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. ED14-214 **DATE:** 4-6-2016

PROJECT/ENTITLEMENT: Brecon Estates Minor Use Permit; DRC2014-00081

APPLICANT NAME: Hackett Pacific Investments **Email:** damian@breconestate.com
ADDRESS: PO BOX 1506 Templeton, CA 93465
CONTACT PERSON: Lacey Zubak, Kirk Consulting **Telephone:** 8052382778

PROPOSED USES/INTENT: Request by Hackett Pacific Investments for a Minor Use Permit to allow the following; construction of a new 2,500 square foot visitor parking area;conversion of existing visitor parking for staff and event parking; construction of a new pedestrian bridge from the new parking area; construction of a new primary access from Jensen Road and maintaining existing Vineyard Drive access as emergency secondary access for events; request for maximum 6 special events for up to 80 attendees; use of adjacent parcel (APN039-011-026) for overflow parking for up to 45 spaces during industry events; and modification of ordinance standards to allow amplified music past 5 pm (to 10pm). Both parcels are under the same ownership, in the Agriculture land use category, in the Adelaida sub area of the North County Planning Area.

LOCATION: (Winery) 7450 Vineyard Drive and (Overflow Parking) 1120 Jensen Road, Paso Robles, CA 93446

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.

	Schani Siong (ssiong@co.slo.ca.us)		County of San Luis Obispo
Signature	**Project Manager Name**	**Date**	**Public Agency**

Initial Study Summary – Environmental Checklist

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

(ver 5.7) Using Form

Project Title & No. **Brecon Estates Minor Use Permit ;ED2014-214(DRC2014-00081)**

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Schani Siong		4.7.16.
Prepared by (Print)	Signature	Date
Steven McMasters	Ellen Carroll, Environmental Coordinator	4/7/16
Reviewed by (Print)	Signature (for)	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: Request by Hackett Pacific Investments for an amendment to an existing winery Minor Use Permit to allow for the following:

a. *Construction of an approximately 2,500 square foot new visitor parking area (10 spaces) with decomposed granite for regular use;*
b. *Conversion of the existing visitor parking area to winery production (staff) and event parking;*
c. *Construction of a new pedestrian bridge from the new parking area;*
d. *Construction of a new primary access driveway from Jensen Road and maintaining the existing Vineyard Drive access as an emergency secondary access for events;*
e. *Request for maximum 6 special events for up to 80 attendees;*
f. *Use of adjacent parcel (APN 039-011-026) for overflow parking for up to 45 spaces during industry events; and*
g. *Modification of ordinance standards to allow amplified music past 5 PM (to 10PM).*

The project would result in approximately 1.51 acres of disturbance. The proposed project site consists of 2 parcels; the existing winery (APN 039-011-025; 19.15 acres) and adjacent parcel (APN 039-011-026; 20.20 acres) for overflow parking, totaling 39.35 acres. Both parcels are under the same ownership. The winery () is and the adjacent parcel () is. Both parcels are in the Agriculture land use category, and are located at 7450 Vineyard Drive (winery) and 1120 Jensen Road (overflow parking), approximately 7 miles west of the community of Paso Robles, in the Adelaida Sub Area of the North County Planning Area..

Project History: In 1993, a Minor Use Permit (D930005P) authorized the conversion of an approximately 5,600 square foot (sf) agricultural building into a wine processing facility; 4,000 sf of production area, 1,600 sf tasting room, and related site improvements including the visitor parking lot. In 2013, tenant improvements to the tasting room and modifications to the exterior of the building were completed. No changes are proposed to the existing wine production facility or tasting room. The current access to the winery and tasting room is via an existing driveway off Vineyard Drive at the southwestern portion of the property.

This project proposes a new primary access (ingress & egress) along Jensen Road, which allows visitors to enter the new parking area to the north and will separate the visitor and production traffic cross over that currently occurs. The existing Vineyard Drive access will serve as ingress (only) for staff and production vehicles. This access will also serve as an emergency secondary access during

events. The existing parking area will be used for staff and production trucks parking, and also events parking. During larger industry-wide events, overflow parking will be located at the adjacent parcel on Jensen Road.

Ordinance Modification: The applicant is requesting modification of the limitation on use standard Section 22.30.070(D)(3) to allow for outdoor amplified music associated with special events beyond 5PM to 10PM. Special events associated with a winery are governed by LUO Section 22.30.070.D.2.i(3) which sets forth limitations on the number of such events per year (no more than 40) and the hours during which amplified music may be allowed (between the hours of 10 AM and 5PM). The standard relating to amplified music may only be waived or modified where a finding can be made by the Review Authority that the noise at the property line will not exceed 65 dB.

ASSESSOR PARCEL NUMBER(S): 039-011-025 and 039-011-026

Latitude: 35 degrees 35' 51" N Longitude: -120 degrees 49' 48" W **SUPERVISORIAL DISTRICT #** 1

B. EXISTING SETTING

PLAN AREA: North County **SUB**: Adelaida **COMM:** Rural

LAND USE CATEGORY: Agriculture

COMB. DESIGNATION: None

PARCEL SIZE: 39.35 acres

TOPOGRAPHY: Moderately sloping

VEGETATION: Vineyards

EXISTING USES: Agricultural uses single-family residence(s)

SURROUNDING LAND USE CATEGORIES AND USES:

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

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) Create an aesthetically incompatible site open to public view?	☐	☐	☒	☐
b) Introduce a use within a scenic view open to public view?	☐	☐	☒	☐
c) Change the visual character of an area?	☐	☐	☒	☐
d) Create glare or night lighting, which may affect surrounding areas?	☐	☒	☐	☐
e) Impact unique geological or physical features?	☐	☐	☒	☐
f) Other: _____	☐	☐	☐	☐

Setting. The project site is approximately 39.35 acres and consists of 2 parcels; the existing wine processing facility and tasting room on Vineyard Drive (19.15 acres), and an agricultural parcel with a single family residence on Jensen Road (20.20 acres). Both properties are currently under the same ownership and are used for vineyards. The winery has been in operation since 1993 when a minor Use Permit (D930005P) authorized the conversion of an agricultural building to a winery processing facility, a tasting room, and related site improvements that included the parking lot. The owners have recently completed interior tenant improvements and exterior modifications to the winery (2013).

The Adelaida area is a predominantly a rural agricultural area with wineries and residences scattered throughout. The project is located on the north side of Vineyard Drive, a meandering rural collector road situated along the rolling hills of the eastern flank of the Santa Lucia Mountains in northern San Luis Obispo County. Existing mature oak trees and other native vegetation occur along a significant portion of Vineyard Drive in this area. Overall, the area is scenic with a mix of natural and man-made features.

Impact. The project is proposing a new primary access along Jensen Road and a new visitor parking area at the winery facility. The project also includes a new pedestrian bridge connecting the proposed new parking area to the existing tasting room. The existing Vineyard Drive access will then serve as ingress (only) for staff and production vehicles. During special events, the existing Vineyard Drive access will serve as an emergency secondary access and the existing parking area will be used for event parking. Events with above 80 persons will require the overflow parking area on the adjacent

property on Jensen Road.

Tree trimmings and signage relocation are expected to ensure both access driveways have adequate sight distances (Orozs Engineering Group, May 26, 2015). The proposed new parking area and pedestrian bridge will be seen from Vineyard Drive and Jensen Road. The new parking area and new primary access will be landscaped with trees, decomposed granite and low retaining stone walls to create a natural setting for the visitor entry area and is consistent with other development in the area. Installation of external lights for landscaping and special events has the potential to create off-site glare. No new lighting is proposed for this project. Existing exterior lighting fixtures are down shielded and are in conformance with standard county exterior lighting regulations.

The applicant is also requesting up to six (6) special events that will be held within the existing outdoor lawn area beside the tasting room. Each special event will hold up to 80 guests. Special events shall occur between the hours of 10:00 am and 10:00 pm. The area proposed for special events is located at the rear of the winery facility and is not visible from Vineyard Drive. The project does not include any modifications to the existing structures on the property. The proposed improvements are located away from vantage points along Vineyard Drive. No significant visual impacts are expected to occur.

Mitigation/Conclusion. The applicant has agreed to limited exterior lighting hours. Impacts to aesthetics will be minimized to a level of insignificance with the incorporation of mitigation measures. A detailed description of the required mitigation measures are listed in Exhibit B - Mitigation Summary Table.

2. AGRICULTURAL RESOURCES ***Will the project:***	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Convert prime agricultural land, per NRCS soil classification, to non-agricultural use?	☐	☐	☒	☐
b) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	☐	☐	☒	☐
c) Impair agricultural use of other property or result in conversion to other uses?	☐	☐	☒	☐
d) Conflict with existing zoning for agricultural use, or Williamson Act program?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☒

Agricultural Resources

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

Land Use Category: Agriculture

Historic/Existing Commercial Crops: Grape Varietal

State Classification: Not prime farmland, Farmland of Statewide Importance, Prime Farmland if irrigated

In Agricultural Preserve? Yes, Templeton

Under Williamson Act contract? No

The project is located in an area of high intensity agricultural operations. The surrounding area is dominated by vineyards, winery facilities, agricultural accessory uses, and single-family residences. The topography of the area consists of gently rolling to moderately sloping hills. The subject parcel is approximately 20 acres with approximately 16 acres of vineyard. Surrounding nearby parcels ranges from between 20 acres to 80 acres.

The following is a description of soils on the project site from the Natural Resource Conversation Service (NRCS):

Cropley clay (0 - 2% slope). This nearly level soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.

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

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

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

Linne-Calodo complex (50 - 75 % slope).

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

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

Linne-Diablo complex (9 - 15 % slope).

Linne. This moderately sloping, gravelly 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: shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class III when irrigated.

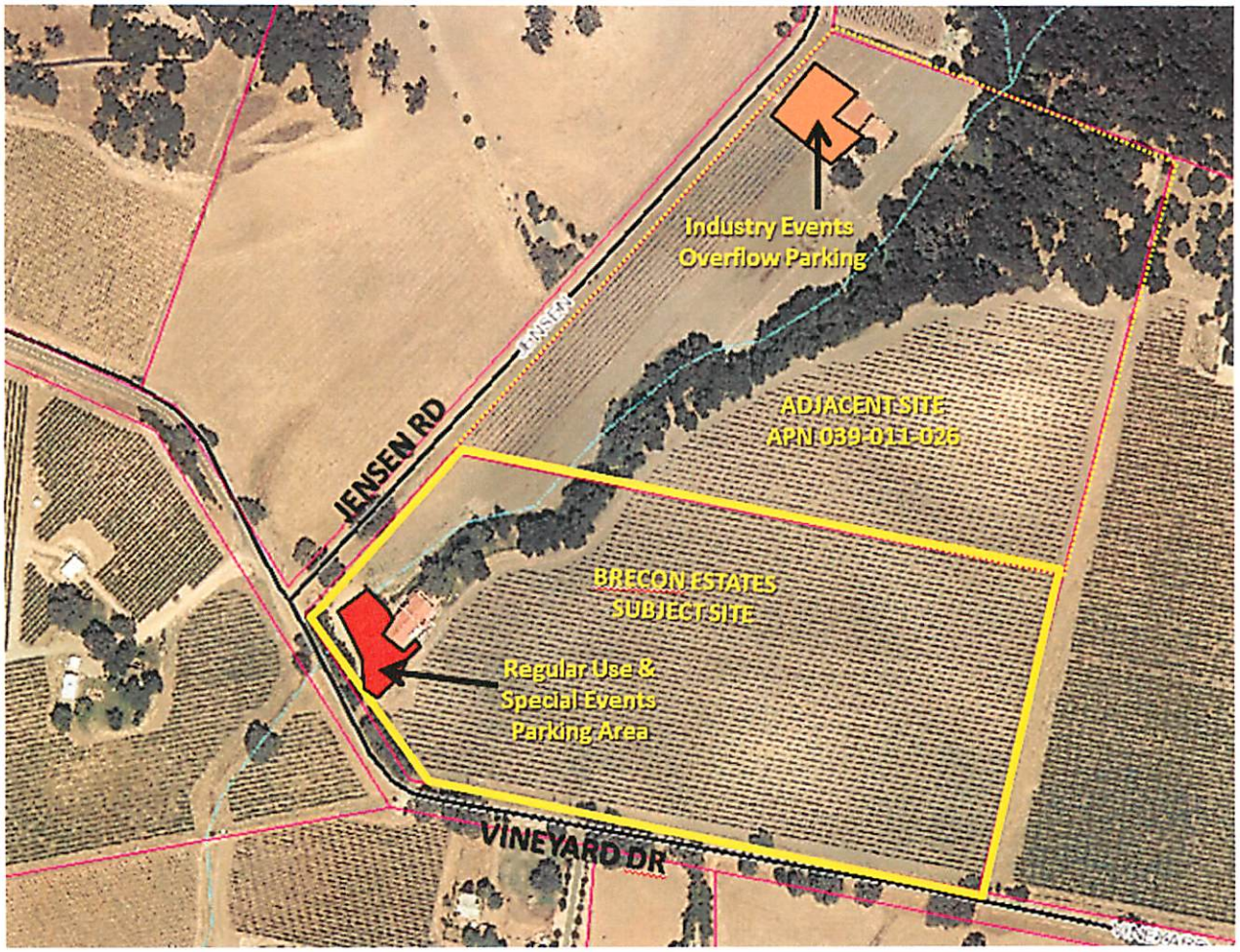
Diablo. This moderately sloping, gravelly fine loamy soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock, slow percolation. The soil is considered Class IV without irrigation and Class III when irrigated.

Rincon clay loam (2 - 9% slope). This gently 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 II when irrigated.

Impact. The proposed special events will occur 6 days out of a calendar year. These special events will not require construction of any new buildings and will take place in and around the existing tasting facility and landscaped areas. Parking areas (existing and new) at the winery facility are improved and will be used for the regular patrons, and special event guests. The proposed new parking lot and pedestrian bridge are not located on prime soils and will not cause disturbance to the existing agricultural operation.

The winery also participates in industry-wide events up to six annually with a maximum of 200 attendees. An approximately 18,031 sf of unimproved area on the adjacent parcel under the same ownership (APN 039-011-026) is designated as the overflow parking for industry events. The overflow parking area is not actively used for agriculture.

Figure 1 below shows the proposed locations for the special events and parking for both special and industry-wide events.



Conflict with Existing Zoning. The project site is within the *Agriculture* land use category (zoning). The wine production facility, tasting room, special events, and industry-wide events are an allowed use in the Agriculture land use category, subject to the permitting requirements of section 22.30.070 of the County Land Use Ordinance.

Williamson Act and Laird Bill. The project site is not under a Williamson Act contract. The proposed project was referred to the County Agricultural Commissioner (Lynda Auchinachie, February 20, 2015) for review. The Agriculture Department's review finds that the proposal is consistent with Agriculture Element policies and will have less than significant impacts to agricultural resources due to the limited amount of area converted to parking and access.

Mitigation/Conclusion. The Department of Agriculture reviewed the proposed project and concluded that the project will have less than a significant impact to agricultural resources and operations. No mitigation measures are necessary.

3. AIR QUALITY *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	☐	☐	☒	☐
b) Expose any sensitive receptor to substantial air pollutant concentrations?	☐	☐	☒	☐
c) Create or subject individuals to objectionable odors?	☐	☐	☒	☐
d) Be inconsistent with the District's Clean Air Plan?	☐	☐	☒	☐
e) Result in a cumulatively considerable net increase of any criteria pollutant either considered in non-attainment under applicable state or federal ambient air quality standards that are due to increased energy use or traffic generation, or intensified land use change?	☐	☐	☒	☐
GREENHOUSE GASES				
f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐
h) Other: Naturally occurring asbestos_____	☐	☒	☐	☐

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

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

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

Impact. Construction activities will generate exhaust emissions from construction equipment and vehicles, and particulate matter (fugitive dust) from earth disturbance. In addition, the emission of ozone precursors (NOx and ROG) associated with these activities would contribute to existing

periodic high ozone levels in the northern portion of the County. Lastly, earth disturbing activities have the potential to release naturally occurring asbestos.

