Resource Capacity Study, 2011

<sup>1</sup>Small Community was included in Rural in 1997 and 2000

RCS Implementation - Water Conservation Requirements

In addition to certifying levels of severity for the Paso Robles Groundwater Basin and Atascadero sub-basin, the 2011 RCS recommended several land use measures to curtail water demands in the basin. This included a recommendation to adopt water conservation requirements for development projects located in the Paso Robles Groundwater Basin. On September 25, 2012, the County Board of Supervisors carried out this recommendation by amending Article 9 of the Land Use Ordinance, Title 22 of the County Code, to establish water conservation requirements for projects located in the following areas:

- Rural portions of the Paso Robles Groundwater Basin, except for the Atascadero sub-basin;
- Whitley Gardens and Creston village reserve lines; and
- The unincorporated Paso Robles urban reserve line.

The water conservation requirements:

- Require new discretionary development to offset its net new water demand for non-agricultural purposes;
- Require that offsets conserve water used or potentially used for non-agricultural purposes;
- Exempt agricultural processing uses from the offset requirements;
- Prohibit general plan amendments that would result in a net increase in the use of water for non-agricultural purposes until a Level of Severity I is certified by the Board of Supervisors;
- Prohibit the approval of new land divisions until a Level of Severity (LOS) I is certified by the Board of Supervisors; and
- Include conservation measures for outdoor water use by discretionary development.

### Urgency Ordinance

On August 27, 2015, the Paso Robles Groundwater Basin Urgency Ordinance expired. This urgency ordinance required that all new planting and new development within the Paso Robles Groundwater Basin offset water use at a 1:1 ratio. On August 13, 2015, the Planning Commission recommended that the Board of Supervisors adopt a new ordinance with similar provisions as part of a package of water amendments, known as the Countywide Water Conservation Program. A Board of Supervisors hearing date has yet to be scheduled, but is anticipated to be heard in the fall of 2015. The urgency ordinance included an exemption for "new ponds, reservoirs and dams constructed to regulate or store a supply of water for frost protection, seasonal irrigation, or livestock purposes." Nevertheless, agricultural ponds with a storage capacity of more than one acre-foot are subject to environmental review under CEQA.

### Paso Robles Groundwater Basin Groundwater Management Plan (AB 3030)

On March 18, 2014, the County Board of Supervisors adopted a resolution directing County staff to begin drafting amendments to the March 2011 Groundwater Basin Management Plan that was originally adopted on March 27, 2012. The amendments are currently in process, and are intended to refine the plan based on updated information and recommendations regarding the basin.

### Water-Related General Plan and County Code Amendments

The Board of Supervisors authorized the County Department of Planning and Building to process several amendments to the County General Plan and County Codes with the objective of the development and implementation of a Countywide Water Conservation Program to substantially reduce increases in groundwater extraction in areas that have been certified LOS III; provide a mechanism to allow new development and new or altered irrigated agriculture to proceed in certified LOS III areas, subject to the requirements of the County General Plan and County Code, in a manner that fully offsets projected water use; and to reduce the wasteful use of water in the county.

Implementation of the proposed Countywide Water Conservation Program would require amendments to the County General Plan and the County Code. The implementation of the proposed Water Neutral New Development component of the Countywide Water Conservation Program requires amendments to Title 19 (Building and Construction Ordinance), and Title 22 (Land Use Ordinance), as well as the amendments to policies and implementation strategies identified in Agricultural Element and the Conservation and Open Space Element of the County General Plan.

The implementation of the proposed Water Waste Prevention component of the Countywide Water Conservation Program requires amendments to Title 8 (Health and Sanitation Code) of the County Code, as well as amendments to policies and implementation strategies in the Agricultural Element of the County General Plan to address agricultural and urban water waste prevention efforts. Draft language was reviewed by the County Planning Commission, and the Board of Supervisors will consider these revised draft amendments in August 2015, in addition to the Final Supplemental Environmental Impact Report, which was prepared for the Countywide Water Conservation Program/Conservation and Open Space Element.

### Vineyard Water Use

The property is planted with approximately 493 acres of grape vines, and 17 acres of irrigated alfalfa. Three on-site wells supply irrigation for the existing crops. Based on information from the applicant, the maximum irrigation application rate is 0.9 acre feet per acre (Kirk Consulting 2014), resulting in a total of 443.7 acre feet per year.

### Drainage Characteristics

The topography of the project site ranges from gently rolling to moderately sloping. San Jacinto Creek flows through the subject parcels, and joins the Estrella River east of Estrella Road. At the time of the field visit (April 9, 2015), the creek bed was dry, and limited vegetation was present. Construction of

Reservoir 2 would occur at varying distances from the bank of San Jacinto Creek (40-50 feet). The Estrella River is approximately 0.7 mile southwest of the proposed location for Reservoir 2. A mapped "blue-line stream" is shown through the proposed location for Reservoir 1; while a natural swale exists, this area has been historically modified by agricultural development including disking, agricultural roads, and agricultural grading, and no evidence of a defined bed and bank is present. The lack of a jurisdictional feature was confirmed by the applicant's biologist (Monsoon 2013). Both reservoir sites are surrounded by active agricultural areas, including vineyards and orchards.

As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility. Reservoir 2 would be located adjacent to the 100-year Flood Hazard designation for San Jacinto Creek. Portions of the existing alfalfa field are located within the 100-year Flood Hazard designation for the Estrella River and San Jacinto Creek. Soil drainage characteristics are considered not well to moderately 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. The applicant submitted a Drainage Report (eda 2013) for the proposed project.

### 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 site's soil erodibility is considered moderate.

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120, CZLUO Sec. 23.05.036) to minimize potential drainage, erosion, and sedimentation 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

The proposed project involves approximately 10.1 acres of disturbance including 146,037 cubic yards of cut and fill on a 487-acre parcel. Reservoir 1 will require 5.4 acres of disturbance, including 31,568 cubic yards of cut and 26,169 cubic yards of fill. Reservoir 2 will require 4.7 acres of disturbance, including 45,800 cubic yards of cut and 42,500 cubic yards of fill. 2.66 acres of irrigated alfalfa would be converted to dry-farming within an approximately 151-acre parcel. Therefore, the total area of disturbance would be 12.76 acres. The reservoirs would be constructed on gently to moderately sloping topography, within a 100-year Flood Hazard designation and within 100 feet of a creek. Underlying soils are moderately erodible. The applicant's erosion control plan includes the use of rip-rap, fiber rolls, silt fencing, burlap or synthetic net bags, hydro-seeding, and designated stock pile areas. In addition to preparation and implementation of a SWPPP, implementation of the following County standards will reduce the project's water quality impacts to less than significant levels:

- Requirements for drainage, sedimentation and erosion control for construction and permanent use;
- Stockpiles will be properly managed during construction to avoid material loss due to erosion; and
- All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur.

In addition, to protect potential impacts to San Jacinto Creek, the applicant has agreed to install

temporary protection fencing for the duration of the construction period and prepare and implement a pollution prevention and contingency plan.

### Water Quantity

The proposed project is a request to construct two high-density polyethylene (HDPE)-lined agricultural reservoirs (Reservoir 1 and Reservoir 2) with maximum holding capacities of 49.8 and 33.6 acre-feet, respectively, to provide frost protection and irrigation for an existing 493-acre vineyard. Water used to fill the reservoirs will be sourced from three existing wells. The average monthly pump rate per well to account for evaporative loss of water (when the reservoirs contain water) would range from 2.3 to 5.9 gallons per minute. The stored water would be used for frost protection purposes during the typical peak frost period (April and May). At the end of the frost season, the reservoirs would be at 25 percent capacity for irrigation operations June 1 through October 31. The reservoir would remain empty in the months of January, February, March, November, and December. The applicant's intention of the project is to increase water-use efficiency during the peak frost period by providing a large volume of water to be readily available, instead of pumping groundwater from all irrigation wells at the same time, for long periods of time. Quantification of water savings through application of this method was not provided.

Although the proposed reservoir may increase water-use efficiency by enabling better water management, it would also result in water loss through evaporation from the water surface to the atmosphere. The total evaporative water loss is estimated to be 11.97 afy under drought conditions, which would require increased groundwater pumping to maintain proposed reservoir capacity (Monsoon 2015). This information was peer reviewed and confirmed by the County's consultant (Fugro 2015).

The project includes the removal of 2.66 acres of existing irrigated alfalfa, which is proposed to offset annual evaporative losses of reservoir water (11.19 acre-feet per year [afy] under average rainfall conditions to 11.97 afy under drought conditions). The offset is based on an average irrigation application rate of 4.5 afy/acre. A restricted covenant is proposed to limit the amount of irrigated alfalfa on the parcel to 14.34 acres. The covenant would remain in effect until the Level of Severity of the Paso Robles Groundwater Basin is adjusted by the County Board of Supervisors to Level of Severity II or better.

