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. ED15-253 **DATE:** 07/15/2016

PROJECT/ENTITLEMENT: Vino Farms Grading Permit; PMT2013-00281

APPLICANT NAME: John Hancock Life Insurance Company **Email:** Jamie@kirk-consulting.net
ADDRESS: 8830 Morro Road, Atascadero, CA 93422
CONTACT PERSON: Jamie Kirk, Kirk Consulting **Telephone:** 805-461-5765

PROPOSED USES/INTENT: Request by John Hancock Life Insurance Company USA for a major grading permit to construct two high-density polyethylene (HDPE) lined agricultural reservoirs (Reservoir #1 and Reservoir #2) within the existing Vino Farms San Miguel Vineyard. Reservoir #1 would have a maximum capacity of 49.8 acre-feet and would require disturbance of 5.66 acres, including approximately 46,394 cubic yards of cut and 37,170 cubic yards of fill. Reservoir #2 would have a maximum capacity of 44.2 acre-feet and would require disturbance of 5.97 acres, including 59,142 cubic yards of cut and 47,391 cubic yards of fill. Total proposed project would result in approximately 11.63 acres of disturbance on a 546.94-acre site.

LOCATION: The project site is located on the 546.94-acre Vino Farms / San Miguel Ranch vineyard, approximately 500 feet northwest of the community of San Miguel and 1.25 miles south of the northern San Luis Obispo County boundary. U.S. Highway 101 (US 101) runs along the eastern boundary of the vineyard. Reservoir #1 would be located approximately 0.2 mile (1,032 feet) west of US 101; Reservoir #2 would be located approximately 0.45 mile (2,360 feet) west of US 101. The project site is within the North County planning area (Salinas River sub area).

LEAD AGENCY: **County of San Luis Obispo**
Dept of Planning & Building
976 Osos Street, Rm. 200
San Luis Obispo, CA 93408-2040
Website: http://www.sloplanning.org

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

OTHER POTENTIAL PERMITTING AGENCIES: California Department of Fish and Wildlife

ADDITIONAL INFORMATION: Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-5600.
COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT ..... 4:30 p.m. (2 wks from above DATE)

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

Notice of Determination

State Clearinghouse No. _____

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

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

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

	Airlin Singewald (asingewald@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 5.8) Using Form

Project Title & No. **Vino Farms San Miguel Vineyard Agriculture Reservoirs Major Grading Permit ED15-253 (PMT2013-00281)**

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.

Emily Creel (SWCA Environmental Consultants)	Emily Creel		7/6/2016
Prepared by (Print)	Signature		Date
Airlin Singewald, Senior Planner	Airlin Singewald	Ellen Carroll, Environmental Coordinator (for)	7/6/2016
Reviewed by (Print)	Signature		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 John Hancock Life Insurance Company USA for a major grading permit to construct two high-density polyethylene (HDPE) lined agricultural reservoirs (Reservoir #1 and Reservoir #2) within the existing Vino Farms San Miguel Vineyard. Reservoir #1 would have a maximum capacity of 49.8 acre-feet and would require disturbance of 5.66 acres, including approximately 46,394 cubic yards of cut and 37,170 cubic yards of fill. Reservoir #2 would have a maximum capacity of 44.2 acre-feet and would require disturbance of 5.97 acres, including 59,142 cubic yards of cut and 47,391 cubic yards of fill. Total proposed project would result in approximately 11.63 acres of disturbance on a 546.94-acre site. The applicant proposes to balance the material on-site; excavated soils would be used to construct the reservoirs and/or used/spread elsewhere within the Vino Farms San Miguel Vineyard.

Table 1. Reservoir Capacity, Disturbance, and Earthwork Quantities

	Total Capacity	Area of Disturbance	Cubic Yards of Cut	Cubic Yards of Fill
Reservoir #1	49.8 acres	5.66 acres	46,394 cy	37,170 cy
Reservoir #2	44.2 acres	5.97 acres	59,142 cy	47,391 cy
TOTAL	**94 acres**	**11.63 acres**	**105,536 cy**	**84,561 cy**

The project includes reservoir supply lines, outlet pipes and sumps, outlet pipe manholes, rip rap lined cut off drains, check dams, and overflow pipes leading to rip rap fields to serve as an emergency overflow to prevent the reservoirs from overtopping. Both reservoirs would include 8-foot-tall fencing along the outside edge of the top of the berm. Both reservoirs would also include bench access roads up the outside slope to access a 16-foot wide access road around the top of the reservoirs. Construction of access improvements would be limited to extensions from existing agricultural roads proximate to the reservoirs. No additional new roads or utility trenching outside of the reservoir construction areas would be required. The project includes the removal of 3 acres of existing irrigated alfalfa at the location of Reservoir #1, which is proposed to offset annual evaporative losses of reservoir water.