The project involves disturbing approximately 1.1 acres of a 20 acre parcel (winery facility) which includes grading and construction of the new access driveway, parking area and pedestrian bridge. Following construction, the project will generate motor vehicle trips associated with wine tasting, wine production and special events.

Construction Related Emissions. The APCD CEQA Air Quality Handbook establishes thresholds of significance for various types of development and associated activities. According to the Handbook, a project with grading in excess of 4.0 acres and moving 1,200 cubic yards of earth per day can exceed the construction threshold for respirable particulate matter (PM_{10}). This project will be moving less than 1,200 cubic yards/ day of material and disturb 1.1 acres in area. Therefore, construction activities are not expected to exceed SLO APCD thresholds for PM_{10}. However, fugitive dust emissions must be managed so they do not exceed APCD's 20% opacity limit. Recommendations for fugitive dust emission management are recommended for the project (APCD, February 13, 2015).

Operational Related Emissions
Table 1-1 of the APCD CEQA Quality Handbook provides screening criteria based on the floor area of projects that would normally exceed the operational thresholds of significance for greenhouse gases and ozone precursors. Based on the table, the project will not exceed operational thresholds triggering mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

Naturally Occurring Asbestos. According to the APCD CEQA Air Quality Handbook, Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the California Air Resources Board (CARB). Under the CARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the District (APCD, February 13, 2015).

Consistency With the Clean Air Plan/Climate Change. The project will accommodate a level of development for the site that was anticipated by the Clean Air Plan. As discussed above, motor vehicle trips associated with operation of the project are expected to generate emissions that fall below the APCD threshold for operational impacts.

This project proposes minor site improvements to an existing winery and 6 special events for up to 80 attendees. Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, no mitigation is required.

Mitigation/Conclusion.

Per recommendations from Air Pollution Control District (February 13, 2015), the applicant shall implement best management practices to manage fugitive dust emissions so they do not exceed APCD's 20% opacity limit. Under the Air Resources Board Air Toxic Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105), the applicant is required to conduct a geologic evaluation to determine if the area disturbed is exempt from the regulation prior to any construction activities at the site. An exemption request must be filed with the APCD. No mitigation measures are necessary beyond what is required by the Air Resource Board regulations.

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

*** Species – as defined in Section15380 of the CEQA Guidelines, which includes all plant and wildlife species that fall under the category of rare, threatened or endangered, as described in this section.**

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

On-site Vegetation: Dominant vineyard agriculture with cluster of oak woodland.

Name and distance from blue line creek(s): Unnamed Intermittent stream within project boundary.

Habitat(s): Southern Coastal Grassland and Scrub

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

Vegetation: Central Coast Riparian scrub found on-site.

Wildlife: No CNDDB species found within one mile radius of project site.

Habitat: No CNDDB habitat found within one mile radius of project site.

Impact. The proposed project will result in 1.1 acres of site disturbance for construction associated with the new access, pedestrian bridge and parking area at the winery property. A Biological Resources and Wetland Assessment was prepared to assess the impacts of the proposed project (KMA, February 2015).

Oak Trees

As proposed, the project does not propose removing any oak trees. However, the construction of the project may require trimming and/or removal of oak trees along the driveways in order to meet traffic sightline standards. Trimming and/or removal of oak trees may be required to accommodate the construction of the new pedestrian bridge and reduce impacts to the riparian area. Any oak trees impacted or removed shall be mitigated by appropriate tree replacement and protection measures during construction.

Special Status Plant Species

The assessment identified seven special status plant species that are known to occur within five miles of the site; Carmel Valley bush-mallow, Cook's triteliea, Most Beautiful Jewel-Flower, Pecho manzanita, Santa Lucia bush-mallow, Santa Lucia manzanita, Umbrella Larkspur. However, none of these plant species were found on site or within one mile radius of the property. These species are not expected to occur on site due to the lack of suitable chaparral and serpentine soil/rock outcrop habitats that support these species. The proposed development is also located in actively disturbed areas of the site that has no native habitat.

Special Status Animals

The assessment found records of three special status animal species within five miles of the site; western pond turtle, Coast Range newt, and the California Red-Legged Frog. However, these special species animals were not observed on site, and are not expected to occur on the study area due to lack of suitable aquatic habitat in proximity to upland refuge habitat. The majority of the development area is highly disturbed from anthropogenic and agricultural uses on site. The riparian area is associated with an ephemeral stream that is dry during parts of most years and water may be completely absent during droughts. Based on surveys and current site analysis, it is unlikely that any special status wildlife species other than nesting birds are present on the property (KMA, Feb 2015). However, presence of aquatic species cannot be entirely ruled out during wet seasons. Rainy days may create conditions conducive for these special species. If construction work continues after a rainy day and/or in wet season, pre-construction surveys shall be conducted to ensure these aquatic species have not moved into the project site. Night lighting associated with the special events beyond daytime may impact on the nesting birds and aerial-foraging bats.

Riparian Habitat

Grading for and the construction of the pedestrian bridge could impact the riparian habitat along the natural drainage feature onsite. Trimming of the Arroyo Willow scrub may require consultation and procurement of applicable permits (Streambank Alteration Agreement) from California Department of Fish and Wildlife.

Mitigation/Conclusion. In order to mitigate for potential significant impacts from the proposed project, the applicant has agreed to and not limited to the following:

Riparian Habitat

BIO-1 Upon application for construction permits, the following measures shall be incorporated into project plans:

a. Disturbance shall be minimized to what is necessary to safely construct the pedestrian bridge over the natural drainage feature.
b. Appropriate exclusion and erosion control measures shall be installed and maintained during construction activities to minimize sedimentation into the riparian area
c. Appropriate permanent sedimentation and erosion control measures shall be included in the bridge and new parking lot design in order to minimize long-term impacts associated with pedestrian and vehicular traffic near the drainage feature (e.g. e.g., sedimentation and erosion into the creek due to increased runoff associated with soil compaction and/or installation of impermeable surfaces).

CA Red-legged frog

BIO-2. In order to verify no presence of California Red-Legged Frogs (CRLF) on the work sites, all work shall be scheduled to occur during the typical dry season (April 15 to October 15). If construction takes places during and/or after wet conditions, site survey(s) must be conducted to verify that there is no presence of CRLF in the work site area(s).

Nesting Birds

BIO-3 Prior to commencement of any tree or shrub removal/trimming , to avoid conflicts with nesting raptors, construction activities shall not be allowed during to the nesting season (March to July), 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 is 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.

Tree Removal/Protection

BIO-4 Tree Protection. Tree removal shall be limited to the minimum necessary to meet traffic sightline standards and minimize pedestrian bridge construction impacts to the riparian area. A maximum of 3 oak trees are allowed to be removed for such purposes. Prior to construction permit issuance, construction drawings 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.

BIO-5 Tree Replacement. If any oak trees are impacted or removed during construction, the applicant shall replace, in kind at a 4:1 ratio for oak trees removed as a result of the development of the project, and in addition, shall plant at a 2:1 ratio for each tree impacted but not removed. 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).

The implementation of the above summarized measures will avoid and mitigate biological resource impacts to less than significant levels. A detailed description of the required mitigation measures are listed in Exhibit B - Mitigation Summary Table.

5. CULTURAL RESOURCES

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

Setting. The project is located in an area historically occupied by the Obispeno Chumash and Salinan.

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

A Phase 1 Cultural Survey was conducted on the project site (LSA, December 17, 2015). No archeological deposits were identified in or adjacent to the project area. However, an isolated prehistoric ground stone fragment (Brecon-ISO-1) was observed within an imported pile of boulders approximately 75 feet east of the proposed project area. The isolated find does not qualify as a historical or unique archeological resource under CEQA .

In order to meet AB52 Cultural Resources requirements, outreach to four Native American tribes groups had been conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council). Comments were received from one of the tribal group on December 23, 2015 and a consultation was conducted on January 5, 2016.

Impact.

The project involves surface grading no deeper than 3 feet and the proposed work is conducted on mostly previously disturbed areas on the property. While paleo resources are known to be in the area, the extent of site disturbance related to the project is unlikely to cause significant impact to the potential cultural resources.

Section 22.94.020 states that in the event archaeological resources are found on site, construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered material may recorded by a qualified archaeologist and artifacts may be preserved in accordance with state and federal law. In the event archaeological resources are found to include human remains, the County Coroner shall be notified. Impacts to historical or paleontological resources are not expected. There is no evidence that measures above what will already be required by ordinance or codes are needed.

Mitigation/Conclusion. Based on the consultation with the tribal representative, it was agreed that County standard for archeological resources discovery during construction activities are sufficient to mitigate potential impacts to cultural resources, in the event of a discovery. No significant cultural resource impacts are expected to occur, and no mitigation measures above what area already required by ordinance are necessary.

6. GEOLOGY AND SOILS

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

* Per Division of Mines and Geology Special Publication #42

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

Topography: Gently sloping to moderately sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low to high

Liquefaction Potential: Low to moderate

Nearby potentially active faults?: No Distance? Not applicable

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

Shrink/Swell potential of soil: Moderate to high

Other notable geologic features? None

The project is not within the Geologic Study area designation or within a high liquefaction area, and is not subject to the preparation of a geological report per the County's Land Use Ordinance [LUO section 22.14.070 (c)] to evaluate the area's geological stability.

A sedimentation and erosion control plan is required for all construction and grading projects (LUO

Sec. 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

Impact. As proposed, the project will disturb approximately 1.1 acres of the 19.15 acre winery parcel. The amount of cut and fill is approximately 1,200 and 1,600 cubic yard respectively. Majority of the proposed site work is grading for the new parking area, new entry/ exit access from Jensen Road, landscaping and a portion of the riparian bank to support the new pedestrian bridge located on the eastern side of the existing facility. The grading and bridge construction in closer proximity to a watercourse has the potential to result in erosion and sedimentation to the water course and downstream.

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

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

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?	☐	☐	☒	☐
h) Be within a 'very high' fire hazard severity zone?	☐	☐	☒	☐
i) Be within an area classified as a 'state responsibility' area as defined by CalFire?	☐	☐	☒	☐
j) Other: _____	☐	☐	☐	☒

Setting. The project is not located in an area of known hazardous material contamination. The project is not within the Airport Review area. With regards to potential fire hazards, the subject project is within the High Fire Hazard Severity Zone(s). Based on the County's fire response time map, it will take approximately 10 to 15 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts.

Impact. The project does not propose the use of hazardous materials, nor the generation of hazardous wastes. The proposed project is not found on the 'Cortese List' (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5). 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. CAL FIRE prepared a Fire Safety Plan (Travis Craig, Feb 2, 2015) to address potential fire safety concerns. As conditioned, the applicant shall implement the Fire Safety Plan and operate the winery and all special events in full compliance with all requirements. Such requirements include but are not limited to; commercial access road standards, gates and addressing for fire safety purposes. No additional mitigation measures above what are already required by ordinance are necessary.

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

8. NOISE

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?	☐	☐	☐	☒
f) Other: _____	☐	☐	☐	☒

Setting. The project is located in a rural area where agriculture is the prevailing land use. The existing wine production facility and tasting room is located at the southwestern portion of the site, closer to Vineyard Drive. The winery will continue to be used for processing grapes from vineyards planted on and off site. The nearest off-site residences are located on large parcels with the closest of these at approximately 550 feet southwest of the winery facility (Refer Figure 2). The project is requesting 6 annual special events per year for up to 80 guests and amplified music beyond 5pm to 10pm. Special events are proposed to occur on the outdoor patio/ lawn area outside the tasting room. Events will also occur inside the tasting room, which has accordion doors that open up to the lawn area (Refer Figure 3).

A Sound Level Assessment was prepared by 45dB Acoustics Consulting for the proposed project. The report identified existing background sound sources coming from the winery operations and traffic on Vineyard Drive and Jensen Road. Background sound level from all sources in the vicinity under consideration was determined to be an average of 52dBA. The background sound level is below the projected levels from amplified music and will not be a factor in determining sound attenuation of amplified music (45dB.com, March 12, 2015). The study proposes that normal amplified sound level for an outdoor speaker is expected not to exceed 88 dBA, measured at two feet distance from speakers. This value is taken from music performances at similar locations and activities observed and measured in the Paso Robles area. At 88 dBA, the sound level would not exceed the County's sound limits of 65 dBA at property line.

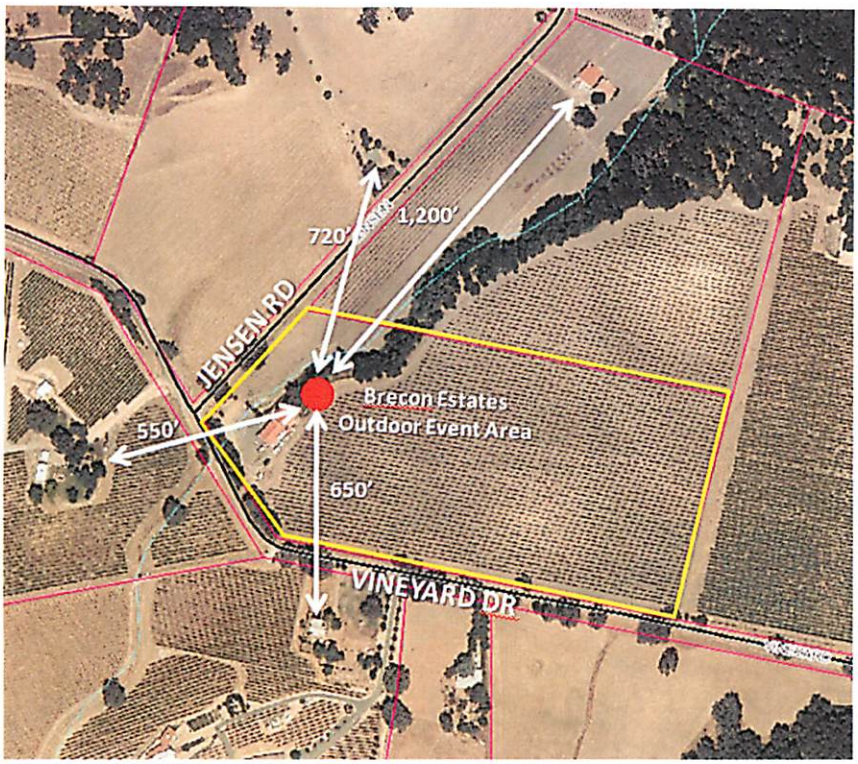


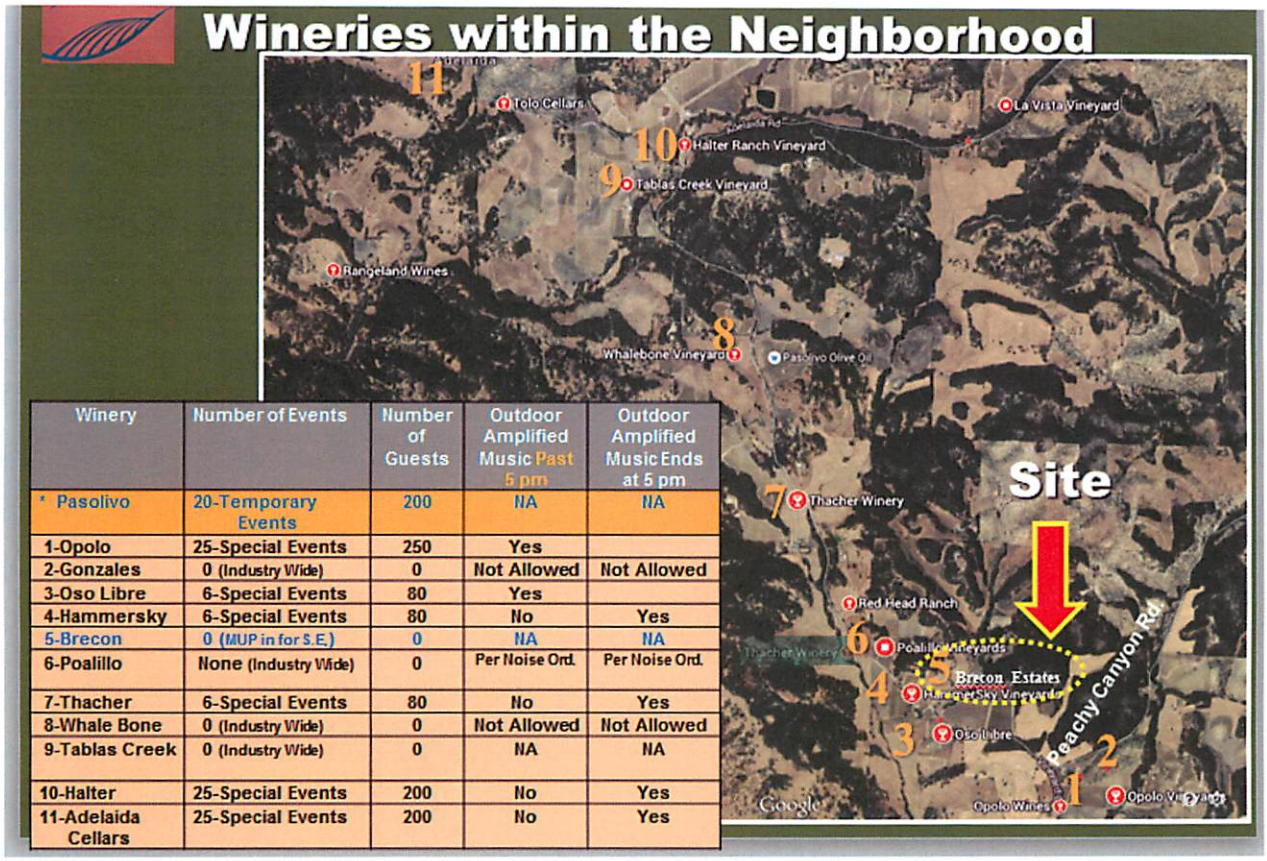
Figure 2 Nearby residences to Brecon Estates

The Noise Element of the County's General Plan includes projections for future noise levels from known stationary and vehicle-generated noise sources. According to the Noise Element, the project lies within an area where future noise levels are expected to remain within an acceptable threshold.