Although initially identified as additional off-sets and water use reductions by the applicant, the calculations above do not include reductions due to the removal of non-native annual grassland, or the applicant's decision to not plant vineyards in the proposed reservoir locations. These are not considered viable offsets or reductions because the analysis is based on the current environmental baseline, and the non-native annual grassland is not manually irrigated and relies on rainfall only.

### Well Interference

The applicant's consultant, Monsoon Consultants, performed a well interference analysis, which determined that the anticipated drawdown, as measured at the property line, would range from approximately 3.7 to 5.2 feet. Well interference impacts of this magnitude are not considered to be significant (Fugro 2015).

### Drainage and Flood Hazard

As noted above, construction of Reservoir 1 would be located within a natural swale, which was previously identified as a "blue-line stream". Stormwater would naturally flow within the swale. Based on the Drainage Report (eda 2013) submitted by the applicant, surface drainage would be diverted around the reservoir. The proposed plans include a stormdrain system that would carry the stormwater around the edge of the reservoir, and would discharge into rip-rap/filter fabric field before continuing downslope. A lined swale and overflow pipes would be constructed, which would also discharge into identified rip-rap/filter fabric fields.

During a 100-year flood event, floodwaters would reach the edge of Reservoir 2 along its western and northern sides, at an anticipated height of 1.6 to 2.8 feet (eda 2013). The western and northern perimeter of the reservoir would be constructed with rock slope protection, designed to mitigate for anticipated floodwater velocities. This reservoir would also include a lined swale along the southern perimeter, storm drain, and overflow pipes and rip-rap/filter fabric fields. In the unlikely event either reservoir fails, due to a seismic event or other natural hazard, stored water would be released downslope into San Jacinto Creek and the Estrella River. All surrounding lands are agricultural, and the distance traveled along the creek from Reservoir 2 to the river is approximately 0.9 mile. The surrounding lands along this route are all owned by the applicant.

Portions of the existing alfalfa field, including the 2.66 acres that would be removed from the irrigated area, would continue to flood during 100-year (and greater) storm events. No significant impacts are anticipated.

As proposed, the reservoirs are designed to withstand storm and flood events, and would not be located in an area that would impede floodwaters or otherwise create a public health and safety issue. Flood waters would continue downslope within San Jacinto Creek before reaching the Estrella River. Based on the incorporation of engineered design recommendations (eda 2013) and compliance with existing regulations, no significant drainage for flood hazard impacts would occur.

**Mitigation/Conclusion.** As discussed in Section 4, Biological Resources, implementation of a pollution prevention and contingency plan would be required to ensure protection of San Jacinto Creek and associated water quality. Compliance with existing regulations and specified mitigation measures would adequately address surface water quality impacts during construction and permanent use of the project.

The project's water quantity impact is due to evaporative water losses in the amount of 11.97 afy. This impact is offset by the removal of 2.66 acres of irrigated alfalfa, resulting in a water savings of up to 11.97 afy. Based on this water savings, the proposed project would achieve a 1:1 offset.

As described in Section 2, Agricultural Resources, at the time of application for grading permits, the project plans shall clearly state the purpose of the reservoir for on-site frost control and that off-site transfer of reservoir water and/or other uses of the reservoir are prohibited.

Since the project would enable water storage for frost protection, it would reduce the amount of water simultaneously pumped from the basin during frost events and would therefore reduce drawdown at neighboring wells by an estimated 3.7 to 5.2 feet. For the reasons described above, the proposed project is anticipated to have less than significant water and hydrology impacts.

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

**15. LAND USE**

*Will the project:*

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Land Use**

**Setting/Impact.** The proposed project is subject to the following Planning Area Standard(s) as found in the County’s LUO:

1. 22.14.060 (Flood Hazard Areas)
2. 22.94.025 (Paso Robles Groundwater Basin)
3. 22.94.040 (El Pomar-Estrella Sub-area Standards)
  - A. Archaeological Resources
  - B. Riparian and Wildlife Corridors
4. 22.94.080 (Salinas River Sub-area Standards)

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 (APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

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

The applicant submitted required reports pursuant to Land Use Ordinance Sections 22.14.060 (Flood Hazard) and 22.94.040.A (Archaeological Resources). Regarding flood hazard requirements, the submitted Drainage Report (eda 2013) identifies measures (incorporated into the project plans) to address flood events, and the structure would not be habitable.

Construction and grading activities associated with the proposed reservoir will be subject to fugitive dust control measures pursuant to Land Use Ordinance Section 22.52.160.

Based on the project’s estimated evaporative water losses of 11.97 afy under drought conditions, and proposed water offset of 11.97 afy, the project would achieve a 1:1 offset, consistent with the requirement of the now expired urgency ordinance.

Land Use Ordinance Section 22.94.040.B. identifies a minimum 50-foot setback from the top of the bank of any watercourse. As proposed, Reservoir 2 would be located approximately 40 to 50 feet from the top of the bank of San Jacinto Creek. The ordinance allows a lesser setback, but no less than 30 feet, provided that specific findings can be made. In this location, no riparian vegetation is present along the affected section of the creek, and this section appears to only carry surface flow during or following storm events. Alternative development would require further expansion to the north into the 100-year flood zone, or would require additional grading and potentially removal of existing vineyards. The project includes an erosion and sedimentation control plan, and no alteration of the creek would occur. Therefore, the project appears to be consistent with this ordinance standard.

**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 pre-history?*
  
- 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](http://www.sloplanning.org)" under "Environmental Information", or the California Environmental Resources Evaluation System at: [http://www.ceres.ca.gov/topic/env\\_law/ceqa/guidelines](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	None
<input checked="" type="checkbox"/>	County Environmental Health Services	None
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	In File**
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	None
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Fish and Wildlife	In File**
<input type="checkbox"/>	CA Department of Forestry (Cal Fire)	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Services District	Not Applicable
<input checked="" type="checkbox"/>	Other <u>Native American Heritage Commission</u>	None
<input type="checkbox"/>	Other _____	Not Applicable

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

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

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Design Plan
<u>County documents</u>	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> Coastal Plan Policies	<input checked="" type="checkbox"/> Annual Resource Summary Report
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input checked="" type="checkbox"/> San Miguel Circulation Study
<input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:	<u>Other documents</u>
<input checked="" type="checkbox"/> Agriculture Element	<input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook
<input checked="" type="checkbox"/> Conservation & Open Space Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input type="checkbox"/> Economic Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Parks & Recreation Element/Project List	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> Special Biological Importance Map
<input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal)	<input checked="" type="checkbox"/> CA Natural Species Diversity Database
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Public Facilities Fee Ordinance	<input checked="" type="checkbox"/> Flood Hazard Maps
<input type="checkbox"/> Real Property Division Ordinance	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Affordable Housing Fund	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input type="checkbox"/> Airport Land Use Plan	<input checked="" type="checkbox"/> Other Important Farmland Map
<input type="checkbox"/> Energy Wise Plan	
<input checked="" type="checkbox"/> Conservation and Open Space Element Supplemental EIR	

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

1. County of San Luis Obispo. May 29, 2015. Sub-Area WSE Trend Analysis.
2. Cultural Resource Management Services (CRMS). January 29, 2013. *Archaeological Inventory Survey for Vino Farms Reservoir Project, 7993 Estrella Road, Paso Robles, San Luis Obispo County, California.*
3. Eda. January 29, 2013. *Drainage Report for Vino Farms Irrigation Reservoir San Luis Obispo County, California.*
4. Fugro Consultants. June 16, 2015. Review of Revised Response to Peer Review Letter Issued by Fugro, Vino Farms, PMT2012-01775.
5. Fugro Consultants. January 23, 2015. Review of Revised Project Description, Vino Farms. PMT2012-01775.
6. Fugro Consultants. November 22, 2013. Peer Review, PMT2012-01775 – Vino Farms Grading Permit.
7. Fugro Consultants. March 2010. *Paso Robles Groundwater Basin Water Balance Review and Update.*
8. Fugro Consultants. (February 2005). *Paso Robles Groundwater Basin Study – Phase II.*
9. Fugro Consultants. (August 2002). *Paso Robles Groundwater Basin Study – Phase I.*
10. Kevin Merk Associates, LLC. (February 5, 2013). *San Joaquin Kit Fox Habitat Evaluations for Two Irrigation Reservoirs, Estrella River Ranch, San Luis Obispo County, California.*
11. Kirk Consulting. March 27, 2014. Revised Project Description: PMT2012-01775 Frost Protection Reservoirs.
12. Monsoon Consultants. April 21, 2015. Re: PMT2012-01775 – Vino Farms Grading Permit – Estrella Vineyard/Revised Responses to Peer Review Letter Issued by Fugro Consultants, Inc. (November 22, 2013).
13. Monsoon Consultants. July 31, 2014. Re: PMT2012-01775 – Vino Farms Grading Permit – Estrella Vineyard/Revised Responses to Peer Review Letter Issued by Fugro Consultants, Inc. (November 22, 2013).
14. Monsoon Consultants. August 9, 2013. Re: PMT2012-01775 – Vino Farms Grading Permit – Estrella Vineyard / 8400-8550 Estrella Road, San Miguel CA 93451.
15. Natural Resources Conservation Service. (July 15, 2015). Web Soil Survey National Cooperative Soil Survey.
16. Todd Engineers. (May 2009). *Evaluation of Paso Robles Groundwater Basin Pumping.*
17. Todd Engineers. (December 2007). *Update for the Paso Robles Groundwater Basin.*

## Exhibit B - Mitigation Summary Table

Per Public Resources Code Section 21081.6, the following measures also constitute the mitigation monitoring and/or reporting program that will reduce potentially significant impacts to less than significant levels. These measures will become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, are responsible to verify compliance with these COAs.