The reservoirs are proposed to provide frost protection and irrigation for the existing Vino Farms San Miguel Vineyard. The vineyard is located in the Paso Robles Groundwater Basin, on five contiguous parcels totaling approximately 546.94 acres in size. The vineyard currently supports approximately 450 acres of planted vineyard: 225 acres of which were planted prior to August

2013 (when Urgency Ordinance No. 3246 was adopted) and 225 acres of which were planted after August 2013 under a vested rights exemption from the Urgency Ordinance (County Vested Rights Determination dated March 7, 2014). The reservoirs are proposed to support these existing vineyards.

The project includes management strategies to reduce evaporative water losses from the reservoirs. Water would be maintained in the reservoir as follows:

- November 1st through March 31st – the reservoirs will be emptied of water.
- April 1st through May 31st – the reservoirs will be maintained at a full condition for potential frost protection by pumping groundwater to fill the reservoir.
- June 1st through October 31st – the reservoirs will be maintained at 25% capacity for irrigation operations.

The project site is located on the 546.94-acre Vino Farms / San Miguel Ranch vineyard, approximately 500 feet northwest of the community of San Miguel and 1.25 miles south of the northern San Luis Obispo County boundary. U.S. Highway 101 (US 101) runs along the eastern boundary of the vineyard. Reservoir #1 would be located approximately 0.2 mile (1,032 feet) west of US 101; Reservoir #2 would be located approximately 0.45 mile (2,360 feet) west of US 101. The project site is within the North County planning area (Salinas River sub area).

ASSESSOR PARCEL NUMBER(S): 027-011-034, 027-011-035, 027-011-036, 027-061-014, 027-061-021

Latitude: 35 degrees 45' 47" N Longitude: 120 degrees 42' 16" W **SUPERVISORIAL DISTRICT #** 1

B. EXISTING SETTING

PLAN AREA: North County **SUB**: Salinas River **COMM:** San Miguel

LAND USE CATEGORY: Agriculture

COMB. DESIGNATION: Renewable Energy Combining Designation

PARCEL SIZE: 534 acres

TOPOGRAPHY: Gently rolling to very steeply sloping

VEGETATION: Vineyards Scattered Oaks

EXISTING USES: Agricultural uses, vineyards

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture; US101, agricultural uses	*East:* Residential Rural; US 101, single-family residence(s)
South: Agriculture; agricultural uses	*West:* Agriculture; agricultural uses; Public Facilities; Camp Roberts

2013 (when Urgency Ordinance No. 3246 was adopted) and 225 acres of which were planted after August 2013 under a vested rights exemption from the Urgency Ordinance (County Vested Rights Determination dated March 7, 2014). The reservoirs are proposed to support these existing vineyards.

The project includes management strategies to reduce evaporative water losses from the reservoirs. Water would be maintained in the reservoir as follows:

- November 1st through March 31st – the reservoirs will be emptied of water.
- April 1st through May 31st – the reservoirs will be maintained at a full condition for potential frost protection by pumping groundwater to fill the reservoir.
- June 1st through October 31st – the reservoirs will be maintained at 25% capacity for irrigation operations.

The project site is located on the 693-acre Vino Farms / San Miguel Ranch vineyard, approximately 500 feet northwest of the community of San Miguel and 1.25 miles south of the northern San Luis Obispo County boundary. U.S. Highway 101 (US 101) runs along the eastern boundary of the vineyard. Reservoir #1 would be located approximately 0.2 mile (1,032 feet) west of US 101; Reservoir #2 would be located approximately 0.45 mile (2,360 feet) west of US 101. The project site is within the North County planning area (Salinas River sub area).

ASSESSOR PARCEL NUMBER(S): 027-011-034, 027-011-035, 027-011-036, 027-061-014, 027-061-021

Latitude: 35 degrees 45' 47" N Longitude: 120 degrees 42' 16" W **SUPERVISORIAL DISTRICT #** 1

B. EXISTING SETTING

PLAN AREA: North County **SUB**: Salinas River **COMM:** San Miguel

LAND USE CATEGORY: Agriculture

COMB. DESIGNATION: Renewable Energy Combining Designation

PARCEL SIZE: 534 acres

TOPOGRAPHY: Gently rolling to very steeply sloping

VEGETATION: Vineyards Scattered Oaks

EXISTING USES: Agricultural uses, vineyards

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture; US101, agricultural uses	*East:* Residential Rural; US 101, single-family residence(s)
South: Agriculture; agricultural uses	*West:* Agriculture; agricultural uses; Public Facilities; Camp Roberts