Special events associated with a winery are governed by LUO Section 22.30.070.D.2.i(3) which sets forth limitations on the number of such events per year (no more than 40) and the hours during which amplified music may be allowed (between the hours of 10 am and 5 pm). The standard relating to amplified music may only be waived or modified where a finding can be made by the Review Authority that the noise at the property line will not exceed 65 dB.

There are existing wineries within the area participating in Special Events and some have been authorized for outdoor amplified music past 5 pm. See chart and Exhibit below:

Winery	Number of Events	Number of Guests	Outdoor Amplified Music Past 5 pm
Opolo	25-Special Events	250	Yes
Gonzales	0 (Industry Wide)	0	Not Allowed
Oso Libre	6-Special Events	80	Yes
Hammersky	Authorized for 6-Special Events (after completion of an emergency access)	80	No
Poalillo	0 (Industry Wide Only)	0	Per Noise Ordinance
Thacher	6-Special Events	80	No
Whale Bone	0 (Industry Wide Only)	0	No



Winery	Number of Events	Number of Guests	Outdoor Amplified Music Past 5 pm	Outdoor Amplified Music Ends at 5 pm
* Pasolivo	20-Temporary Events	200	NA	NA
1-Opolo	25-Special Events	250	Yes	
2-Gonzales	0 (Industry Wide)	0	Not Allowed	Not Allowed
3-Oso Libre	6-Special Events	80	Yes	
4-Hammersky	6-Special Events	80	No	Yes
5-Brecon	0 (MUP in for S.E.)	0	NA	NA
6-Poalillo	None (Industry Wide)	0	Per Noise Ord.	Per Noise Ord.
7-Thacher	6-Special Events	80	No	Yes
8-Whale Bone	0 (Industry Wide)	0	Not Allowed	Not Allowed
9-Tablas Creek	0 (Industry Wide)	0	NA	NA
10-Halter	25-Special Events	200	No	Yes
11-Adelaida Cellars	25-Special Events	200	No	Yes

Impact.

Construction Impacts. Construction activities may involve the use of heavy equipment for grading and for the delivery and movement of materials on the project site. The use of construction machinery will also be a source of noise. Construction-related noise impacts would be temporary and localized. The nearest residence is about 550 feet southwest. County regulations limit the hours of construction to day time hours between 7:00 am and 9:00 pm weekdays, and from 8:00 am to 5:00 pm on weekends.

Operational Impacts. Following construction, noise generated by the existing winery would be minimal except during seasonal production activities and during special events. Special events will be held 6 times a year with a maximum of 80 guests per event. The applicants have requested an exception to the standard limiting amplified music for special events to allow amplified music in the evenings past 5 pm to 10pm. To support this request, the application included a noise study (45dB.com, March 12, 2015).

The noise assessment conducted a sound level contour study with a speaker sound level of 88 dBA, located on the lawn area (which is the proposed location for special events). This sound level simulated sounds from voices and pedestrian circulation. The distance from this amplified sound source to the nearest property line to the northwest is approximately 225 feet (See Figure 3). The study concluded that the sound level at the property line is 64 dBA, and meets County standards (Refer Figure 4).

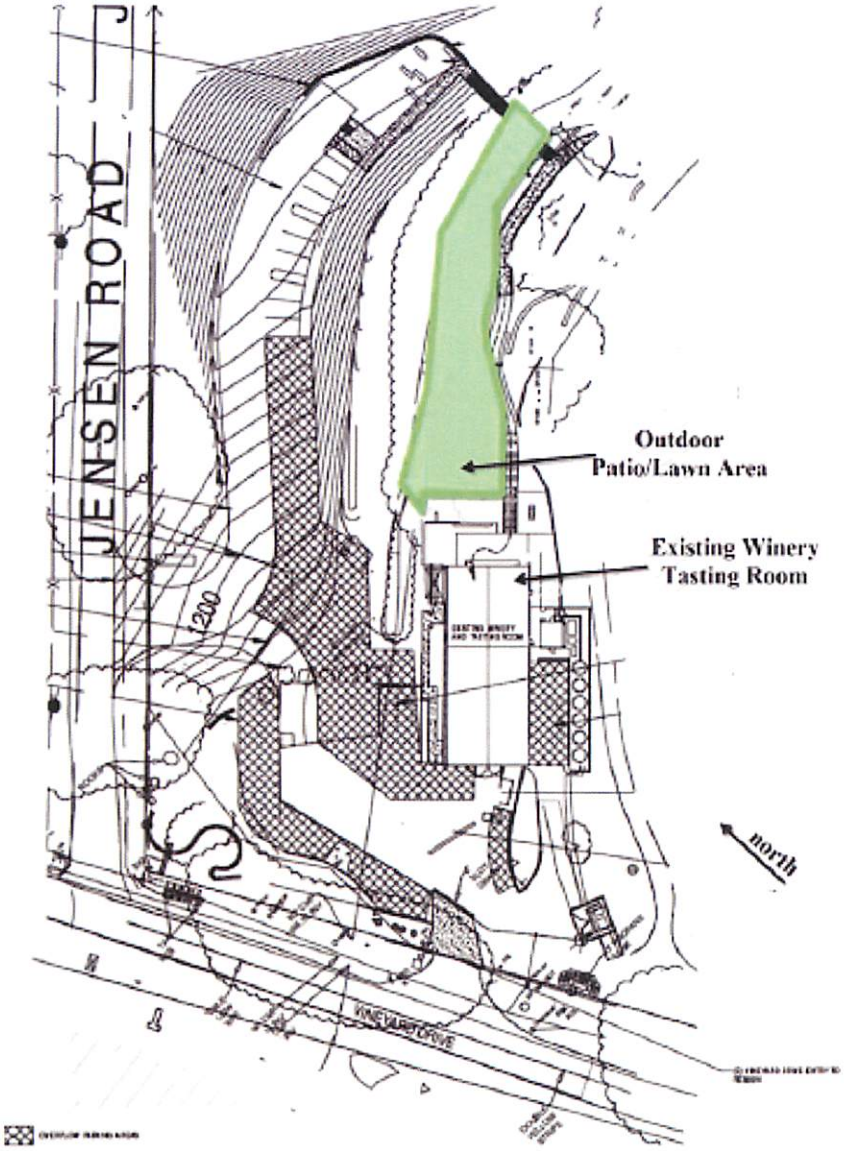


Figure 3. Distance from amplified sound source (green area) to nearest property line (northwest) is approximately 225 feet (45dB.com, March 12, 2015).

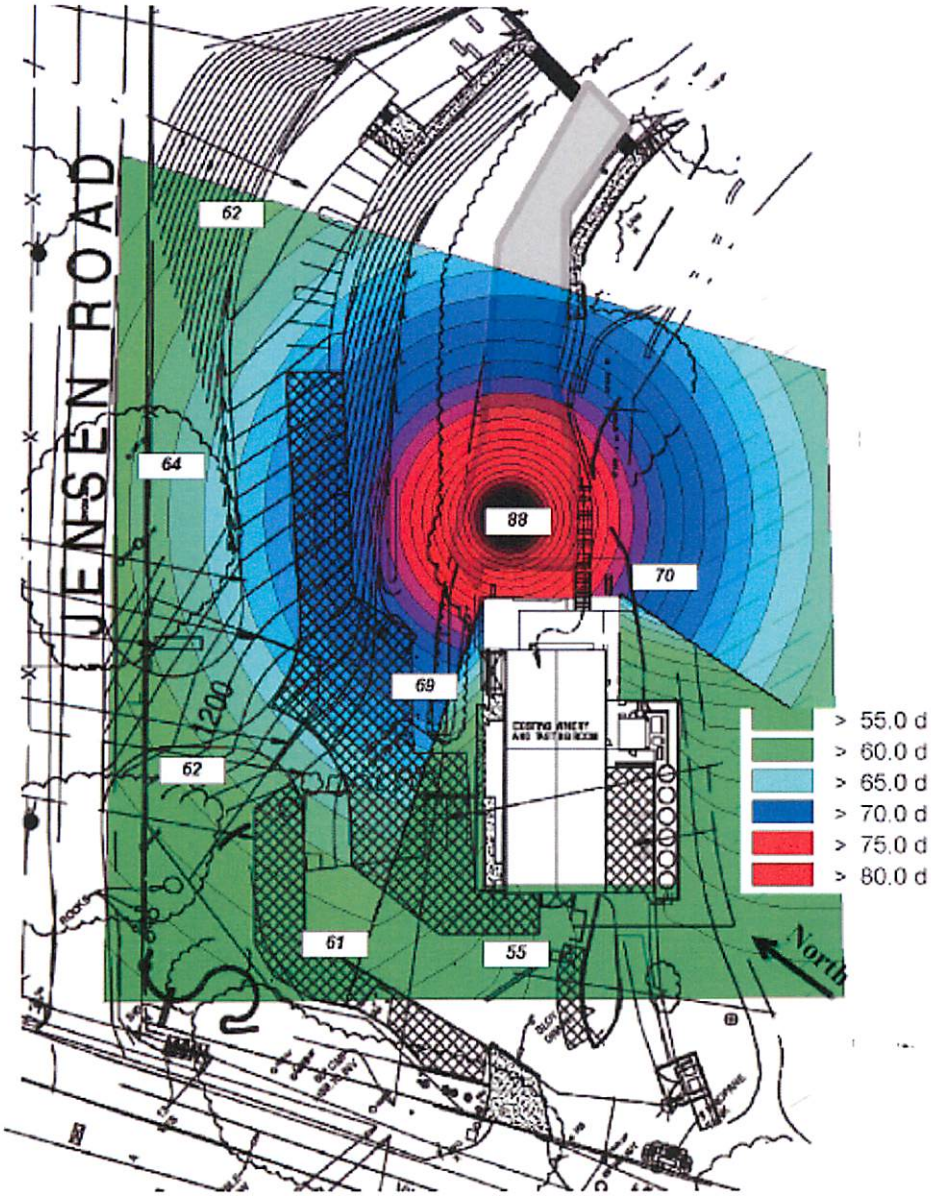


Figure 4. Sound Level Contours (45dB.com, March 12, 2015).

Mitigation/Conclusion. Based on the sound analysis on site, the sound level at property line is 64 dBA. This sound level is close to the maximum sound level allowable by the County (65 dB).

The noise analysis recommends that during events with outdoor amplified music, staff should monitor sounds levels at the speaker and property lines with electronic acoustical measurement applications available on smart phones and personal devices (45dB.com, March 12, 2015). In order to prevent exceedance of noise threshold at property lines, the outdoor point noise source shall be limited to 85 dBA (when measured 2 feet from the noise source) and outdoor speakers shall be located easterly facing on the outdoor lawn area only. Implementation of these mitigation requirements will reduce possible noise impacts to a less than significant level. Refer to Mitigation Summary Table for a detailed list of mitigations

9. POPULATION/HOUSING

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) *Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?*	☐	☐	☒	☐
b) *Displace existing housing or people, requiring construction of replacement housing elsewhere?*	☐	☐	☒	☐
c) *Create the need for substantial new housing in the area?*	☐	☐	☒	☐
d) *Other:* _____	☐	☐	☐	☒

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

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

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

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

Police: County Sheriff Location: Templeton (Approximately 12 miles to the project)

Fire: Cal Fire (formerly CDF) Hazard Severity: High Response Time: 10-15 minutes

Location: 275 Cypress Mountain Drive, Paso Robles,CA 93446 (Approximately 9 miles to the project)

School District: Templeton Unified School District.

Setting

The project site is within the Templeton Road Fee Area B. To mitigate the demand for new or expanded public facilities caused by development, the county has adopted development impact fees in accordance with Government Code Section 66000 et seq.. Under this program private development is required to pay a fee that is proportional to the incremental demand for a particular facility needed to serve such development. The amount of the fees must be justified by a supporting study (fee justification study) which identifies the new or expanded facilities needed to serve expected demand into the future and apportions these costs to new development. New development (structure) is subject to the appropriate fees for new or expanded public facilities commensurate with the type and size of development.

Impact.

As proposed, the project does not include expansion and/or new structures on the site. As no new structures are proposed with this project and therefore, no road improvement fees are anticipated. However, payment of Road Improvement Fees will be required prior to future building permits (Public Works, June 4, 2015).

When viewed as a single 'stand alone' project, the requested event program of 6 annual events with no more than 80 each did not warrant mitigation. However, cumulative impacts of special events and increased commercial operations within the vicinity continue to place challenges upon Cal Fire's ability to provide effective and efficient emergency services within rural areas of San Luis Obispo County. To mitigate for the increased demands on Cal Fire's emergency services, commercial entities are required to hire emergency medical personnel onsite for larger special events (e.g. special events greater than 150 plus guests but also depending on access and location). These had been required on numerous separate and larger special events throughout San Luis Obispo County and adequately address the increased demand for emergency services (Cal Fire, November 30, 2015).

Mitigation/Conclusion. As proposed, no significant impacts to public facilities are anticipated and no mitigation measures beyond ordinance requirements are necessary.

11. RECREATION

	Will the project:	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a)	***Increase the use or demand for parks or other recreation opportunities?***	☐	☐	☒	☐
b)	***Affect the access to trails, parks or other recreation opportunities?***	☐	☐	☒	☐
c)	***Other*** _____	☐	☐	☐	☒

Setting. The County's Parks and Recreation Element does not show that a potential trail goes through the proposed project. The project is not proposed in a location that will affect any trail, park, recreational resource, coastal access, and/or Natural Area.

Impact. The proposed project will not create a significant need for additional park, Natural Area,

and/or recreational resources.