### Air Quality

**AQ-1 Prior to issuance of grading and construction permits**, the project plans and specifications shall include the following measures, which shall be implemented during construction:

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- b. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with State Off-road Regulation.

### Agricultural Resources

**AG-1 Prior to issuance of construction permit**, the project plans shall clearly state the purpose of the reservoir for on-site frost control and irrigation and that off-site transfer of reservoir water and/or other uses of the reservoir are prohibited.

### Biological Resources

#### *San Joaquin Kit Fox*

The Kit Fox Evaluation, which was completed for SWG Paso Vineyards LLC (Vino Farms) Major Grading Permit PMT2012-01775 by Kevin Merk Associates, LLC, indicates the project will impact 4.9 acres of San Joaquin kit fox habitat. The evaluation included a score for each proposed reservoir location, based in the differing habitat characteristics:

Reservoir 1. The evaluation resulted in a score of 66, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). Compensatory mitigation required for Reservoir 1 is 5.6 acres, based on 2 times 2.8 acres impacted.

Reservoir 2. The evaluation resulted in a score of 71, which requires that all impacts to kit fox habitat be mitigated at a ratio of 3 acres conserved for each acre impacted (3:1). Compensatory mitigation required for Reservoir 2 is 6.3 acres, based on 3 times 2.1 acres.

Total compensatory mitigation required for the project is 11.9 acres. Note that the required mitigation ratio is subject to change upon the completion of the California Department of Fish and Wildlife's review of the habitat evaluation. The mitigation options identified in BR-1 through BR-11 apply **to the proposed project only**; should the project change, the mitigation obligation may also change, and a reevaluation of the mitigation measures would be required.

**BR-1 Prior to issuance of grading and/or construction permits**, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 11.9 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of

the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) (see contact information below) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy" (see contact information below), would total \$29,750 based on \$2,500 per acre. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County, and recommended 2:1 and 3:1 mitigation ratios under review by Fish and Wildlife; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification identifying your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase 11.9 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$29,750. This fee is calculated based on the current cost-per-credit of \$2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

**BR-2 Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following monitoring activities:

- a. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, dinking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site- disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

In addition, the qualified biologist shall implement the following measures:

1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
  - a) Potential kit fox den: 50 feet
  - b) Known or active kit fox den: 100 feet
  - c) Kit fox pupping den: 150 feet
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

**BR-3 Prior to issuance of grading and/or construction permits**, the applicant shall clearly delineate as a note on the project plans, that: "*Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox*". Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**,

In addition, **prior to permit issuance and initiation of any ground disturbing activities**, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

**BR-4 During the site disturbance and/or construction phase**, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.

**BR-5 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

**BR-6 During the site-disturbance and/or construction phase**, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

**BR-7 During the site-disturbance and/or construction phase**, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.

**BR-8 During the site-disturbance and/or construction phase**, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

**BR-9 Prior to, during and after the site-disturbance and/or construction phase**, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

**BR-10 During the site-disturbance and/or construction phase**, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone

(see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.

**BR-11 Prior to final inspection, or occupancy, whichever comes first,** should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
- b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

**BR-12 Prior to issuance of a construction permit,** a Worker Environmental Education Program (WEEP) shall be submitted for County review and approval. **Prior to any site disturbance or other construction or improvement-related activities on site** (i.e., invasive, non-biological surveying; mobilization; fencing; grading; or construction), the approved WEEP shall be implemented by the applicant. The WEEP shall be implemented **throughout the duration of project construction**. The WEEP, shall include, at a minimum, the following components:

- a. Training materials and briefings addressing known or potentially species identified as sensitive; these training materials shall be kept on-site during the construction phase in a weather-proofed area accessible to employees.
- b. A discussion of measures to be implemented for avoidance or minimizing impacts to the sensitive resources and what to do in the event of the discovery of sensitive species on the site
- c. Maps showing the known locations of sensitive species/conditions, such as: special-status wildlife, populations of rare plants and sensitive vegetative communities, seasonal depressions and known waterbodies, wetland habitat, exclusion areas, and other construction limitations (e.g. limited operating periods, etc.).

WEEP training shall be completed for all on-site personnel before they begin working on-site.

**BR-13 Prior to issuance of construction permit,** the "Project Limits" shall be clearly delineated on all construction drawings. Prior to any construction work beginning, including any vegetation clearing, sturdy high-visibility fencing shall be installed to protect San Jacinto Creek. This fencing shall be placed as far away as possible and no closer than 40 feet from the top of bank. No construction work (including storage of materials) shall occur outside of the "Project Limits". Any required fencing shall remain in place during the entire construction period and checked and repaired as needed by the applicant or resident engineer. **Prior to final inspection,** the applicant shall provide verification to the satisfaction of the County that no disturbance occurred outside of the approved "project limits" line.

**BR-14 Prior to issuance of construction permit,** the applicant shall submit a spill contingency and remediation plan, which identifies specific measures to prevent, control, and clean-up any incidental or accidental spills or leaks. **During construction,** equipment refueling shall be done in non-sensitive areas, and at least 100 feet from any blue line creek or existing water bodies, and such that any spills can be easily and quickly contained and cleaned up without entering the creek or groundwater. Prior to issuance of a construction permit the refueling area

San Jacinto Creek shall be specified on applicable construction drawings. Any necessary remedial work shall be done immediately to avoid surface or ground water contamination.

**BR-15** The applicant shall limit tree removal and impacts to no more than five oak trees having a five inch diameter or larger at four feet from the ground. **Prior to construction permit issuance**, construction plans shall clearly delineate all trees within 50 feet of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed. Prior to any ground disturbing activities, adequate protection measures (e.g., sturdy fencing) per the approved construction plans, shall be installed to protect those trees identified to remain unharmed as well as to minimize impacts for those trees identified as being impacted. Protection measures shall remain in good working order during construction.

**BR-16** **Prior to issuance of construction permit**, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. No more than five oak trees having a five inch diameter or larger at four feet from the ground shall be removed or impacted as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Once trees have been planted and **prior to final inspection**, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating when the above planting occurred, what was planted and all measures installed to improve the long-term success of these trees. This letter shall be submitted to the Department of Planning and Building.

**BR-17** To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter (which shall be prior to final inspection), the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established (for oak woodlands, no less than seven years). Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any

necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

**BR-18** All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading or site grubbing. The outer edge of the tree root zone to be fenced will be outside of the canopy 1/2 again the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1-1/2 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided (per approved construction plans), retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

**BR-19** Prior to commencement of any tree removal, to avoid conflicts with nesting raptors and ground-nesting birds, construction activities shall not be allowed during to the nesting season (March to August), unless a County-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the County Planning Department, possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the County.

**BR-20** During construction of the reservoirs, the applicant shall install a temporary wildlife ladder or similar feature approved by the County within each reservoir that would enable wildlife species to exit the reservoir. The ladder or similar feature shall remain in place until the permanent perimeter fence is constructed and no wildlife species is present within the reservoirs. This measure shall be shown on all applicable grading and construction plans.

## **Water Resources**

**WR-1** For the life of the project (on-going mitigation measure), the applicant shall comply with the following management strategies to reduce evaporative water loss:

- Empty reservoirs of well supplied water November 1 through March 31;
- Maintain full reservoirs (100 percent capacity) for potential frost protection April 1 through May 31; and
- Maintain quarter-full reservoirs (25 percent capacity) for irrigation operations June 1 through October 31.

The applicant shall verify compliance with this mitigation measure by submitting annual monitoring reports (or a less frequent reporting schedule as approved by the Environmental Coordinator) describing the following information: a) the date on which the agricultural reservoirs were filled with water for the reporting year; b) the amount of water used to fill the reservoirs and keep them full for the reporting year; and c) the amount of water in the reservoirs from June 1 through October 31 of the reporting year.