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

12. TRANSPORTATION/CIRCULATION *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase vehicle trips to local or areawide circulation system?	☐	☐	☒	☐
b) Reduce existing "Level of Service" on public roadway(s)?	☐	☐	☒	☐
c) Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?	☐	☐	☒	☐
d) Provide for adequate emergency access?	☐	☐	☒	☐
e) Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?	☐	☐	☒	☐
f) Conflict with an applicable congestion management program?	☐	☐	☒	☐
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐
h) Result in a change in air traffic patterns that may result in substantial safety risks?	☐	☐	☒	☐
i) Other: _____	☐	☐	☐	☐

Setting. The County has established the acceptable Level of Service (LOS) on roads for rural road area as "C" or better. The current LOS on Vineyard Drive is "A". The existing road network in the area (Vineyard Drive and Jensen Road) is operating at acceptable levels. The project's public trip generation is estimated in two ways: regular operations and special events. The trips generated by a project are used and are derived from the trip thresholds included in the County Resolution 2008-152 for Roadway Safety Analysis (RSA).

A referral was sent to Public Works to assess the proposed project's impacts to the roads. The applicant was required to submit a Sight Distance evaluation of the driveway on Vineyard Drive and Jensen Road in accordance with County A-5 series standards (Glenn Marshall, February 19, 2015). A sight distance analysis was conducted for existing Vineyard Drive and Jensen Road access driveways by Orosz Engineering Group (OEG, May 26, 2015). A Traffic Report on Sight Distance and Speed

Survey was submitted and reviewed by Public Work.

Circulation Study Area

The project is within the Templeton Area B Circulation Fee area. This fee provides the means to collect "fair share" monies from new development to help fund certain regional road improvements that will be needed once the area reaches "buildout". Fair share fee is calculated per square footage of permanent development such as buildings. This project does not propose any structures and therefore no improvement fees are anticipated.

Operational

The existing peak hour trips associated with the regular winery and tasting room operations is 7.5 peak hour trips. Per the Land Use Ordinance Section 22.18, the existing winery requires 10 parking spaces for regular guests.

Other Permitted Activities:

The winery currently participates in related winery activities as allowed by the ordinance. The following is a reasonable assumption of the number of winery related activities that occur with other wineries within the region:

- Up to 6 winery pick up/industry events with up to 200 people;
- Non-profit events may be held

Industry wide events with an anticipated maximum of 200 guests are expected to generate 80 peak hour trips and require 80 parking spaces on site.

Special Events

The project also requests for six (6) special events for up to 80 guests to be held at the winery. Special events for 80 guests can generate 32 peak hour trips and will require 32 parking spaces on the project site.

Impact.

Operational & Special Events

The project proposes to relocate the primary access to Jensen Road and retain the existing access from Vineyard Drive for staff and production trucks. A new parking area for 10 permanent spaces is proposed near the new Jensen Road driveway for regular guests. The existing parking area will be converted into production vehicle and staff parking and also, the overflow parking (26 spaces) for special events. The total parking spaces available at the winery are 36, which is adequate for regular guests and 80 special events guests. Each special event is anticipated to generate 32 peak hour trips, or about 1.4% of the current Saturday peak day traffic. This amount of additional traffic will not reduce the currently acceptable level of service on Vineyard Drive. No significant impacts to the public roads are anticipated.

Other Permitted Activities

For industry-wide events where up to 200 guests may be attending, total parking spaces required are 80 spaces. There are 36 spaces available at the winery site, and additional 45 parking spaces will be provided on the adjacent parcel (APN 039-011-026) under the same winery ownership. This overflow

off-site parking is approximately 18,030 sf of unimproved area near the existing residence. In total, there are 81 parking spaces provided at the winery facility and also the adjacent parcel. These industry-wide events can generate up to 80 peak hour trips, or about 3.6% of the current Saturday peak day traffic. This amount of additional traffic will not reduce the currently acceptable level of service on Vineyard Drive. No significant impacts to the public roads are anticipated.

Access

In order to achieve safe sight distance, the existing access from Vineyard Drive shall be restricted to ingress only for production vehicles and staff. The proposed access from Jensen Road shall be both ingress and egress. Both driveway improvements may require trimming of existing trees and relocation of existing signage to meet safe sight distance standards (Orosz Engineering Group, May 26 2015). During all events, all gates must be opened and the existing Vineyard Drive will be the designated emergency secondary access (Cal Fire, March 18, 2015).

Mitigation/Conclusion.
Parking shall be provided in compliance with LUO Section 22.18.060, special event and industry-wide event parking shall be in compliance with LUO Section 22.30.610, and all driveways and gates shall be constructed in accordance with County Public Improvement Standards, Resolution 2008-152 Road Safety Analysis and Fire Safety Plan (Cal Fire, March 18, 2015).

In addition to the industry-wide events, the proposed special events will add a small amount of traffic to the Vineyard Drive. The additional traffic may intermittently contribute to the traffic along Vineyard Drive and alter the characteristics of the area, but will not affect the road's level of service. As proposed there are adequate parking spaces on site for regular and special event visitors (36 spaces), and additional overflow parking on the adjacent property (45 spaces).

Implementation of the recommendations in the Traffic Safety Analysis (Orosz Engineering Group, May 26, 2015) and County Public Works will reduce traffic impacts to less than significant levels. Refer to Mitigation Summary Table for a detailed list of mitigations.

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

Setting. The winery uses two wastewater systems, one for domestic waste and one for process waste. For domestic wastewater, the regulation requires that the leach lines shall be located at least 100 feet from any private well and at least 200 feet from any community/ public well. The proposed

project is not proposing any additional septic systems.

However, the Environmental Health Department will require that the applicant verify septic system adequacy as needed for the proposed special event use. The system should be evaluated for capacity to handle back to back maximum sized events (guest production, and employees waste).

Impacts. The winery and tasting room is currently using an on-site system as its means to dispose wastewater. Prior to holding any special events, the applicant shall contact the Environmental Health Department to verify septic system adequacy as needed for proposed use(s). In addition, a Hazardous Materials Declaration has to be filed with the Environmental Health Department, as necessary (Environmental Health Department, February 11, 2015)

Mitigation/ Conclusion. The applicant shall satisfy all wastewater and hazardous materials disposal requirements by Environmental Health Department prior to holding events. Based on the such compliance and project conditions, no significant wastewater impacts were identified. Refer to Exhibit B - Mitigation Summary Table.

14. WATER & HYDROLOGY

Will the project:	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
QUALITY				
a) Violate any water quality standards?	☐	☐	☒	☐
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?	☐	☐	☒	☐
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	☐	☐	☒	☐
d) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff?	☐	☐	☒	☐
e) Change rates of soil absorption, or amount or direction of surface runoff?	☐	☐	☒	☐
f) Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?	☐	☐	☒	☐
g) Involve activities within the 100-year flood zone?	☐	☐	☒	☐
QUANTITY				
h) Change the quantity or movement of available surface or ground water?	☐	☐	☒	☐
i) Adversely affect community water service provider?	☐	☐	☐	☒

14. WATER & HYDROLOGY

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
j) Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure,etc.), or inundation by seiche, tsunami or mudflow?	☐	☐	☒	☐
k) Other: _____	☐	☐	☐	☒

Water

Setting. The project does not propose changes to the wine production nor tasting room operations. The winery obtains water from an on-site well. The project site is not located within a defined groundwater basin. The Environmental Health Division has reviewed the project (February 11, 2015) and found that based on the available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is gently sloping There is a small ephemeral drainage on site, an unnamed tributary drainage to Jack Creek, which becomes Paso Robles Creek further east before its confluence with the Salinas River. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

The project proposes to construct a new guest parking area and convert the existing parking area into staff and production vehicle parking. The new parking area is approximately 25,000 square feet of decomposed granite. No new impervious area is proposed. As proposed, there will be natural landscaping and drainage swales between the new parking area and the ephemeral creek bank capture water runoff into the creek.

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

Within the 100-year Flood Hazard designation? Yes

Closest creek? Within project boundary Distance? On site

Soil drainage characteristics: Moderately drained to very poorly drained

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

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

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

Soil erodibility: Low

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact – Water Quality/Hydrology

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

- ✓ Approximately 1.1 acres of site disturbance is proposed on the winery site;
- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project will be disturbing over an acre and will be required to prepare a SWPPP, which will be implemented during construction;
- ✓ The project is not on highly erodible soils, nor on moderate to steep slopes;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Parking area drainage inlets will be fitted with hydrocarbon filters;
- ✓ Bioswales will be installed as a part of the drainage plan;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur;

Impact - Water Quantity

The project is an expansion of existing operations and uses on the site and is served by an on-site well. The subject property is not within a defined Paso Robles groundwater basin. The winery currently participates in industry-wide events, with a maximum of 12 events per year for up to 200 persons. Based on the industry assumption of 3 gallons per person during an event, the winery is currently using a maximum 7,200 gallons of water for a maximum of 12 industry-wide events per year. The proposed 6 special events for up to 80 persons are estimated to use an additional 1,440 gallons per year. All events are held within existing structures and on an existing landscaped outdoor area. There is no change in the number of case production.

Mitigation/Conclusion.

Prior to holding events, the applicant will be required to verify proper waste disposal, water supply adequacy and potability as needed for the proposed use with the Environmental Health Department (February 11, 2015). The applicant shall contact Leslie Terry of the Environmental Division to determine if an annual permit will be required for the water supply at this facility.

As specified above for water quality, the use of low impact design such as swales, buffer planting along the parking area, existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project. No additional measures above what are required or proposed are needed to protect water quality. Refer to Exhibit B - Mitigation Summary Table.

15. LAND USE

Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) ***Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?***	☐	☒	☐	☐
b) ***Be potentially inconsistent with any habitat or community conservation plan?***	☐	☐	☐	☒
c) ***Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?***	☐	☐	☒	☐
d) ***Be potentially incompatible with surrounding land uses?***	☐	☐	☒	☐
e) ***Other:*** _____	☐	☐	☐	☒

Land Use

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

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

The proposed project is subject to the following Planning Area Standard(s) as found in the County's LUO:

1. Planning Area Standard Chapter 22.94 North County Planning Area
2. Planning Area Standard Chapter 22.94.030 Adelaida Sub-Area

Special Events Program. The proposed project is requesting 6 events per year with no more than 80 persons. Per the standards for Wineries in Section 22.30.070 (D)(2)(i), Minor Use Permit approval is needed where six or less special events for no more than 80 attendees are proposed. Minimum site area of 20 acres is required and special events are limited to no more than 40 days a year. As proposed, with the exception of outside amplified sound after 5 pm, the project complies with the ordinances set for wineries and special events in this Land Use Ordinance section. (See discussion on Noise below).

Ordinance Modifications:
Noise. The proposed project is potentially inconsistent with the special events standards related to noise because the applicant is requesting to allow for outdoor amplified music after 5 pm. This standard may only be waived or modified where a finding can be made by the Review Authority that the noise at the property line will not exceed 65 dB. Based on information received from an Sound Level Assessment performed by Acoustics Consulting (45dB, March 12, 2015); test tones used in the

analysis show that events at the winery will not exceed 65dB at the closest property line. It appears the finding can be made by the Review Authority to allow for outdoor amplified music after 5 pm and the project is not potentially inconsistent with special events standards related to noise.

Mitigation/Conclusion. The proposed project is consistent with the Land Use Ordinance as conditioned. The winery is a principally permitted use within the land use category and the applicant has made demonstrated outdoor amplified noise standards will not be exceeded at the property line. The applicant also agreed to limit the point source for all outdoor amplified music to be located at the lawn area only and not exceeding 85 dBA. There appears to be sufficient information to make the required findings to allow for the noise standard modification. No inconsistencies were identified and therefore, no additional measures abbe what will already be required were determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) ***Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or 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" under "Environmental Information", or the California Environmental Resources Evaluation System at: http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
☒	County Public Works Department	**Attached**
☒	County Environmental Health Services	**Attached**
☒	County Agricultural Commissioner's Office	**Attached**
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☒	Air Pollution Control District	**Attached**
☐	County Sheriff's Department	**Not Applicable**
☒	Regional Water Quality Control Board	**None**
☐	CA Coastal Commission	**Not Applicable**
☐	CA Department of Fish and Wildlife	**Not Applicable**
☒	CA Department of Forestry (Cal Fire)	**Attached**
☐	CA Department of Transportation	**Not Applicable**
☐	Community Services District	**Not Applicable**
☐	Other _____	**Not Applicable**
☒	Other Templeton Area Advisory Group	**In File****

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

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

☒ Project File for the Subject Application

County documents

☐ Coastal Plan Policies
☒ Framework for Planning (Coastal/Inland)
☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:
  ☒ Agriculture Element
  ☒ Conservation & Open Space Element
  ☐ Economic Element
  ☒ Housing Element
  ☒ Noise Element
  ☐ Parks & Recreation Element/Project List
  ☒ Safety Element
☒ Land Use Ordinance (Inland/Coastal)
☐ Building and Construction Ordinance
☒ Public Facilities Fee Ordinance
☐ Real Property Division Ordinance
☒ Affordable Housing Fund
☐ Airport Land Use Plan
☐ Energy Wise Plan
☐ and Update EIR
☐ Design Plan
☐ Specific Plan
☒ Annual Resource Summary Report
☐ Circulation Study

Other documents

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

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

Kevin Merk Associates, LLC. February 2015. *Biological Resources and Wetland Assessment for Brecon Estate 7450 Vineyard Drive, Paso Robles CA 93446.*

Kevin Merk Associates, LLC. June 2, 2015 emailed addendum to *Biological Resources and Wetland Assessment for Brecon Estate 7450 Vineyard Drive, Paso Robles CA 93446.*

Orosz Engineering Group, Inc. May 26, 2015. *Brecon Estate Winery Sight Distance and Speed Survey at 7450 Vineyard Road.*

North Coast Engineering, Inc. August 25, 2014. *Brecon Estate Line of Sight at Jensen Road Access.*

David Lord, 45dB.com Acoustics Consulting , March 12, 2015. *Sound Level Assessment for Proposed Outdoor Amplified Music for Brecon Estates, Paso Robles.*

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.

Visual

VS-1 At the time of application for construction permit(s), the applicant shall provide an exterior lighting plan. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from Vineyard Drive. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first.

VS-2 Exterior lighting related to events shall be turned on no earlier than 1 hour prior to the event and turned off after the end of each event. Special events shall occur between the hours of 10:00 am to 10:00 pm. All lighting related to events shall be turned off by 11 pm.

VS-3 No up lighting of oak trees or lighting of landscaping is allowed. All exterior lighting shall comply with current County standards.

Air Quality

AQ-1 "**Naturally-occurring asbestos**" has been identified by the State Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to construction permit issuance**, a geologic investigation will be prepared and then submitted to the County to determine the presence of naturally-occurring asbestos. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; 2) an "Asbestos Health and Safety Program", as determined necessary by APCD. (For any questions regarding these requirements, contact Karen Brooks (APCD) at (805) 781-5912 or go to http://www.slocleanair.org/business/asbestos.asp). **Prior to final inspection or occupancy, whichever occurs first,** when naturally-occurring asbestos is encountered, the applicant shall provide verification from APCD that the above measures have been incorporated into the project.

Biological Resources

Riparian Habitat

BIO-1 **Upon application for construction permits,** the following measures shall be incorporated into project plans:

a. Disturbance shall be minimized to what is necessary to safely construct the pedestrian bridge over the natural drainage feature.

b. Appropriate exclusion and erosion control measures shall be installed and maintained during construction activities to minimize sedimentation into the riparian area
c. Appropriate permanent sedimentation and erosion control measures shall be included in the bridge and new parking lot design in order to minimize long-term impacts associated with pedestrian and vehicular traffic near the drainage feature (e.g. e.g., sedimentation and erosion into the creek due to increased runoff associated with soil compaction and/or installation of impermeable surfaces).

CA Red-legged frog

BIO-2. In order to avoid significant impacts to red-legged frogs, all work shall be scheduled to occur during the typical dry season (April 15 to October 15).

Nesting Birds

BIO-3 **Prior to commencement of any tree or shrub removal/trimming** , to avoid conflicts with nesting raptors, construction activities shall not be allowed during to the nesting season (March to July), 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.

Tree Removal/Protection

BIO-4 **Tree Protection**. The applicant shall limit tree removal to what is necessary to meet traffic sightline standards as recommended by the Department of Public Works (June 2, 2015**). Prior to construction permit issuance,** construction drawings 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.**

BIO-5 **Tree Replacement.** If any oak trees are impacted or removed during construction, the applicant shall replace, in kind at a 4:1 ratio for oak trees removed as a result of the development of the project, and in addition, shall plant at a 2:1 ratio for each tree impacted but not removed. 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).

Noise

N-1 **During** special events with outdoor amplified music, the sound equipment shall be affixed with a sound level meter that does not allow the music levels when measured 2 feet from the noise source (the speaker) to exceed 88 dB. No amplified music shall be allowed before 10 am or after 10 pm.

N-2 **At the time of application for construction permits,** the applicant shall submit to the county a copy of a formal rental agreement for groups making use of the event site. The rental agreement shall include the disclaimer that outdoor amplified music shall not exceed Lmax levels of 88 decibels, when measured 2 feet from the speaker. The rental agreement shall identify an on-site manager to be present during all events. The on-site manager shall have a basic sound level meter to verify noise levels to ensue noise levels do not exceed 65 dB at the property lines and to correct problem situations immediately.

N-3 The applicant shall provide notification of special events, through an email or letter, to owners of property within a minimum of 1,000 feet of the exterior boundaries of the proposed site. If a letter is used, it shall be delivered within 30 days prior to but not less than 3 days before each event occurrence. The following information shall be provided:

a. A complete listing of all scheduled special events including dates, times and number of attendees;

b. 24-hour contact information for the on-site operator (cell phone), including e-mail and phone number, to be used to notify the operator of issues with the operation;

c. Contact information for County Code Enforcement to be used if members of the public have complaints about the operation;

d. Any identified problems shall be responded to and addressed as soon as possible.

As an alternative to providing the annual listing of the special events in a letter, a web-site may be used. If a web-site is used, notification shall first be provided by mail and contain the website address, the 24 hour local contact information and the approved number of events and attendee numbers. The web-site shall be maintained and kept current at all times.

Transportation and Traffic

TR-1 **For the life of the project,** the applicant shall be responsible for maintaining the driveway off Vineyard Drive for ingress only. This driveway shall be used as secondary access during special events and industry wide events.

TR-2 **For the life of the project**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way prior to obtaining a valid Encroachment Permit from the Public Works Department, including, but not limited to: project signage, tree trimming and/or planting, and fences.

Wastewater

WW-1 **Prior to final inspection and prior to holding any events,** the applicant shall contact the Environmental Health Department to verify water supply adequacy and potability as for the proposed project. The applicant shall contact Brad Prior of the Environmental Division to determine if an annual permit will be required for the water supply at this facility.

WW-2 **Prior to final inspection and prior to holding any events**, the applicant shall contact the Environmental Health Department to verify septic system adequacy as needed for proposed use. The system should be evaluated for capacity to handle back to back maximum sized events (guest production, and employees waste).

WW-3 Portable restroom facilities may be used, in lieu of permanent restrooms, provided they meet all state and local specifications and are sufficient to serve the maximum number of persons allowed at an event.

Water/Drainage

W-1 **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance.

W-2 **For the life of the project**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Date: March 9, 2016

DEVELOPER'S STATEMENT FOR
BRECON ESTATE / MINOR USE PERMIT
DRC2014-00081

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

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, is responsible to verify compliance with these COAs.

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

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

Visual

VS-1 At the time of application for construction permit(s), the applicant shall provide an exterior lighting plan. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from Vineyard Drive. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first.

VS-2 Exterior lighting related to events shall be turned on no earlier than 1 hour prior to the event and turned off after the end of each event. Special events shall occur between the hours of 10:00 am to 10:00 pm. All lighting related to events shall be turned off by 11 pm.

VS-3 No up lighting of oak trees or lighting of landscaping is allowed. Lighting for pedestrian and the onsite parking area is permitted and shall be turned off by 11pm. No lighting is allowed to the overflow parking area, which shall remain unimproved. All exterior lighting shall comply with current County standards.

Monitoring: Department of Planning and Building shall verify compliance (VS-1 thru VS-3).

Air Quality

AQ-1 "**Naturally-occurring asbestos**" has been identified by the State Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to construction permit issuance**, a geologic investigation will be prepared and then submitted to the County to determine the presence of naturally-occurring asbestos. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; 2) an "Asbestos Health and Safety Program", as determined necessary by APCD. (For any questions regarding these requirements, contact Karen Brooks (APCD) at (805) 781-5912 or go to http://www.slocleanair.org/business/asbestos.asp). **Prior to final inspection or occupancy, whichever occurs first,** when naturally-occurring asbestos is encountered, the applicant shall provide verification from APCD that the above measures have been incorporated into the project.

Monitoring: Department of Planning and Building shall verify compliance in consultation with the Environmental Coordinator and APCD.

Biological Resources

Riparian Habitat

BIO-1 **Upon application for construction permits,** the following measures shall be incorporated into project plans:

a. Disturbance shall be minimized to what is necessary to safely construct the pedestrian bridge over the natural drainage feature.

b. Appropriate exclusion and erosion control measures shall be installed and maintained during construction activities to minimize sedimentation into the riparian area

c. Appropriate permanent sedimentation and erosion control measures shall be included in the bridge and new parking lot design in order to minimize long-term impacts associated with pedestrian and vehicular traffic near the drainage feature (e.g. e.g., sedimentation and erosion into the creek due to increased runoff associated with soil compaction and/or installation of impermeable surfaces).

CA Red-legged frog

BIO-2. In order to avoid significant impacts to red-legged frogs, all work shall be scheduled to occur during the typical dry season (April 15 to October 15).

Monitoring: Department of Planning and Building shall verify compliance (BIO-1 thru BIO-2) in consultation with the Environmental Coordinator.

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Nesting Birds

BIO-3 **Prior to commencement of any tree or shrub removal/trimming** , to avoid conflicts with nesting raptors. construction activities shall not be allowed during to the nesting season (March to July), 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: Department of Planning and Building shall verify compliance (BIO-3) in consultation with the Environmental Coordinator.

Tree Removal/Protection

BIO-4 **Tree Protection**. The applicant shall limit tree removal to what is necessary to meet traffic sightline standards as recommended by the Department of Public Works (June 2. 2015). **Prior to construction permit issuance,** construction drawings 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.**

BIO-5 **Tree Replacement.** If any oak trees are impacted or removed during construction. the applicant shall replace. in kind at a 4:1 ratio for oak trees removed as a result of the development of the project. and in addition. shall plant at a 2:1 ratio for each tree impacted but not removed. 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).

Monitoring: Department of Planning and Building shall verify compliance (BIO-4 thru BIO-5) in consultation with the Environmental Coordinator.

Noise

N-1 **During** special events with outdoor amplified music. the sound equipment shall be affixed with a sound level meter that does not allow the music levels when measured 2 feet from the noise source (the speaker) to exceed 88 dB. No amplified music shall be allowed before 10 am or after 10 pm.

N-2 **At the time of application for construction permits,** the applicant shall submit to the county a copy of a formal rental agreement for groups making use of the event site. The rental agreement shall include the disclaimer that outdoor amplified music shall not exceed Lmax levels of 88 decibels. when measured 2 feet from the speaker. The rental agreement shall

identify an on-site manager to be present during all events. The on-site manager shall have a basic sound level meter to verify noise levels to ensue noise levels do not exceed 65 dB at the property lines and to correct problem situations immediately.

N-3 The applicant shall provide notification of special events, through an email or letter, to owners of property within a minimum of 1,000 feet of the exterior boundaries of the proposed site. If a letter is used, it shall be delivered within 30 days prior to but not less than 3 days before each event occurrence. The following information shall be provided:

a. A complete listing of all scheduled special events including dates, times and number of attendees;

b. 24-hour contact information for the on-site operator (cell phone), including e-mail and phone number, to be used to notify the operator of issues with the operation;

c. Contact information for County Code Enforcement to be used if members of the public have complaints about the operation;

d. Any identified problems shall be responded to and addressed as soon as possible.

As an alternative to providing the annual listing of the special events in a letter, a web-site may be used. If a web-site is used, notification shall first be provided by mail and contain the website address, the 24 hour local contact information and the approved number of events and attendee numbers. The web-site shall be maintained and kept current at all times.

Monitoring: Department of Planning and Building shall verify compliance (N-1 thru N-3) in consultation with the Environmental Coordinator.

Transportation and Traffic

TR-1 **For the life of the project,** the applicant shall be responsible for maintaining the driveway off Vineyard Drive for ingress only. This driveway shall be used as secondary access during special events and industry wide events.

TR-2 **For the life of the project**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way prior to obtaining a valid Encroachment Permit from the Public Works Department, including, but not limited to: project signage, tree trimming and/or planting, and fences.

Monitoring: Department of Planning and Building shall verify compliance (TR-1 thru TR-2) in consultation with Public Works.

Wastewater

WW-1 **Prior to final inspection and prior to holding any events**, the applicant shall contact the Environmental Health Department to verify water supply adequacy and potability as for the proposed project. The applicant shall contact Brad Prior of the Environmental Division to determine if an annual permit will be required for the water supply at this facility.

WW-2 **Prior to final inspection and prior to holding any events**, the applicant shall contact the Environmental Health Department to verify septic system adequacy as needed for proposed use. The system should be evaluated for capacity to handle back to back maximum sized events (guest production, and employees waste)

WW-3 Portable restroom facilities may be used, in lieu of permanent restrooms, provided they meet all state and local specifications and are sufficient to serve the maximum number of persons allowed at an event.

Monitoring: Department of Planning and Building shall verify compliance (WW-1 thru WW-3) in consultation with Public Works.

Water/Drainage

W-1 **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance.

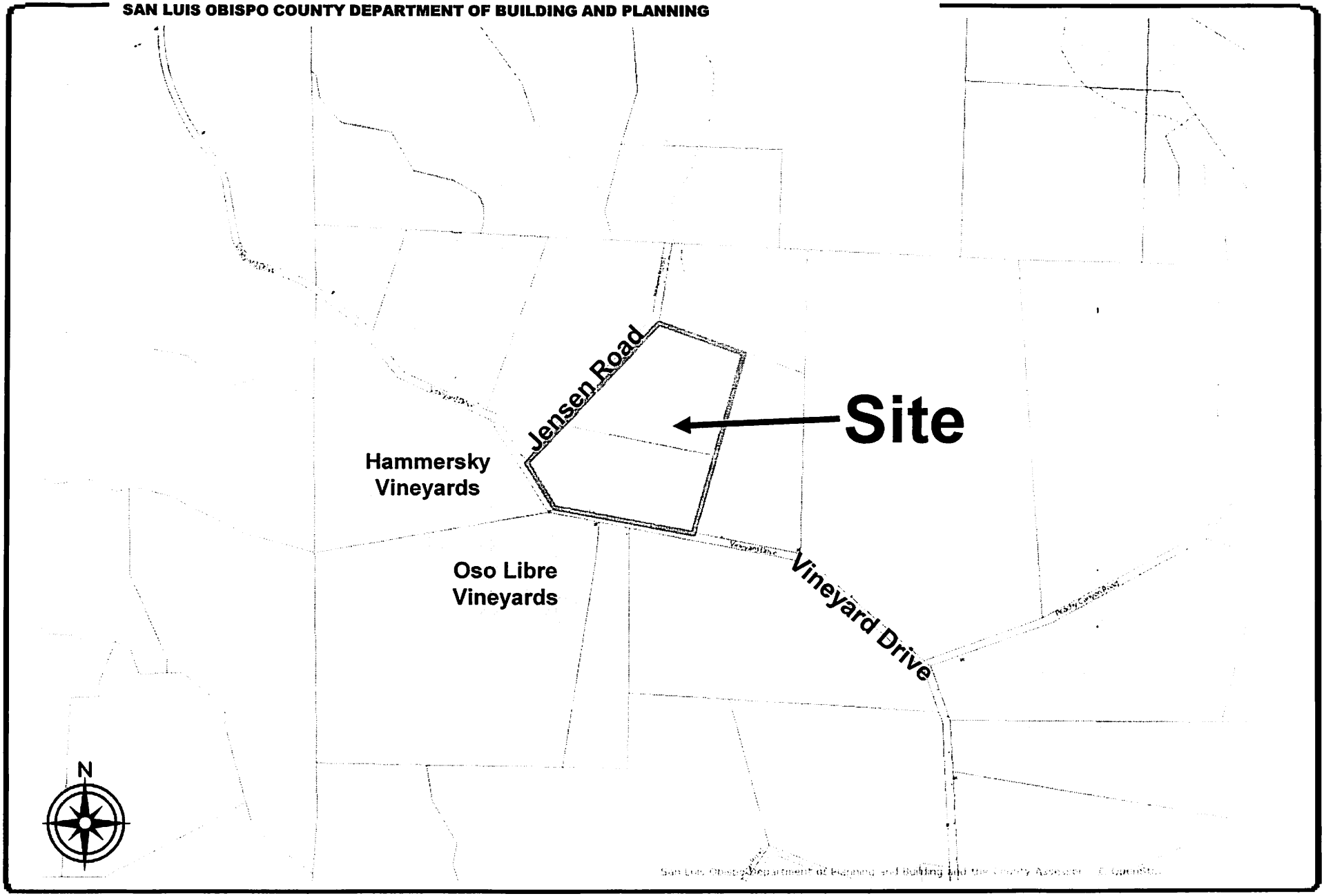
W-2 **For the life of the project**, the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Monitoring: Department of Planning and Building shall verify compliance (W-1 thru W-2) in consultation with Public Works.