**WR-2** Prior to issuance of construction permit, the applicant shall apply for and obtain an Offset Clearance (Agriculture). The Clearance shall identify the 2.66 acres of irrigated alfalfa to be removed or replaced with a non-irrigated agricultural use, resulting in the offset of 11.97 acre feet of groundwater per year. Prior to issuance of construction permit, the applicant shall obtain a Covenant and Agreement Prohibiting Irrigation on the identified 2.66 acres to be used

for the approved offset. The covenant shall remain in effect until the Level of Severity of the Paso Robles Groundwater Basin is adjusted by the County Board of Supervisors to Level of Severity II or better.



Point #	Elevation	Remarks	Point #	Elevation	Remarks
1	725.80	246524.07	57248.18	725.80	246524.07
2	725.80	246524.08	57248.19	725.80	246524.08
3	725.80	246524.09	57248.20	725.80	246524.09
4	725.80	246524.10	57248.21	725.80	246524.10
5	725.27	246524.11	57248.22	725.27	246524.11
6	725.27	246524.12	57248.23	725.27	246524.12
7	725.27	246524.13	57248.24	725.27	246524.13
8	725.27	246524.14	57248.25	725.27	246524.14
9	725.27	246524.15	57248.26	725.27	246524.15
10	725.27	246524.16	57248.27	725.27	246524.16
11	723.00	246524.17	57248.28	723.00	246524.17
12	723.00	246524.18	57248.29	723.00	246524.18
13	723.00	246524.19	57248.30	723.00	246524.19
14	723.00	246524.20	57248.31	723.00	246524.20
15	723.00	246524.21	57248.32	723.00	246524.21
16	723.00	246524.22	57248.33	723.00	246524.22
17	723.00	246524.23	57248.34	723.00	246524.23
18	723.00	246524.24	57248.35	723.00	246524.24
19	723.00	246524.25	57248.36	723.00	246524.25
20	723.00	246524.26	57248.37	723.00	246524.26
21	723.00	246524.27	57248.38	723.00	246524.27
22	723.00	246524.28	57248.39	723.00	246524.28
23	723.00	246524.29	57248.40	723.00	246524.29
24	723.00	246524.30	57248.41	723.00	246524.30
25	723.00	246524.31	57248.42	723.00	246524.31
26	723.00	246524.32	57248.43	723.00	246524.32
27	723.00	246524.33	57248.44	723.00	246524.33
28	723.00	246524.34	57248.45	723.00	246524.34
29	723.00	246524.35	57248.46	723.00	246524.35
30	723.00	246524.36	57248.47	723.00	246524.36
31	723.00	246524.37	57248.48	723.00	246524.37
32	723.00	246524.38	57248.49	723.00	246524.38
33	723.00	246524.39	57248.50	723.00	246524.39
34	723.00	246524.40	57248.51	723.00	246524.40
35	723.00	246524.41	57248.52	723.00	246524.41
36	723.00	246524.42	57248.53	723.00	246524.42
37	723.00	246524.43	57248.54	723.00	246524.43
38	723.00	246524.44	57248.55	723.00	246524.44
39	723.00	246524.45	57248.56	723.00	246524.45
40	723.00	246524.46	57248.57	723.00	246524.46
41	723.00	246524.47	57248.58	723.00	246524.47
42	723.00	246524.48	57248.59	723.00	246524.48
43	723.00	246524.49	57248.60	723.00	246524.49
44	723.00	246524.50	57248.61	723.00	246524.50
45	723.00	246524.51	57248.62	723.00	246524.51
46	723.00	246524.52	57248.63	723.00	246524.52
47	723.00	246524.53	57248.64	723.00	246524.53
48	723.00	246524.54	57248.65	723.00	246524.54
49	723.00	246524.55	57248.66	723.00	246524.55
50	723.00	246524.56	57248.67	723.00	246524.56
51	723.00	246524.57	57248.68	723.00	246524.57
52	723.00	246524.58	57248.69	723.00	246524.58
53	723.00	246524.59	57248.70	723.00	246524.59
54	723.00	246524.60	57248.71	723.00	246524.60
55	723.00	246524.61	57248.72	723.00	246524.61
56	723.00	246524.62	57248.73	723.00	246524.62
57	723.00	246524.63	57248.74	723.00	246524.63
58	723.00	246524.64	57248.75	723.00	246524.64
59	723.00	246524.65	57248.76	723.00	246524.65
60	723.00	246524.66	57248.77	723.00	246524.66

Point #	Elevation	Remarks	Point #	Elevation	Remarks
61	723.00	246524.67	57248.78	723.00	246524.67
62	723.00	246524.68	57248.79	723.00	246524.68
63	723.00	246524.69	57248.80	723.00	246524.69
64	723.00	246524.70	57248.81	723.00	246524.70
65	723.00	246524.71	57248.82	723.00	246524.71
66	723.00	246524.72	57248.83	723.00	246524.72
67	723.00	246524.73	57248.84	723.00	246524.73
68	723.00	246524.74	57248.85	723.00	246524.74
69	723.00	246524.75	57248.86	723.00	246524.75
70	723.00	246524.76	57248.87	723.00	246524.76
71	723.00	246524.77	57248.88	723.00	246524.77
72	723.00	246524.78	57248.89	723.00	246524.78
73	723.00	246524.79	57248.90	723.00	246524.79
74	723.00	246524.80	57248.91	723.00	246524.80
75	723.00	246524.81	57248.92	723.00	246524.81
76	723.00	246524.82	57248.93	723.00	246524.82
77	723.00	246524.83	57248.94	723.00	246524.83
78	723.00	246524.84	57248.95	723.00	246524.84
79	723.00	246524.85	57248.96	723.00	246524.85
80	723.00	246524.86	57248.97	723.00	246524.86

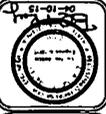
Point #	Elevation	Remarks	Point #	Elevation	Remarks
81	723.00	246524.87	57248.98	723.00	246524.87
82	723.00	246524.88	57248.99	723.00	246524.88
83	723.00	246524.89	57249.00	723.00	246524.89
84	723.00	246524.90	57249.01	723.00	246524.90
85	723.00	246524.91	57249.02	723.00	246524.91
86	723.00	246524.92	57249.03	723.00	246524.92
87	723.00	246524.93	57249.04	723.00	246524.93
88	723.00	246524.94	57249.05	723.00	246524.94
89	723.00	246524.95	57249.06	723.00	246524.95
90	723.00	246524.96	57249.07	723.00	246524.96
91	723.00	246524.97	57249.08	723.00	246524.97
92	723.00	246524.98	57249.09	723.00	246524.98
93	723.00	246524.99	57249.10	723.00	246524.99
94	723.00	246525.00	57249.11	723.00	246525.00
95	723.00	246525.01	57249.12	723.00	246525.01
96	723.00	246525.02	57249.13	723.00	246525.02
97	723.00	246525.03	57249.14	723.00	246525.03
98	723.00	246525.04	57249.15	723.00	246525.04
99	723.00	246525.05	57249.16	723.00	246525.05
100	723.00	246525.06	57249.17	723.00	246525.06

Point #	Elevation	Remarks	Point #	Elevation	Remarks
101	723.00	246525.07	57249.18	723.00	246525.07
102	723.00	246525.08	57249.19	723.00	246525.08
103	723.00	246525.09	57249.20	723.00	246525.09
104	723.00	246525.10	57249.21	723.00	246525.10
105	723.00	246525.11	57249.22	723.00	246525.11
106	723.00	246525.12	57249.23	723.00	246525.12
107	723.00	246525.13	57249.24	723.00	246525.13
108	723.00	246525.14	57249.25	723.00	246525.14
109	723.00	246525.15	57249.26	723.00	246525.15
110	723.00	246525.16	57249.27	723.00	246525.16
111	723.00	246525.17	57249.28	723.00	246525.17
112	723.00	246525.18	57249.29	723.00	246525.18
113	723.00	246525.19	57249.30	723.00	246525.19
114	723.00	246525.20	57249.31	723.00	246525.20
115	723.00	246525.21	57249.32	723.00	246525.21
116	723.00	246525.22	57249.33	723.00	246525.22
117	723.00	246525.23	57249.34	723.00	246525.23
118	723.00	246525.24	57249.35	723.00	246525.24
119	723.00	246525.25	57249.36	723.00	246525.25
120	723.00	246525.26	57249.37	723.00	246525.26

Point #	Elevation	Remarks	Point #	Elevation	Remarks
121	723.00	246525.27	57249.38	723.00	246525.27
122	723.00	246525.28	57249.39	723.00	246525.28
123	723.00	246525.29	57249.40	723.00	246525.29
124	723.00	246525.30	57249.41	723.00	246525.30
125	723.00	246525.31	57249.42	723.00	246525.31
126	723.00	246525.32	57249.43	723.00	246525.32
127	723.00	246525.33	57249.44	723.00	246525.33
128	723.00	246525.34	57249.45	723.00	246525.34
129	723.00	246525.35	57249.46	723.00	246525.35
130	723.00	246525.36	57249.47	723.00	246525.36
131	723.00	246525.37	57249.48	723.00	246525.37
132	723.00	246525.38	57249.49	723.00	246525.38
133	723.00	246525.39	57249.50	723.00	246525.39
134	723.00	246525.40	57249.51	723.00	246525.40
135	723.00	246525.41	57249.52	723.00	246525.41
136	723.00	246525.42	57249.53	723.00	246525.42
137	723.00	246525.43	57249.54	723.00	246525.43
138	723.00	246525.44	57249.55	723.00	246525.44
139	723.00	246525.45	57249.56	723.00	246525.45
140	723.00	246525.46	57249.57	723.00	246525.46