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

S. Hackett	SIMON HACKETT	3-18-2016
Signature of Owner(s)	**Name (Print)**	**Date**
Signature of Owner(s)	**Name (Print)**	**Date**

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



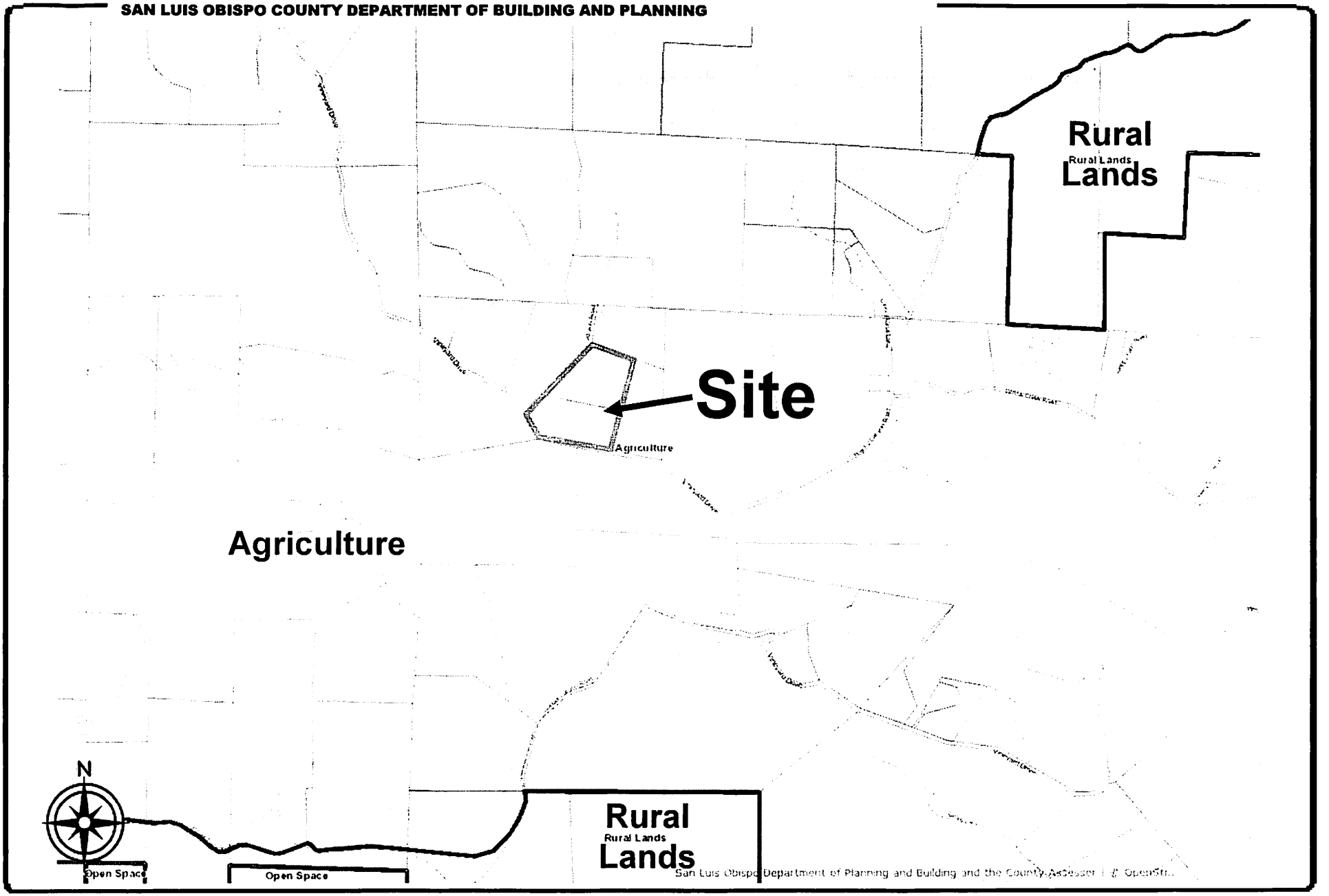
PROJECT

Minor Use Permit
Brecon Estate/ DRC2014-00081

EXHIBIT

Vicinity Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



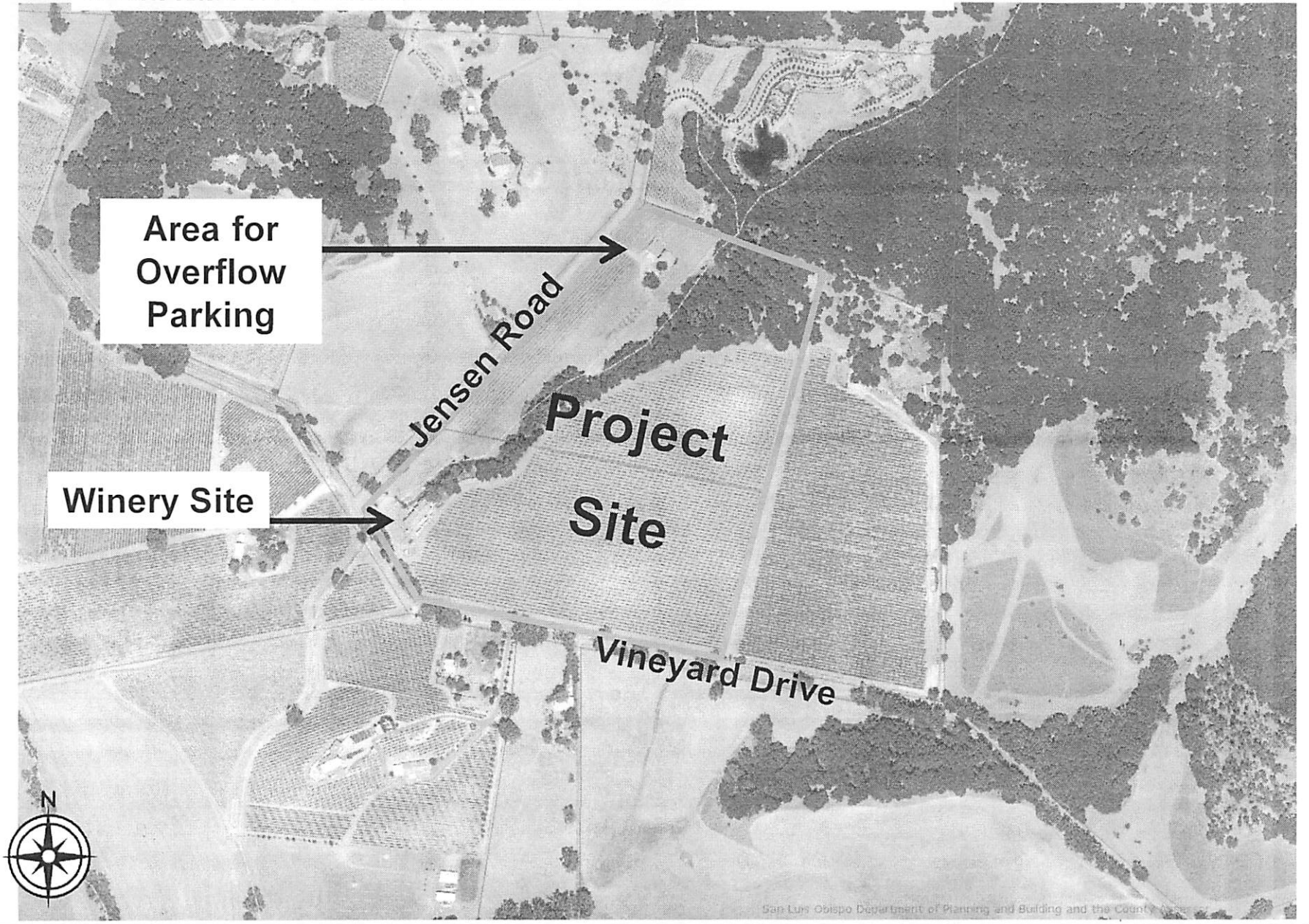
PROJECT

Minor Use Permit
Brecon Estate/ DRC2014-00081

EXHIBIT

Land Use Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

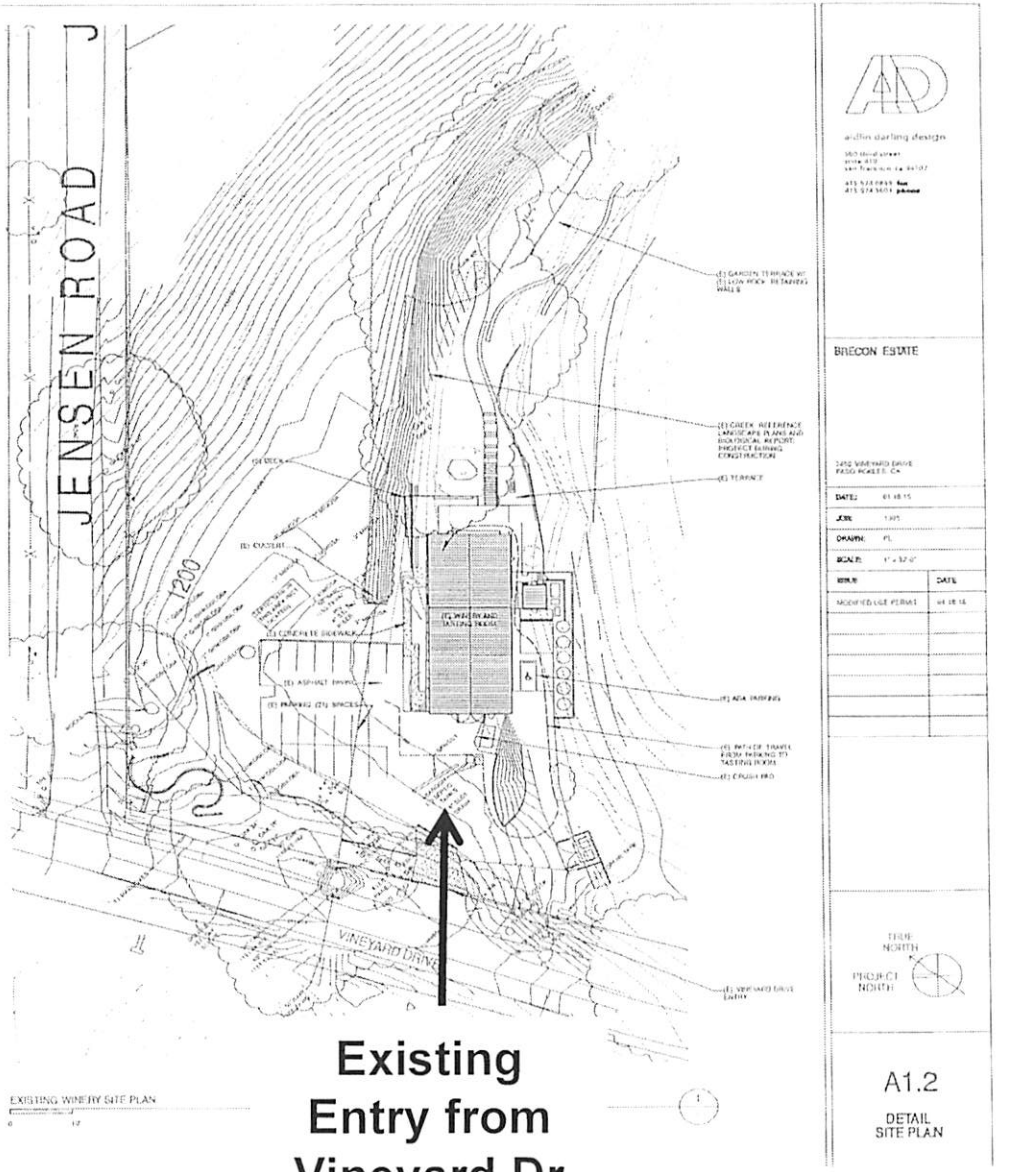


PROJECT

Minor Use Permit
Brecon Estate/ DRC2014-00081

EXHIBIT

Aerial



Existing Entry from Vineyard Dr

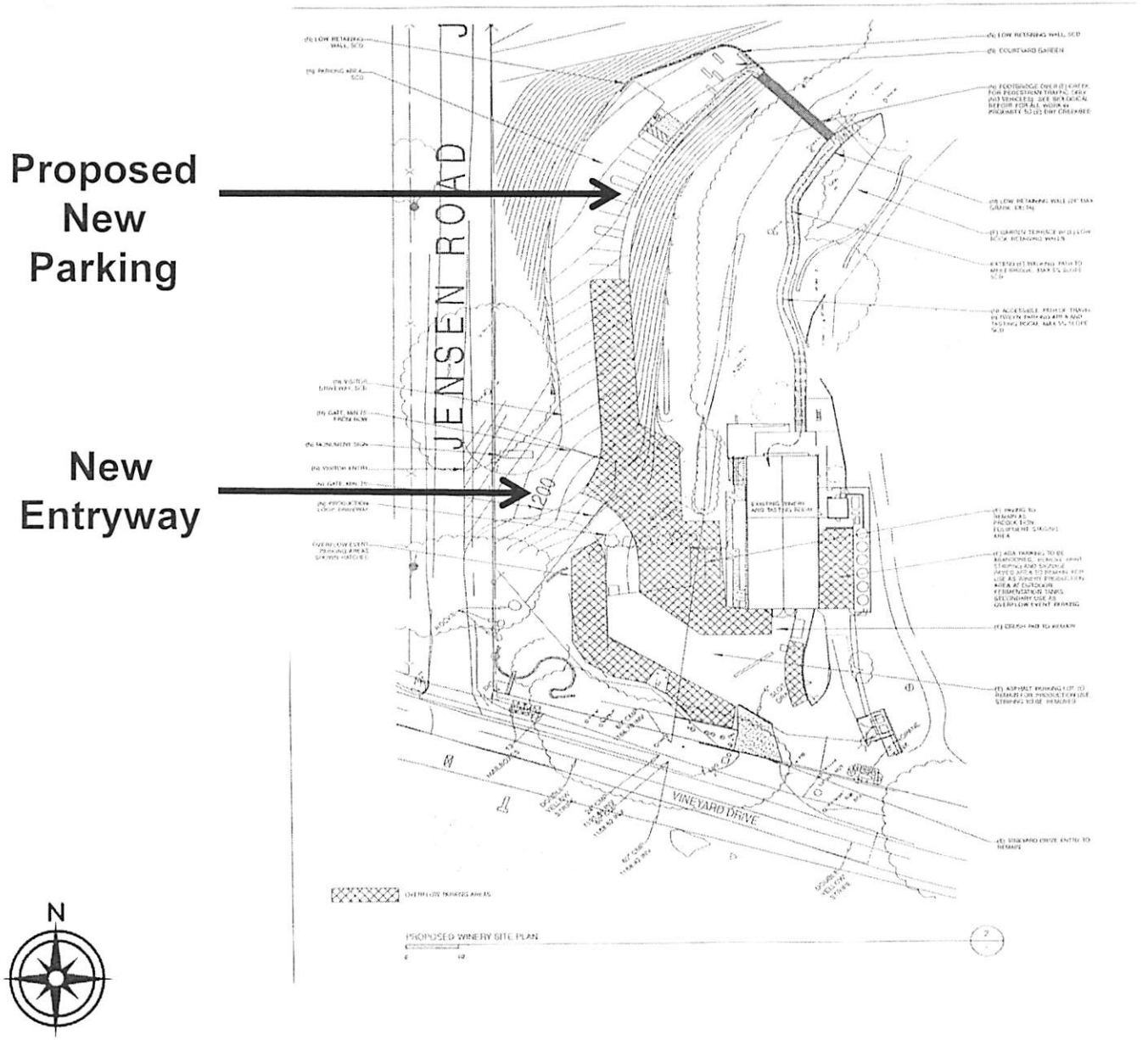
PROJECT

Minor Use Permit
Brecon Estate/ DRC2014-00081

EXHIBIT

Existing Site Plan

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



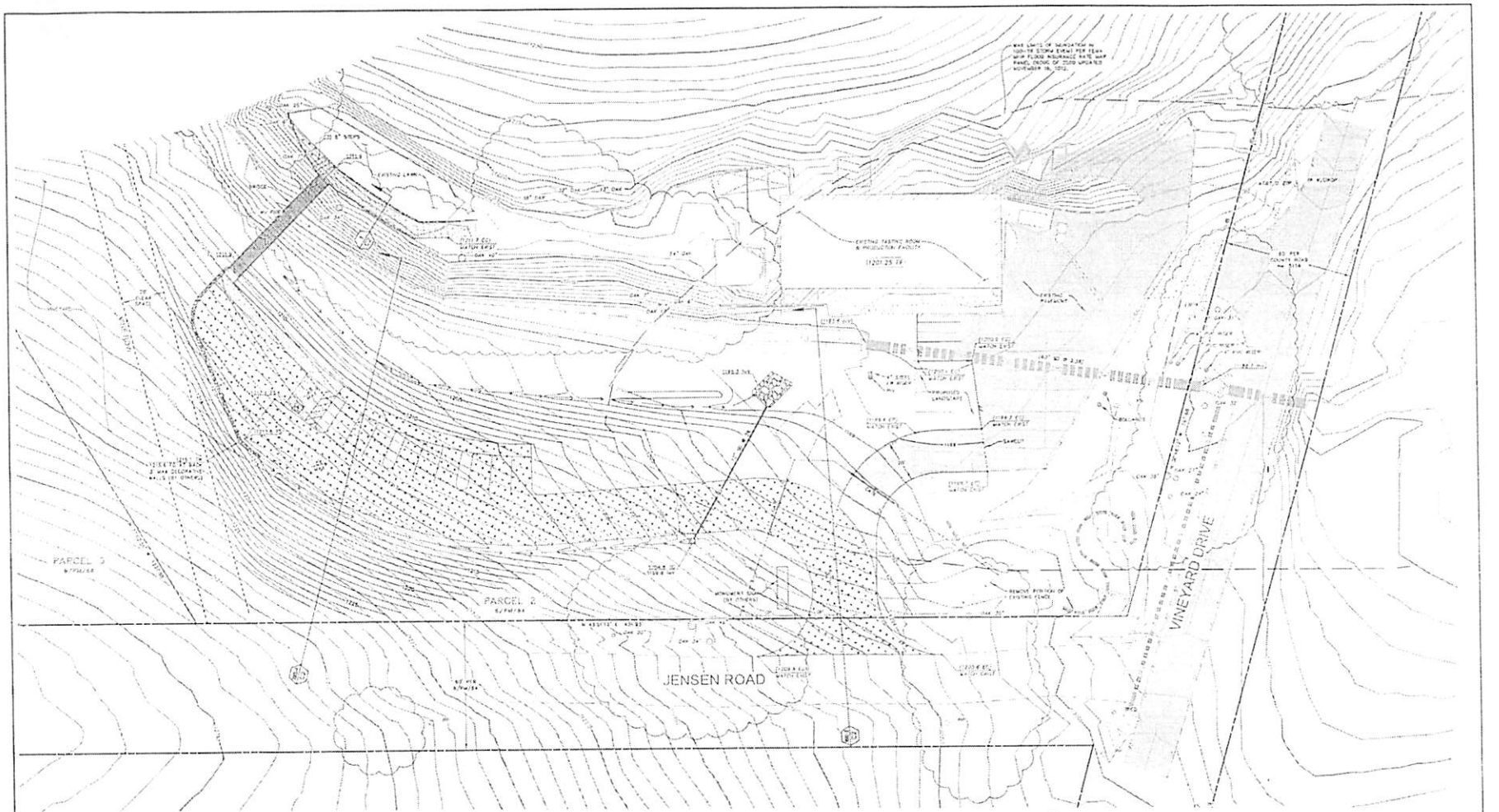
PROJECT

Minor Use Permit
Brecon Estate/ DRC2014-00081

EXHIBIT

Proposed Site Plan

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

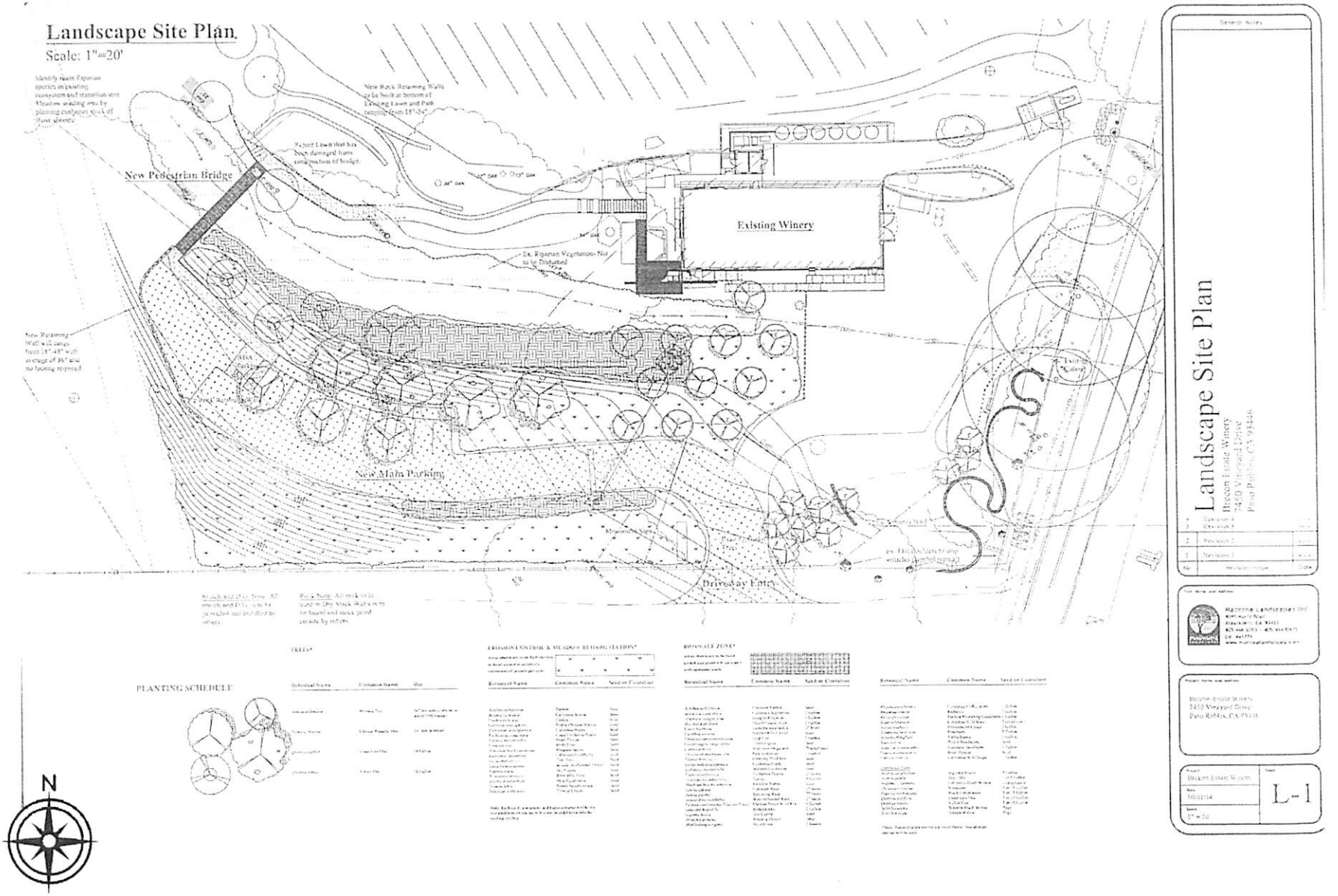


PROJECT

Minor Use Permit
Brecon Estate/ DRC2014-00081

EXHIBIT

Drainage Plan



PROJECT

Minor Use Permit
Brecon Estate/ DRC2014-00081

EXHIBIT

Landscape Site Plan

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Wade Horton, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252
Fax (805) 781-1229 email address: pwd@co.slo.ca.us

MEMORANDUM

Date: June 4, 2015

To: Schani Siong, Project Planner

From: Glenn Marshall, Development Services

Subject: Public Works Comments on DRC2014-00081, Brecon Estates MUP, Vineyard Dr., Paso Robles, APN 039-011-025

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

Public Works Comments:

A. The proposed project does not trigger road improvements per Resolution 2008-152.

B. Driveway improvements along Vineyard Drive may impact or require removal of existing trees. It is recommended that the Planner address this potential in the environmental determination.

C. A drainage plan is required and it will be reviewed by Public Works at the time of Building (grading) Permit submittal. It is recommended that the applicant review Chapter 22.52.110 of the Land Use Ordinance prior to future submittal of development permits.

D. The proposed project is within the Templeton Road Fee Area B. No new structures are proposed with this application and therefore, no road improvement fees are anticipated with this project. However, payment of Road Improvement Fees will be required prior to future building permits.

E. Public Works has incorporated the recommendations found in the 5/26/15 OEG report entitled Sight Distance and Speed Survey at 7450 Vineyard Road, DRC2014-00081

Recommended Project Conditions of Approval:

Access

1. **Within 180 days of Land Use Permit approval,** the applicant shall submit fees and plans to the Department of Public Works to secure an Encroachment Permit to construct the following in accordance with the recommendations of the OEG project sight distance letter report, dated 5/26/15 (OEG Ref 15-501):

    a. A new paved driveway approach on Jensen Road in accordance with County Public Improvement Standards B-1.

    b. Reconstruct the existing Vineyard Drive driveway to a B-1 series standard and limit to ingress only. The onsite circulation and parking shall be designed, striped and signed to dissuade vehicles from exiting the project site using the Vineyard Drive driveway.

    c. Trim trees and branches as necessary to insure county A-5 series sight distance are at each driveway and at the intersection of Vineyard Drive with Jensen Road.

    d. All project signage must be located outside the public right-of-way or at least 8-feet from the nearest edge of pavement, whichever is greater.

    e. Removal of all existing non-permitted obstructions from within the public right-of-way of the project frontage.

2. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way including, but not limited to, project signage; tree planting; fences; etc without a valid Encroachment Permit issued by the Department of Public Works.

3. **On-going condition of approval (valid for the life of the project)**, and in accordance with OEG project sight distance letter report, dated 5/26/15 (OEG Ref 15-501), the Vineyard Drive driveway shall be restricted to ingress only. The Jensen Road driveway may be used for ingress and egress. This shall be enforced by the property owner at all times.

4. **At the time of application for construction permits,** the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.

5. **Prior to holding special events and prior to final inspection,** a Registered Civil Engineer must certify to the Department of Public Works that the driveway and frontage improvements are made in accordance with all conditions of approval.

Fees

6. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the