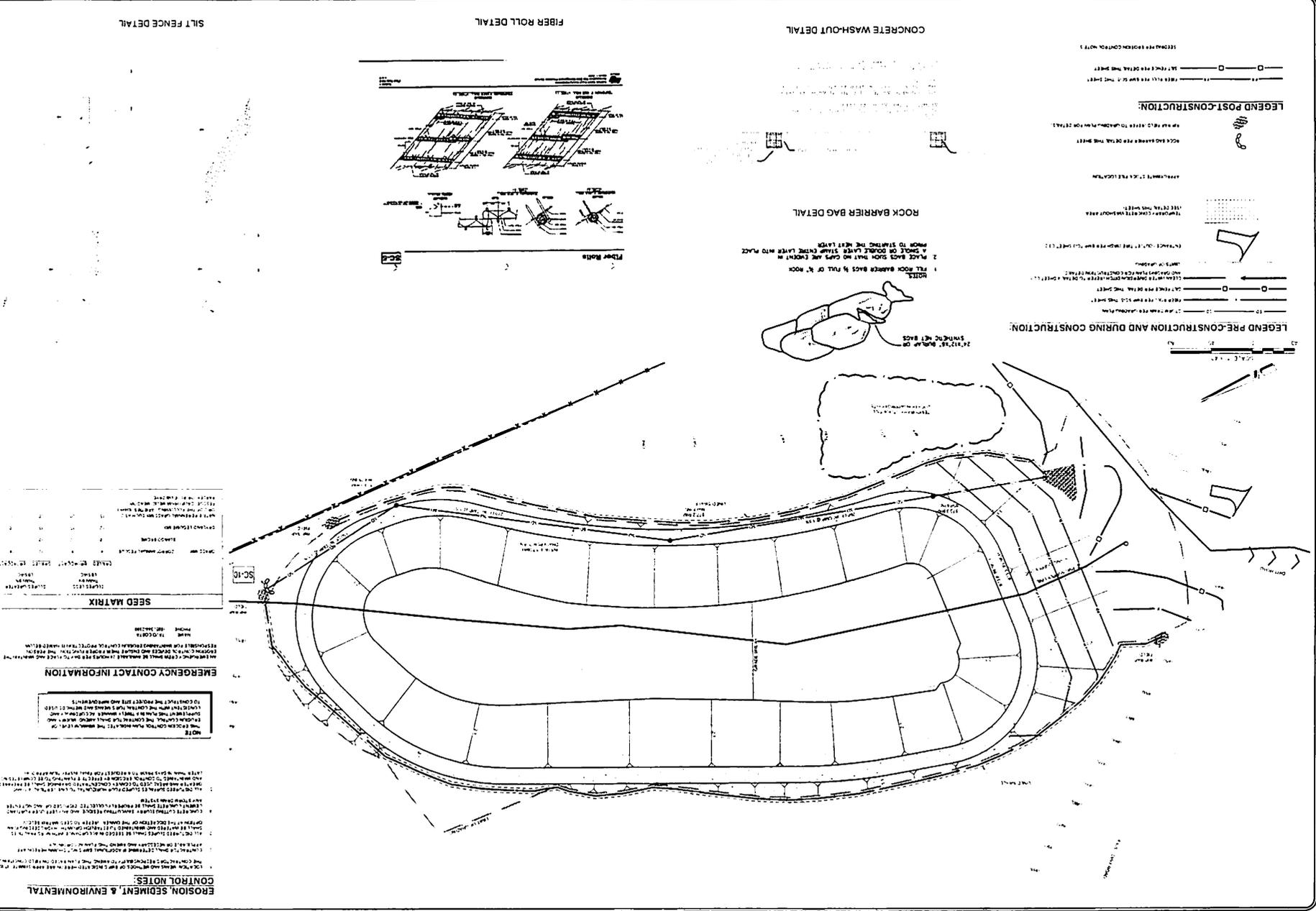
Point #	Elevation	Remarks	Point #	Elevation	Remarks
141	723.00	246525.47	57249.58	723.00	246525.47
142	723.00	246525.48	57249.59	723.00	246525.48
143	723.00	246525.49	57249.60	723.00	246525.49
144	723.00	246525.50	57249.61	723.00	246525.50
145	723.00	246525.51	57249.62	723.00	246525.51
146	723.00	246525.52	57249.63	723.00	246525.52
147	723.00	246525.53	57249.64	723.00	246525.53
148	723.00	246525.54	57249.65	723.00	246525.54
149	723.00	246525.55	57249.66	723.00	246525.55
150	723.00	246525.56	57249.67	723.00	246525.56
151	723.00	246525.57	57249.68	723.00	246525.57
152	723.00	246525.58	57249.69	723.00	246525.58
153	723.00	246525.59	57249.70	723.00	246525.59
154	723.00	246525.60	57249.71	723.00	246525.60
155	723.00	246525.61	57249.72	723.00	246525.61
156	723.00	246525.62	57249.73	723.00	246525.62
157</					

C3.0



EROSION CONTROL PLAN  
 IRRIGATION RESERVOIR SITE # 1  
 SWG PASEO VINEYARDS LLC  
 2015.04.001  
 IRRIGATION RESERVOIR  
 VINO FAJUNS  
 LOCAL CA 95241

NO.	DATE	DESCRIPTION
1	04/01/15	ISSUED FOR PERMIT
2	04/01/15	ISSUED FOR PERMIT
3	04/01/15	ISSUED FOR PERMIT
4	04/01/15	ISSUED FOR PERMIT
5	04/01/15	ISSUED FOR PERMIT
6	04/01/15	ISSUED FOR PERMIT
7	04/01/15	ISSUED FOR PERMIT
8	04/01/15	ISSUED FOR PERMIT
9	04/01/15	ISSUED FOR PERMIT
10	04/01/15	ISSUED FOR PERMIT



**EROSION, SEDIMENT, & ENVIRONMENTAL CONTROL NOTES:**

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.

2. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES IN PLACE AT ALL TIMES DURING CONSTRUCTION AND THROUGHOUT THE LIFE OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL EROSION CONTROL MEASURES IN PLACE AT ALL TIMES DURING CONSTRUCTION AND THROUGHOUT THE LIFE OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL EROSION CONTROL MEASURES IN PLACE AT ALL TIMES DURING CONSTRUCTION AND THROUGHOUT THE LIFE OF THE PROJECT.

**EMERGENCY CONTACT INFORMATION**

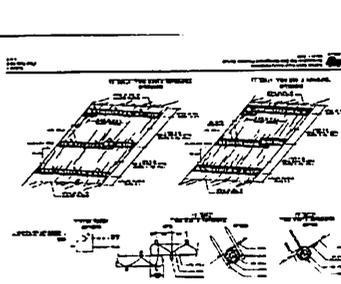
PROJECT MANAGER: [Name]  
 PHONE: [Number]  
 EMAIL: [Address]

**SEED MATRIX**

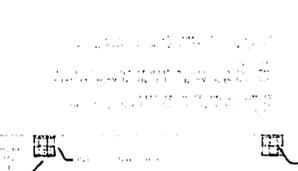
NO.	DATE	DESCRIPTION
1	04/01/15	ISSUED FOR PERMIT
2	04/01/15	ISSUED FOR PERMIT
3	04/01/15	ISSUED FOR PERMIT
4	04/01/15	ISSUED FOR PERMIT
5	04/01/15	ISSUED FOR PERMIT
6	04/01/15	ISSUED FOR PERMIT
7	04/01/15	ISSUED FOR PERMIT
8	04/01/15	ISSUED FOR PERMIT
9	04/01/15	ISSUED FOR PERMIT
10	04/01/15	ISSUED FOR PERMIT

NO.	DATE	DESCRIPTION
1	04/01/15	ISSUED FOR PERMIT
2	04/01/15	ISSUED FOR PERMIT
3	04/01/15	ISSUED FOR PERMIT
4	04/01/15	ISSUED FOR PERMIT
5	04/01/15	ISSUED FOR PERMIT
6	04/01/15	ISSUED FOR PERMIT
7	04/01/15	ISSUED FOR PERMIT
8	04/01/15	ISSUED FOR PERMIT
9	04/01/15	ISSUED FOR PERMIT
10	04/01/15	ISSUED FOR PERMIT

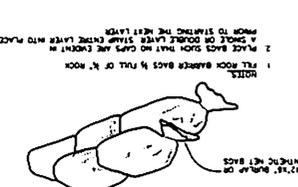
FIBER ROLL DETAIL



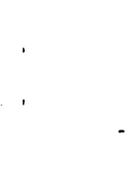
CONCRETE WASHOUT DETAIL



ROCK BARRIER BAG DETAIL



SILT FENCE DETAIL



**LEGEND POST-CONSTRUCTION:**

- 1. ROCK BARRIER BAG DETAIL
- 2. CONCRETE WASHOUT DETAIL
- 3. SILT FENCE DETAIL
- 4. FIBER ROLL DETAIL
- 5. ROCK BARRIER BAG DETAIL
- 6. CONCRETE WASHOUT DETAIL
- 7. SILT FENCE DETAIL
- 8. FIBER ROLL DETAIL

**LEGEND PRE-CONSTRUCTION AND DURING CONSTRUCTION:**

- 1. ROCK BARRIER BAG DETAIL
- 2. CONCRETE WASHOUT DETAIL
- 3. SILT FENCE DETAIL
- 4. FIBER ROLL DETAIL







HDPE LINER SPECIFICATION

Section	Specification
1. General	...
2. Materials	...
3. Installation	...
4. Testing	...
5. Maintenance	...