Department of Public Works the Templeton Area B Road Impact Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of application for building permits.

Drainage

7. **At the time of application for construction permits,** the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance.

Recycling

8. **On-going condition of approval (valid for the life of the project)**, the applicants shall provide recycling opportunities to all facility users at all events in accordance with Ordinance 2008-3 of the San Luis Obispo County Integrated Waste Management Authority (mandatory recycling for residential, commercial and special events).

File: G:\Development_DEVSERV Referrals\Land Use Permits\Minor Use Permits\DRC2014-00081 Brecon Estates\DRC2014-00081 Brecon Estates.doc

Updated: July 9, 2015

COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Weights and Measures

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

(805) 781-5910 • FAX (805) 781-1035

Martin Settevendemie — www.slocounty.ca.gov/agcomm

Agricultural Commissioner/Sealer — AgCommSLO@co.slo.ca.us

DATE: **February 20, 2015**

TO: **Schani Siong, Project Manager**

FROM: **Lynda L. Auchinachie, Agriculture Department**

SUBJECT: **Brecon Estates Minor Use Permit DRC2014-00081 (1809)**

Brecon Estates is requesting a minor use permit for an existing winery and tasting room facility to expand and redesign the parking area, create a new access point from Jensen Road, establish a special events program to allow for up to 6 events per year with no more than 80 attendees, and to allow amplified music past 5 pm. The Agriculture Department's review finds the proposal is consistent with Agriculture Element policies and will have less than significant impacts to agricultural resources due to the limited amount of area converted to parking and access.

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

If you have questions, please call 781-5914.

RECEIVED

FEB 23 2015

SLO PLANNING DEPT

COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Weights and Measures

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

(805) 781-5910 • FAX (805) 781-1035

Martin Settevendemie

Agricultural Commissioner/Sealer

www.slocounty.ca.gov/agcomm

AgCommSLO@co.slo.ca.us

DATE: **August 26, 2015**

TO: **Schani Siong, Project Manager**

FROM: **Lynda L. Auchinachie, Agriculture Department**

SUBJECT: **Revised Brecon Estates Minor Use Permit DRC2014-00081 (1809)**

Thank you for the opportunity to comment on the revised Brecon Estates minor use permit that includes the original project components as well as a designated area for event overflow parking. It appears the overflow parking will use an existing driveway for access and the parking area will be unimproved and located in close proximity to the existing residence minimizing impacts to agricultural resources. The revised proposal appears consistent with Agriculture Element policies.

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

If you have questions, please call 781-5914.

RECEIVED

AUG 27

SLO CO PLANNING

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

RECEIVED
FEB 3 2015
SR 14323
Environmental Health

DATE: 2/2/2015

TO: Env. Health

FROM: Schani Siong (805-7814374 or ssiong@co.slo.ca.us)
North County Team / Development Review

PROJECT DESCRIPTION: DRC2014-00081 BRECON ESTATES – Proposed minor use permit to relocate a parking lot in an existing winery, create alternative access from Jensen Rd, plus add a limited winery special events program. Site location is 7450 Vineyard Dr, Paso Robles.
APN: 039-011-025

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
- ☐ NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
- ☐ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.
Please see attached

2/11/15 — Date
[signature] — Name
X 5551 — Phone

COUNTY OF SAN LUIS OBISPO HEALTH AGENCY

Public Health Department

Jeff Hamm
Health Agency Director

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

Public Health
Prevent. Promote. Protect.

February 11, 2015

To: Schani Siong, North County Team / Development Review
Department of Planning and Building

From: Environmental Health
Leslie Terry

Project Description: DRC2014-00081, BRECON ESTATES MUP
APN 039-011-025

Should the site have > 60 days / year with 25 or more persons visiting, then the applicant shall contact Leslie Terry in this office to create a Transient Non-community water system. See attached chart for additional details. Verify water supply adequacy and potability as needed for proposed use.

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

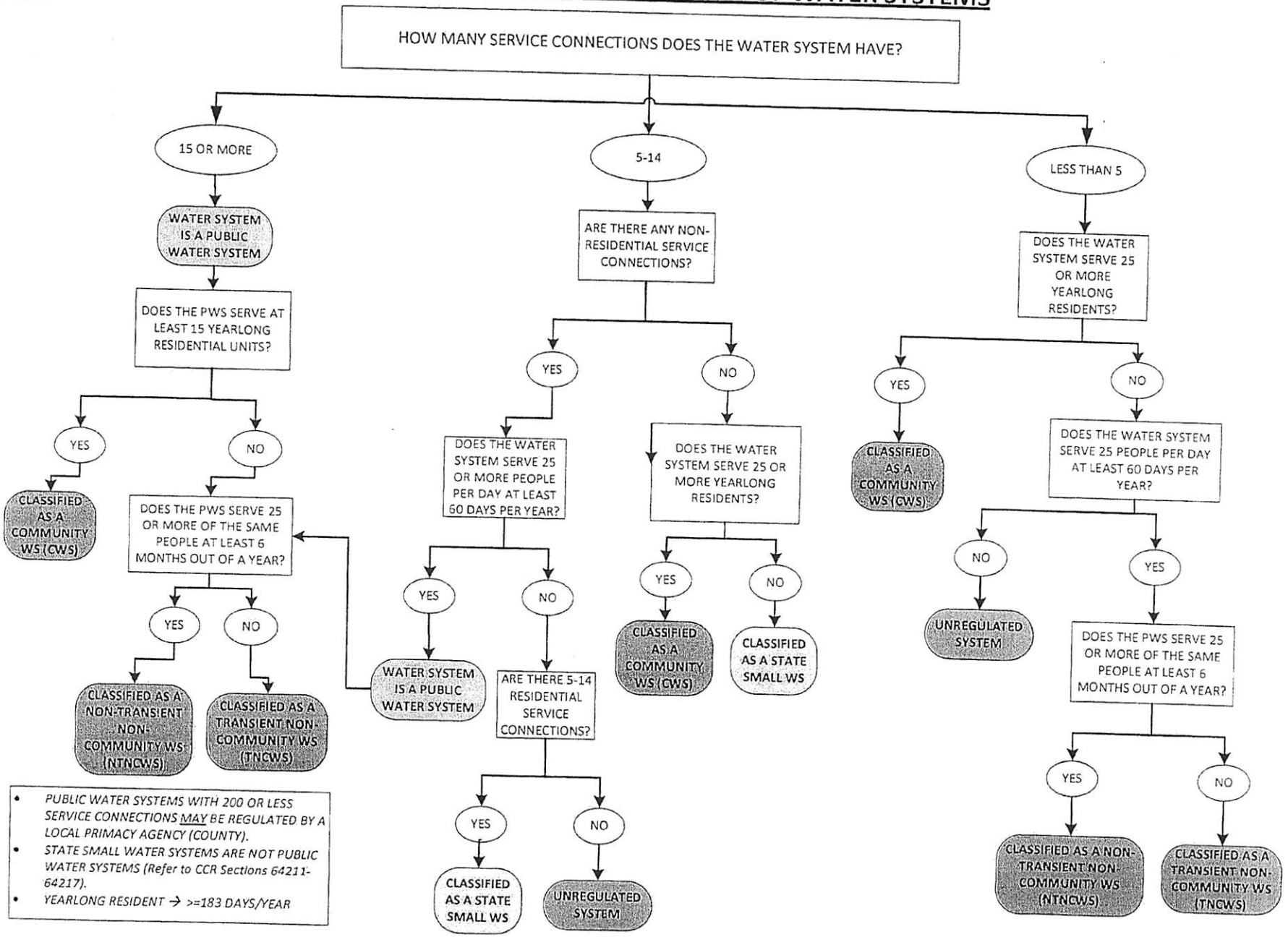
No food, except for crackers, may be served without a health permit. Please contact this office if in the future additional food will be provided to the public (regardless of whether food is sold or simply provided). Use only licensed caterers for public events where food may be served.