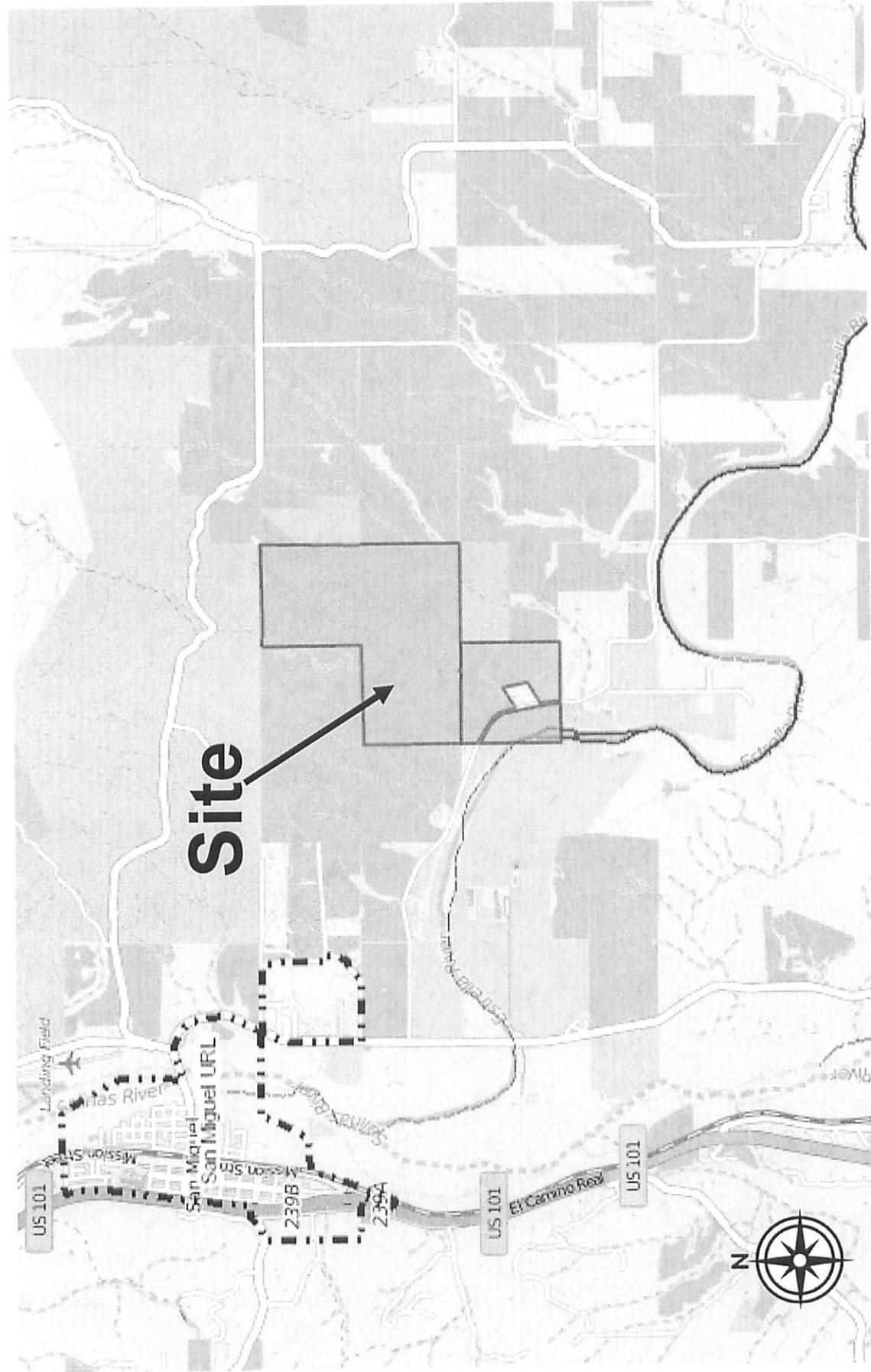
CA.0



**HDPE LINER SPECIFICATIONS**  
 2015.04.001  
 SWG-PASO VINEYARDS, LLC  
 1337 E. LODI AVE  
 LODI, GA 95240  
 IRRIGATION RESERVOIR  
 VINO FARMS