Verify on-site wastewater system adequacy as needed for proposed use. Verity well and septic locations meet the minimum separation requirements.

Applicant to return attached Hazardous Materials Declaration Flowchart to this office. Be advised that threshold levels are 55 gallons, 500 pounds or 200 cubic feet and common materials include (but are not limited to): fuel, paint, lubricants, pesticides, pool chemicals and compressed gases. Contact Linnea Faulkner at (805) 781-4917 with any questions regarding this form.

2191 Johnson Avenue, San Luis Obispo, California 93401
(805) 781-5500 FAX (805) 781-5543 www.SLOpublichealth.org

DECISION TREE FOR CLASSIFICATION OF WATER SYSTEMS



- *PUBLIC WATER SYSTEMS WITH 200 OR LESS SERVICE CONNECTIONS MAY BE REGULATED BY A LOCAL PRIMACY AGENCY (COUNTY).*
- *STATE SMALL WATER SYSTEMS ARE NOT PUBLIC WATER SYSTEMS (Refer to CCR Sections 64211-64217).*
- *YEARLONG RESIDENT → >=183 DAYS/YEAR*

Small Water Systems Unit-WKK 4/9/2012

HAZARDOUS MATERIALS BUSINESS PLAN IMPLEMENTATION FLOWCHART

Under penalty of law, I declare that I have followed the flowchart and checked the boxes that are appropriate for this business's operations. I also understand that the SLO County CUPA must be notified if our operations or procedures change and make the above statement inaccurate.

Name (print)

Signature

Business Name

Address

Date

START HERE
Do you generate hazardous waste in ANY quantity?

YES → Sign this document – you need not submit a business plan or pay a fee

NO → Do you store, use, or handle hazardous material at any one time during a calendar year in quantities equal to or greater than 55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a compressed gas at standard temperature and pressure?

NO → Sign and submit this document – you need not submit a business plan or pay a fee

YES → Are you a physician, veterinarian, pharmacist, dentist, or podiatrist who stores ONLY oxygen, nitrogen or nitrous oxide and the total quantity of each gas on-site is 1,000 cubic feet or less?

YES → Sign and submit this document – you need not submit a business plan or pay a fee

NO → Is your facility either a:

Agricultural Business

Do you store ONLY motor vehicle fuel in above or underground tanks at 1,100 gallons or less capacity and the TOTAL volume of fuel is less than 20,000 gallons?

YES → Submit Form S, Form I, and Form M one time only and pay a one time fee

NO → Do you store ONLY motor or lubricating oil and is the total volume less than 275 gallons? (Does not include waste oil)

YES → Sign this document – you need not submit a business plan or pay a fee

NO → Do you store ONLY N-P-K fertilizers (excluding ammonium nitrates) less than 10,000 pounds total?

YES → Sign this document – you need not submit a business plan or pay a fee

NO → Do you apply liquid fertilizer no more than four times a year, apply and store it over period of less than seven days, and is the quantity less than 1,190 gallons and you do not store any other hazardous materials in reportable quantities?

YES → Sign this document – you need not submit a business plan or pay a fee

NO → Submit a one time business plan, complete exemption form R and pay a one time fee

Other Business

Do you store ONLY motor or lubricating oil and is the total volume less than 275 gallons? (Does not include waste oil)

YES → Sign this document – you need not submit a business plan or pay a fee

NO → Is your facility:
A): a remote site (a remote site is defined as an unstaffed facility located in an isolated, sparsely populated area. The facility is secured and not accessible to the general public) and
B): is the inventory less than: 500 cubic feet compressed inert gas, 500 gallons combustible liquid fuel, 200 gallons electrolytes in closed containers, 500 gallons lubricating and hydraulic fluids, and 1,200 gallons of flammable gas used as fuel (propane)?

YES → Submit a one time business plan, complete exemption form R and pay a one time fee

NO → Submit a business plan and pay an annual fee to:

San Luis Obispo County CUPA, PO Box 1489, 2156 Sierra Way
San Luis Obispo, CA 93406
Ph: (805) 781-5544

Within San Luis Obispo city limits
SLO City Fire Dept, 2160 Santa Barbara Ave
San Luis Obispo, CA 93401-5240
Ph: (805) 781-7300

COMMON HAZARDOUS MATERIALS

- Lubricants
- Solvents
- Compressed Gases
- Fuel
- Pesticides
- Paint

COMMON HAZARDOUS WASTES

- Crank Case Oil
- Used Anti-Freeze
- Paint
- Used automotive batteries
- Spent solvents

Not sure?

Please contact The County of San Luis Obispo
Public Health Department
Division of Environmental Health
at
(805) 781-5544

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

MAR 20

DATE: 2/2/2015

TO: Gen Services - Parks

FROM: Schani Siong (805-7814374 or ssiong@co.slo.ca.us)
North County Team / Development Review

PROJECT DESCRIPTION: DRC2014-00081 BRECON ESTATES – Proposed minor use permit to relocate a parking lot in an existing winery, create alternative access from Jensen Rd, plus add a limited winery special events program. Site location is 7450 Vineyard Dr, Paso Robles. APN: 039-011-025

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
- ☐ NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
- ☐ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No Comment

Date | Name | Phone

APCD Comments Re: DRC2014-00081 BRECON ESTATES, North County E-Referral, MUP, Paso Robles - OIS # 3857, DUE DATE 2-16-15

Andrew Mutziger to: Schani Siong 02/13/2015 05:12 PM

Cc: Melissa Guise, Tim Fuhs, Gary Willey

Hi Schani,

I reviewed the Brecon project referral that proposes a relocation of the parking lot and the addition of up to 6 special events per year with no more than 80 people attending any given event with overflow parking to be in areas with decomposed granite. The project is located at 7450 Vineyard Drive just off the unpaved Jensen Road that would be used to access the site.

The APCD finds that the construction and operational phase impacts from the proposed project will be below the APCD CEQA significance thresholds. Therefore, with the exception of the requirements below, (action items in bold), the APCD is not requiring other construction or operational phase mitigation measures for this project.

Please let me know if you have any questions.

Sincerely,

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

CONSTRUCTION PHASE

Dust Control Measures

The project, as described in the referral, will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. **APCD staff recommends the following measures be incorporated into the project to control dust:**

Projects with grading areas that are less than 4-acres and that are not within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to significantly reduce fugitive dust emissions, to manage fugitive dust emissions such that they do not exceed the APCD 20% opacity limit (APCD Rule 401) and minimize nuisance impacts:

a. Reduce the amount of the disturbed area where possible;
b. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
c. All dirt stock-pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used;
e. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and,

The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and

enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity. Their duties shall include holidays and weekend periods when work may not be in progress.

Naturally Occurring Asbestos

Naturally occurring asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain naturally occurring asbestos. The SLO County APCD has identified areas throughout the County where NOA may be present (see the APCD's 2012 CEQA Handbook, Technical Appendix 4.4). If the project site is located in a candidate area for Naturally Occurring Asbestos (NOA), the following requirements apply. Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105), **prior to any construction activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if the area disturbed is exempt from the regulation. An exemption request must be filed with the APCD.** If the site is not exempt from the requirements of the regulation, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. More information on NOA can be found at http://www.slocleanair.org/business/asbestos.php.

Demolition of Asbestos Containing Materials

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition or remodeling of existing buildings or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). **If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at (805) 781-5912 for further information.

OPERATIONAL PHASE

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Operational sources may require APCD permits. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendix, page 4-4, in the APCD's 2012 CEQA Handbook.

- New wineries or expanding wineries with the capacity of 26,000 gallons (10,000 cases at twelve 750 milliliter bottles per case) year or more require a Permit to Operate for fermentation and storage of wine;
- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generator;
- Boilers;
- Internal combustion engines; and
- Cogeneration facilities.

Most facilities applying for an Authority to Construct or Permit to Operate with stationary diesel engines greater than 50 hp, should be prioritized or screened for facility wide health risk impacts. A diesel engine-only facility limited to 20 non-emergency operating hours per year or that has demonstrated to have overall diesel particulate emissions less than or equal to 2 lb/yr does not need to do additional health risk assessment. **To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

----- Forwarded by Andrew Mutziger/APCD/COSLO on 02/13/2015 04:54 PM -----

From:	Melissa Guise/APCD/COSLO
To:	Andrew Mutziger/APCD/COSLO@Wings
Cc:	Alyssa Roslan/APCD/COSLO@Wings
Date:	02/03/2015 03:05 PM
Subject:	Fw: DRC2014-00081 BRECON ESTATES, North County E-Referral, MUP, Paso Robles - OIS # 3857, DUE DATE 2-16-15

Here Andy - please let me know if you have any questions
Melissa Guise
Air Quality Specialist
San Luis Obispo County APCD
805-781-4667
----- Forwarded by Melissa Guise/APCD/COSLO on 02/03/2015 03:03 PM -----

From:	Mail for PL_Referrals Group
To:	
Cc:	Donna Hawkins/Planning/COSLO@Wings, Marti Fisher/Planning/COSLO@Wings
Date:	02/02/2015 04:17 PM
Subject:	DRC2014-00081 BRECON ESTATES, North County E-Referral, MUP, Paso Robles
Sent by:	Marti Fisher

San Luis Obispo County
Planning & Building Department

DRC2014-00081 BRECON ESTATES, North County E-Referral, MUP, Paso Robles

****

The attached application was recently filed with the Planning Department for review and approval. Because the proposal may be of interest or concern to your agency or community group, we are notifying you of the availability of a referral on the project.

Please comment on all issues that you see may be associated with this project.

Please respond to this referral within 14 days of receiving this e-mail.

Community Advisory Groups, please respond within 60 days of receiving this e-mail.

Direct your comments to the planner, Schani Siong 805-781-4374 or ssiong@co.slo.ca.us.

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Community Advisory Groups: You will want to contact the applicant and/or agent for the project to request a presentation to your group, or simply to answer questions about the project. The telephone number and address for the applicant/agent are provided in the link below.

****

Direct link to BRECON ESTATES referral package

Link to webpage for all referral packages: http://www.slocounty.ca.gov/planning/referrals.htm

Web-Page Referral Form
Date: 2/2/2015

Planner: Schani Siong
Applicant Name: Brecon Estates
Case Number: DRC2014-00081
Project Description: MUP
APN: 039-011-025
****

Referral Response:
As part of your response to this referral, please answer the following questions. You may also choose to respond that you have no comments regarding the proposal.

Agencies:
Are there significant concerns, problems or impacts in your area of review?
If Yes, please describe the impacts along with any recommendations to reduce the impacts in your response.

Community Advisory Groups:
If your community has a "vision" statement in the Area Plan - does the community feel this project helps to achieve that vision? If No, please describe.

What does the community like or dislike about the project or proposal?

Is the project compatible with surrounding development, does it fit in well with its surroundings? If No, are there changes in the project that would make it fit in better?

Does the community believe the road(s) that provide access to the site is(are) already overcrowded?

Does the community wish to have a trail in this location?

If the proposal is a General Plan Amendment, does the community feel the proposed change would encourage other surrounding properties to intensify, or establish intense uses that would not otherwise occur?

Please make any other comments regarding the proposal.

Thank you,

Donna Hawkins
Current Planning Division
dhawkins@co.slo.ca.us
805-788-2009
Fax 805-781-1242

CAL FIRE
San Luis Obispo
County Fire Department

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

Robert Lewin, Fire Chief

March 18, 2015

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

Subject: DRC2014-00081 (Brecon) - Conditional Use Permit

Ms. Siong,

CAL FIRE/San Luis Obispo County Fire Department recently conducted an onsite review for the proposal to relocate a parking lot in an existing winery, create alternative access from Jensen Road, plus add a limited winery special events program at 7450 Vineyard Drive near Paso Robles, CA. The project site is located within *State Responsibility Area* (SRA) having a ***"HIGH"*** Fire Hazard Severity Zone classification. The project site has an approximate ***15*** minute response time from the nearest CAL FIRE/County Fire station (#30-Paso Robles).

The project and applicant shall comply with the 2013 CA. Building Code (C.B.C), the 2013 CA. Fire Code (C.F.C.), the Public Resources Code (P.R.C.) and any other applicable fire/building codes.

The following are requirements that must be satisfied prior to final inspection:

<u>Commercial Access Road:</u>

- A Commercial access road must be a minimum of 20 feet wide.
- Parking is only allowed where an additional 8 feet of width is added for each side of the road that has parking.
- "No Parking-Fire Lane" signs will be required.
- Fire lanes shall be provided as set forth in the 2013 California Fire Code Section 503.
- Fire access shall be provided within 150 feet of the outside building perimeter.
- Must be an all weather non-skid surface.
- All roads must be able to support a fire engine weighing 40,000 pounds.
- Vertical clearance of 13'6" is required.

Gates:

- Must be setback from the road 30 feet from the intersection.
- Must be open during business hours unless automatic gates which must open with no special knowledge.
- Must have a KNOX key box or switch for fire department access. Call the Prevention Bureau for an order form at (805) 543-4244 ext. 3429.
- Gates shall have an approved means of emergency operation at all times. California Fire Code Section 503.6.
- Gate must be 2 feet wider than the road on each side.

Addressing:

- The existing address numbering must meet current Fire Code Standards.
- They shall be 8-inch numbers for commercial on a contrasting background at the base of the driveway on both Vineyard Road and Jensen Road.

Notes: New Road Connection from Jenson Road to existing parking lot must provide an edge to edge all weather driving surface of no less than 20 feet. Both gates must maintain open during events.

The proposed project will require final inspection. Please contact this office at (805)543-4244, extension 3429 to schedule the final inspection once all requirements have been satisfied.

If I may be of additional assistance regarding this matter, please do not hesitate to contact me at (805)543-4244, extension 3425.

Sincerely,

Clinton I. Bullard
Fire Inspector

CAL FIRE
San Luis Obispo
County Fire Department

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

Robert Lewin, Fire Chief

November 30, 2015

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

Subject: Request for special events (Brecon Estate Winery (DRC2014-00081)

Ms. Siong,

CAL FIRE/County Fire would like to take this opportunity to provide additional comment/clarification regarding the proposed Minor Use Permit for a limited special event(s) program to be conducted onsite at Brecon Estate Winery located at 7450 Vineyard Drive near Paso Robles, CA. The most significant concerns this department has regarding the request are as follows:

- An extended response time from the nearest CAL FIRE/San Luis Obispo County Fire Department station. The nearest CAL FIRE/County Fire station (#30-Paso) is located at 2510 Ramada Drive near Paso Robles, CA. The personnel and equipment located at this station have an approximate 15+ minute response time and 10.7 mile vehicular travel distance.
- The proposed event(s) site is located within lands classified as State Responsibility Area (SRA) having a ***"HIGH"*** Fire Hazard Severity Zone directly adjacent to lands classified as ***"VERY HIGH"***.

Although the applicant's request is for a somewhat "limited" special events program, the cumulative impacts of special events and increased commercial operations within areas such as this continue to place significant challenges upon CAL FIRE/County Fire's ability to provide effective and efficient emergency services within rural areas of San Luis Obispo County. The entire geographical region surrounding both the Vineyard Drive and Adelaida Road areas has seen a significant increase in both commercial development and special events over the last 10-15 years. With this increased development also comes an increased demand for service(s).

When viewed as a single or "stand alone" proposal, the requested event program of 6 annual events with no more than 80 people each did not warrant mitigation. Most likely, a larger events program request would have required the applicant to hire emergency medical personnel for each event. Recently, this type of mitigation has been required on numerous separate and larger special event programs throughout San Luis Obispo County.

Please feel free to contact me should you have additional questions and/or concerns regarding this matter.

Sincerely,

Clinton I. Bullard
Fire Inspector