REV	DATE	DESCRIPTION





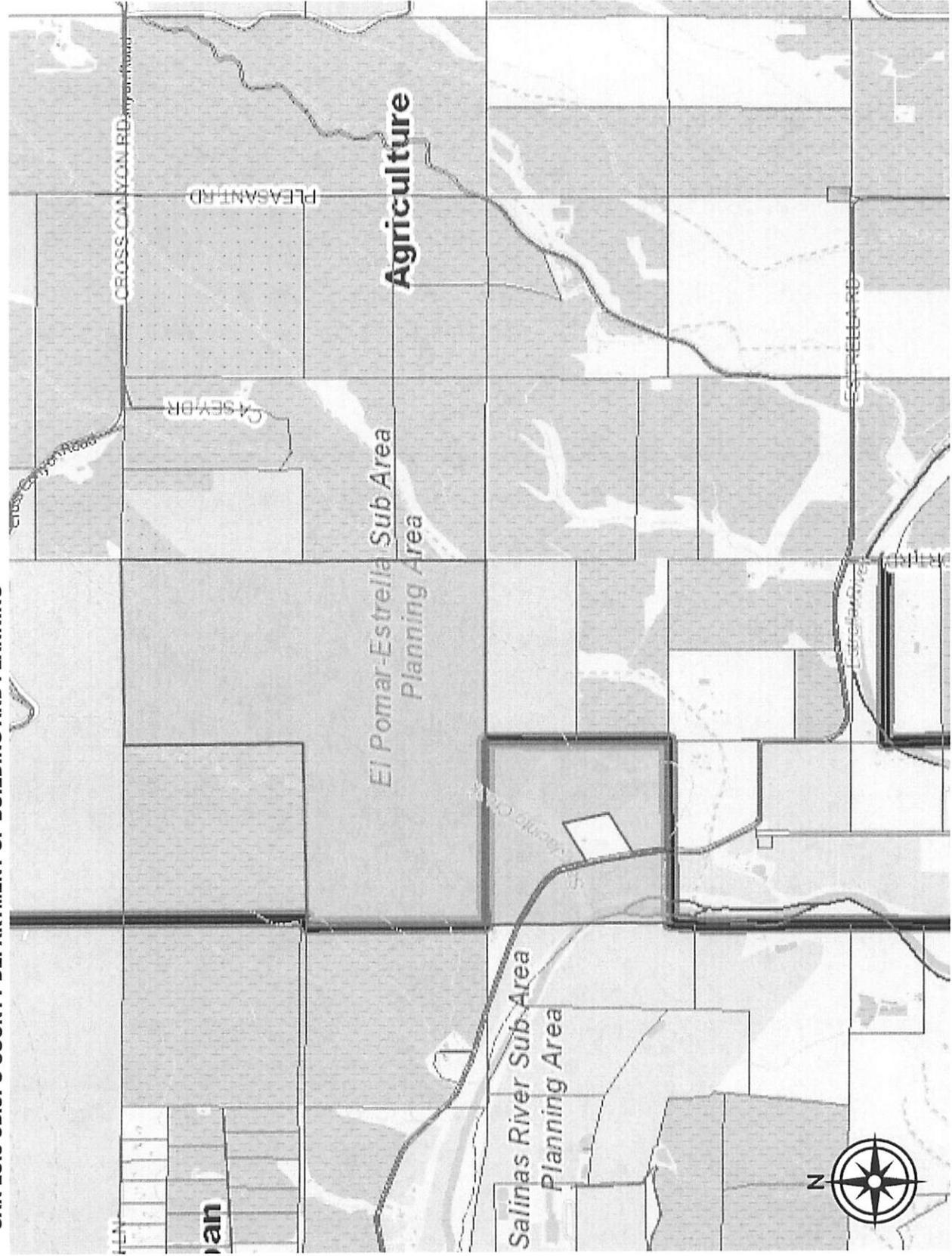
**PROJECT**

Major Grading Permit  
Vino Farms SWG Paso Vineyards / PMT2012-01775

**EXHIBIT**

Vicinity Map

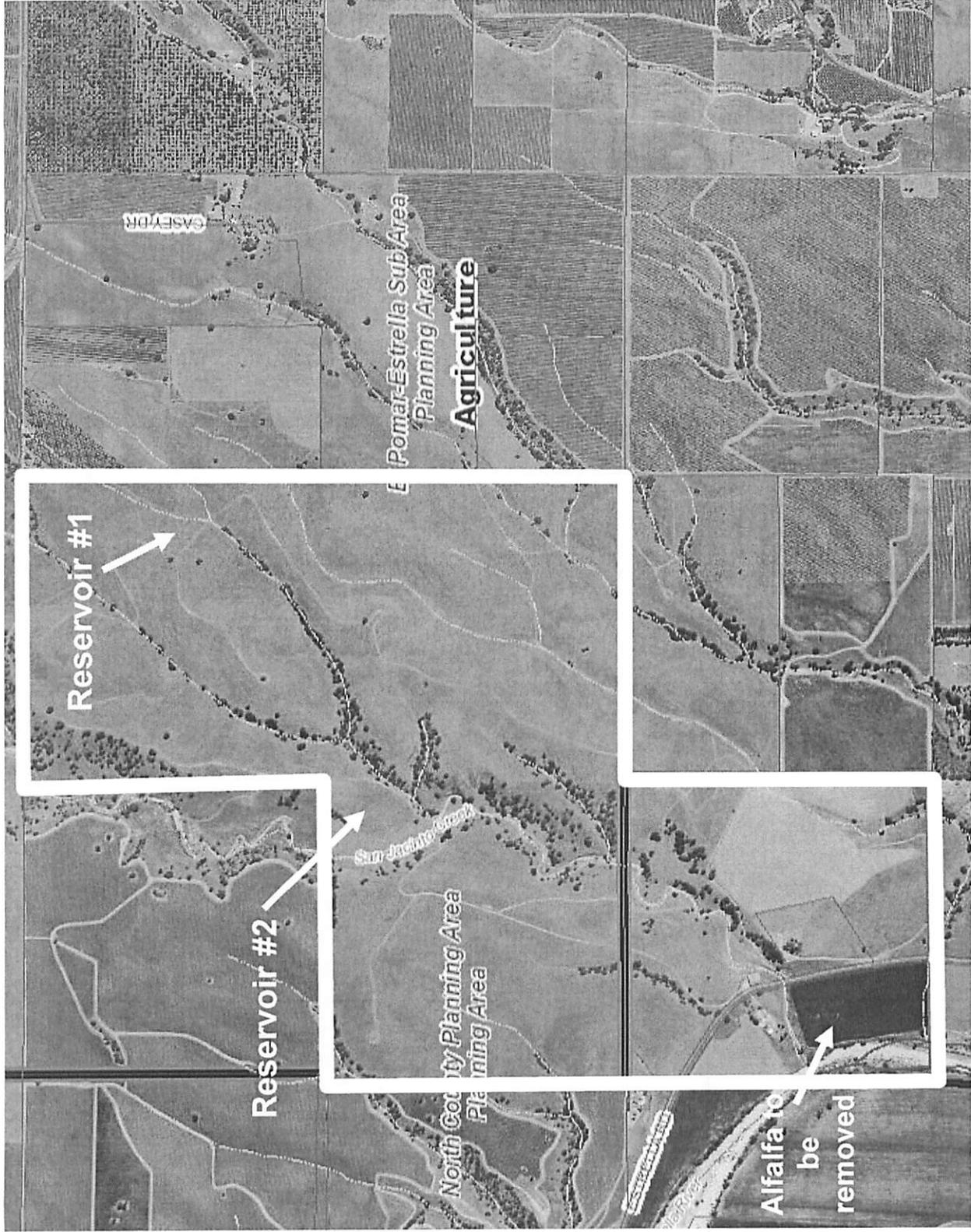




**PROJECT**  
Major Grading Permit  
Vino Farms SWG Paso Vineyards / PMT2012-01775



**EXHIBIT**  
Land Use Category Map



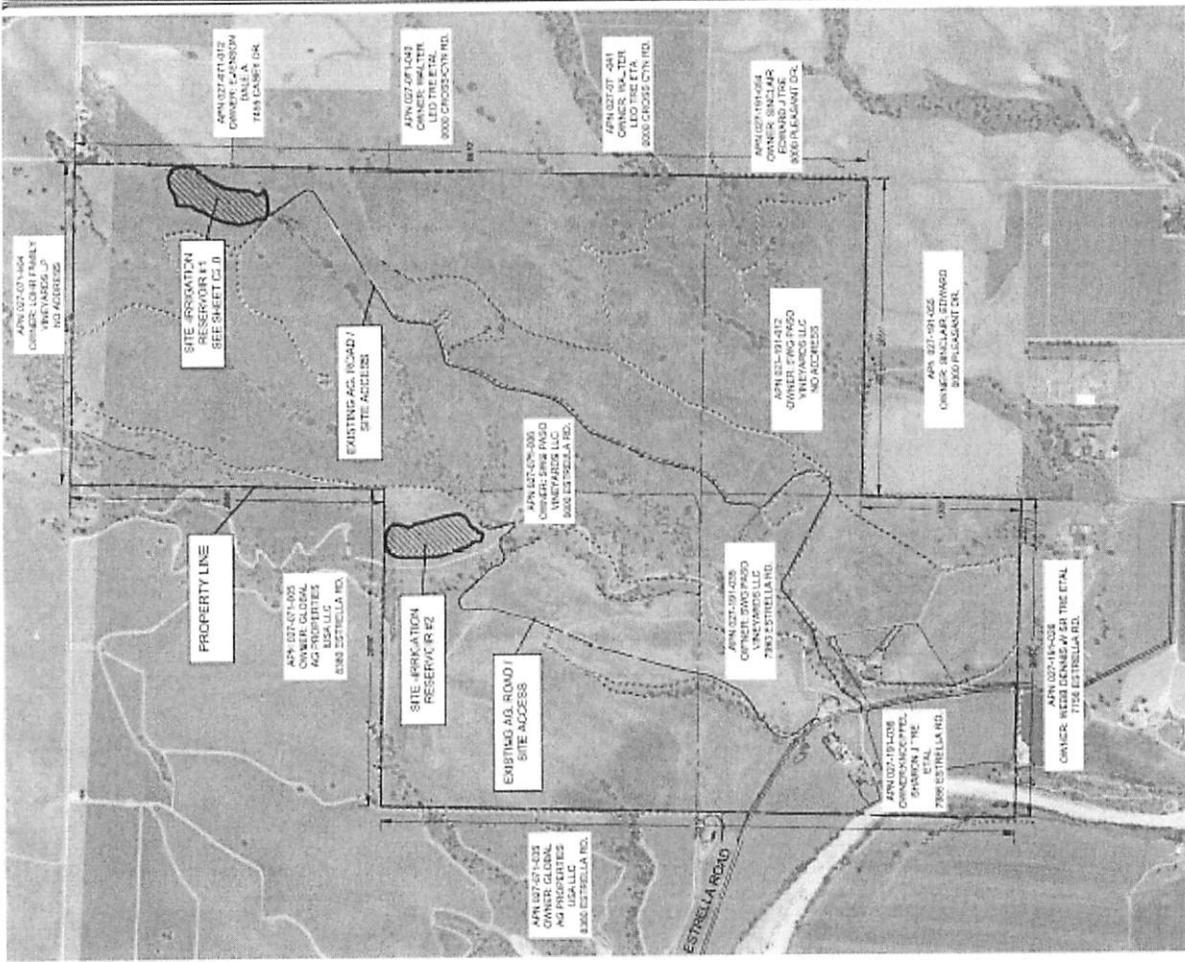
**PROJECT**

Conditional Use Permit  
Wireless Communication Facility / DRC2014-00121



**EXHIBIT**

Aerial Photograph



PROJECT

Conditional Use Permit  
Wireless Communication Facility / DRC2014-00121



EXHIBIT

Aerial Photograph

**DEVELOPER'S STATEMENT FOR:  
SWG Paso Vineyards, LLC  
Major Grading Permit  
PMT2012-01775**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading 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.

**Air Quality**

**AQ-1 Prior to issuance of grading and construction permits,** the project plans and specifications shall include the following measures, which shall be implemented during construction:

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- b. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with State Off-road Regulation.

**Monitoring:** Required prior to issuance of a grading and/or construction permit. The Department of Planning and Building will verify that the required information is included on the constructions plans.

**Agricultural Resources**

**AG-1 At the time of application for grading and/or construction permits,** the project plans shall clearly state the purpose of the reservoir for on-site frost control and irrigation and that off-site transfer of reservoir water and/or other uses of the reservoir are prohibited.

**Monitoring:** Required prior to issuance of a grading and/or construction permit. The Department of Planning and Building will verify that the required information is included on the constructions plans.

**Biological Resources**

*San Joaquin Kit Fox*

The Kit Fox Evaluation, which was completed for SWG Paso Vineyards LLC (Vino Farms) Major Grading Permit PMT2012-01775 by Kevin Merk Associates, LLC, indicates the project will impact 4.9 acres of San Joaquin kit fox habitat. The evaluation included a score for each proposed reservoir location, based in the differing habitat characteristics:

Reservoir 1. The evaluation resulted in a score of 66, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). Compensatory

mitigation required for Reservoir 1 is 5.6 acres, based on 2 times 2.8 acres impacted.

Reservoir 2. The evaluation resulted in a score of 71, which requires that all impacts to kit fox habitat be mitigated at a ratio of 3 acres conserved for each acre impacted (3:1). Compensatory mitigation required for Reservoir 2 is 6.3 acres, based on 3 times 2.1 acres.

Total compensatory mitigation required for the project is 11.9 acres. Note that the required mitigation ratio is subject to change upon the completion of the California Department of Fish and Wildlife's review of the habitat evaluation. The mitigation options identified in BR-1 through BR-11 apply **to the proposed project only**; should the project change, the mitigation obligation may also change, and a reevaluation of the mitigation measures would be required.

**BR-1 Prior to issuance of grading and/or construction permits**, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 11.9 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) (see contact information below) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy" (see contact information below), would total \$29,750 based on \$2,500 per acre. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County, and recommended 2:1 and 3:1 mitigation ratios under review by Fish and Wildlife; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification identifying your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase 11.9 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation

alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$29,750. This fee is calculated based on the current cost-per-credit of \$2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

**BR-2 Prior to issuance of grading and/or construction permits**, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following monitoring activities:

- a. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

In addition, the qualified biologist shall implement the following measures:

1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:

- a) Potential kit fox den: 50 feet
  - b) Known or active kit fox den: 100 feet
  - c) Kit fox pupping den: 150 feet
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
  3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

**BR-3 Prior to issuance of grading and/or construction permits**, the applicant shall clearly delineate as a note on the project plans, that: "*Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox*". Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**,

In addition, **prior to permit issuance and initiation of any ground disturbing activities**, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

**BR-4 During the site disturbance and/or construction phase**, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.

**BR-5 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

**BR-6 During the site-disturbance and/or construction phase**, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

**BR-7 During the site-disturbance and/or construction phase**, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the

subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.

**BR-8 During the site-disturbance and/or construction phase**, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

**BR-9 Prior to, during and after the site-disturbance and/or construction phase**, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

**BR-10 During the site-disturbance and/or construction phase**, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.

**BR-11 Prior to final inspection, or occupancy, whichever comes first**, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
- b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

**Monitoring (San Joaquin Kit Fox Measures BR-3 – BR-11):** Compliance will be verified by the County Department of Planning and Building in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on construction plans.

**BR-12 Prior to issuance of a construction permit**, a Worker Environmental Education Program (WEEP) shall be submitted for County review and approval. **Prior to any site disturbance or other construction or improvement-related activities on site** (i.e., invasive, non-biological surveying; mobilization; fencing; grading; or construction), the approved WEEP shall be implemented by the applicant. The WEEP shall be implemented **throughout the duration of project construction**. The WEEP, shall include, at a minimum, the following components:

- a. Training materials and briefings addressing known or potentially species identified as sensitive; these training materials shall be kept on-site during the construction phase in a weather-proofed area accessible to employees.
- b. A discussion of measures to be implemented for avoidance or minimizing impacts to the sensitive resources and what to do in the event of the discovery of sensitive species on the site
- c. Maps showing the known locations of sensitive species/conditions, such as: special-status wildlife, populations of rare plants and sensitive vegetative communities, seasonal depressions and known waterbodies, wetland habitat, exclusion areas, and other construction limitations (e.g. limited operating periods, etc.).

WEEP training shall be completed for all on-site personnel before they begin working on-site.

**Monitoring:** Required prior to issuance of a grading and/or construction permit. The Department of Planning and Building will verify that the required information is included on the constructions plans.

**BR-13** Prior to issuance of construction permit, the "Project Limits" shall be clearly delineated on all construction drawings. Prior to any construction work beginning, including any vegetation clearing, sturdy high-visibility fencing shall be installed to protect San Jacinto Creek. This fencing shall be placed as far away as possible and no closer than 40 feet from the top of bank. No construction work (including storage of materials) shall occur outside of the "Project Limits". Any required fencing shall remain in place during the entire construction period and checked and repaired as needed by the applicant or resident engineer. **Prior to final inspection**, the applicant shall provide verification to the satisfaction of the County that no disturbance occurred outside of the approved "project limits" line.

**BR-14** Prior to issuance of construction permit, the applicant shall submit a spill contingency and remediation plan, which identifies specific measures to prevent, control, and clean-up any incidental or accidental spills or leaks. **During construction**, equipment refueling shall be done in non-sensitive areas, and at least 100 feet from any blue line creek or existing water bodies, and such that any spills can be easily and quickly contained and cleaned up without entering the creek or groundwater. Prior to issuance of a construction permit the refueling area San Jacinto Creek shall be specified on applicable construction drawings. Any necessary remedial work shall be done immediately to avoid surface or ground water contamination.

**Monitoring:** Required prior to issuance of a grading and/or construction permit. The Department of Planning and Building will verify that the required information is included on the constructions plans.

**BR-15** The applicant shall limit tree removal and impacts to no more than five oak trees having a five inch diameter or larger at four feet from the ground. **Prior to construction permit issuance**, construction plans shall clearly delineate all trees within 50 feet of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed. Prior to any ground disturbing activities, adequate protection measures (e.g., sturdy fencing) per the approved construction plans, shall be installed to protect those trees identified to remain unharmed as well as to minimize

impacts for those trees identified as being impacted. Protection measures shall remain in good working order during construction.

**Monitoring:** Required prior to issuance of a grading and/or construction permit. The Department of Planning and Building will verify that the required information is included on the constructions plans.

**BR-16** Prior to issuance of construction permit, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. No more than five oak trees having a five inch diameter or larger at four feet from the ground shall be removed or impacted as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Once trees have been planted and **prior to final inspection**, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating when the above planting occurred, what was planted and all measures installed to improve the long-term success of these trees. This letter shall be submitted to the Department of Planning and Building.

**Monitoring:** Prior to issuance of a grading and/or construction permit, the Department of Planning and Building will verify that the required information is included on the construction plans. Prior to final inspection, the Department of Planning and Building will verify that the required planting occurred and that required measures have been implemented.

**BR-17** To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter (which shall be prior to final inspection), the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully

established (for oak woodlands, no less than seven years). Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

**Monitoring:** The Department of Planning and Building will verify compliance on an annual basis until the trees are successfully established.

**BR-18** All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading or site grubbing. The outer edge of the tree root zone to be fenced will be outside of the canopy 1/2 again the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1-1/2 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided (per approved construction plans), retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

**Monitoring:** The Department of Planning and Building will verify that the required protective fencing has been installed prior to start of construction.

**BR-19** Prior to commencement of any tree removal, to avoid conflicts with nesting raptors and ground-nesting birds, construction activities shall not be allowed during to the nesting season (March to August), unless a County-approved, qualified biologist has surveyed the impact zone and determined that no nesting activities will be adversely impacted. At such time, if any evidence of nesting activities are found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the County Planning Department, possibly with recommendations for variable buffer zones, as needed, around individual nests. The applicant agrees to incorporate those recommendations approved by the County.

**Monitoring:** Required prior to start of tree removal. The Department of Planning and Building will verify compliance in consultation with a County-approved biologist.

**BR-20** During construction of the reservoirs, the applicant shall install a temporary wildlife ladder or similar feature approved by the County within each reservoir that would enable wildlife species to exit the reservoir. The ladder or similar feature shall remain in place until the permanent perimeter fence is constructed and no wildlife species is present within the reservoirs. This measure shall be shown on all applicable grading and construction plans.

**Monitoring:** Required prior to issuance of a grading and/or construction permit. The Department of Planning and Building will verify that the required information is included on the constructions plans.

The applicant understands that any changes made to the project 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.

Jim Ledbetter  
Signature of Landowner(s)

11/3/15  
Date

JIM LEDBETTER  
Name (Print)