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: _____	☐	☐	☐	☐

Aesthetics

Setting. The proposed project is located approximately 0.15 miles northwest of the rural community of San Miguel, within a predominantly agricultural area. The visual setting in the project area includes vast agricultural views (predominantly vineyards, dry farming, and grazing), open hillsides, scattered rural residences, and other appurtenant agricultural infrastructure and development. The topography west of US 101 generally ranges from gently to steeply rolling hillsides. The project site is not visible from any roadway identified as an eligible state scenic highway by the California Department of Transportation's (Caltrans) California Scenic Highway Mapping System.

Impact. Views of the proposed reservoirs from US 101 would be limited. Portions of Reservoir #1 may be visible for short distances between intervening hills, but Reservoir #2 would not be visible due to intervening topography and distance. The project proposes agricultural support facilities consistent with the surrounding agricultural area. The reservoirs would predominantly consist of an earthen wall that would generally blend in with adjacent hills and would be visually compatible with the surrounding area. Reservoir #1 may silhouette against the skyline for very short distances from US 101; however, the project would be compatible with adjacent uses and the surrounding visual character, which includes rolling vineyards and agricultural infrastructure. The site does not include unique geological or physical features and no new lighting would be installed at the site. Therefore, no significant visual impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) 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

State Classification: Not prime farmland (approx. 85%), Farmland of Statewide Importance (approx. 15%)

Historic/Existing Commercial Crops: grain farmed, alfalfa, vineyards

In Agricultural Preserve? Yes

Under Williamson Act contract? No

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

102 – Arbuckle-Positas complex, 9 to 15 percent slopes. This complex typically consists of rolling soils on terraces at elevations of 600 to 1,500 feet. The Arbuckle soil is very deep, well drained, and has moderately slow permeability. Surface runoff is medium, and the hazard of erosion is moderate. The Arbuckle soil has moderate shrink-swell potential. The Positas soil is very deep, well drained, and has very slow permeability. Surface runoff is medium, and the hazard of erosion is moderate. Positas soil also has high shrink-swell potential. The complex is well suited to rangeland and is commonly used for cultivated crops, rangeland, and urban land. The soil's land capability class is 3e-1 when irrigated and 4e-1 when not irrigated. Its farmland classification is not prime farmland.

103 – Arbuckle-Positas complex, 15 to 30 percent slopes. This complex consists of hilly soils on terraces at elevations of 600 to 1,500 feet. The Arbuckle soil is very deep, well drained, and has moderately slow permeability. Surface runoff is rapid, and the hazard of erosion is high. The Arbuckle soil has moderate shrink-swell potential. The Positas soil is very deep, well drained, and has very slow permeability. Surface runoff is rapid, and the hazard of erosion is high. Positas soil also has high shrink-swell potential. The complex is well suited to rangeland (erosion is the main limitation) and is commonly used for cultivated crops, rangeland, and urban land. The soil's land capability class is 4e-1 when irrigated and 4e-1 when not irrigated. Its farmland classification is not prime farmland.

105 – Arbuckle-Positas complex, 50 to 75 percent slopes. This complex consists of very steep soils on terrace escarpments at elevations of 600 to 1,500 feet. The Arbuckle soil is very deep, well drained, and has moderately slow permeability. Surface runoff is very rapid, and the hazard of erosion is very high. The Arbuckle soil has moderate shrink-swell potential. The Positas soil is very deep, well drained, and has very slow permeability. Surface runoff is very rapid, and the hazard of erosion is very high. Positas soil has high shrink-swell potential. These soils are used for rangeland but are poorly suited to this use. These very steep soils are limited by the hazard of erosion and slope. The soil's land capability class is unclassified when irrigated and 7e when not irrigated. Its farmland classification is not prime farmland.

106 – Arbuckle-San Ysidro complex, 2 to 9 percent slopes. This complex consists of undulating to gently rolling soils on terraces at elevations of 600 to 1,500 feet. The Arbuckle soil is very deep, well drained, and has moderately slow permeability. Surface runoff is medium, and the hazard of erosion is moderate. The Arbuckle soil has moderate shrink-swell potential. The San Ysidro soil is very deep, moderately well drained, and has very slow permeability. Surface runoff is medium, and the hazard of erosion is moderate. The San Ysidro soil has high shrink-swell potential. The complex is well suited to rangeland (erosion is a moderate limitation) and is commonly used for cultivated crops, rangeland, and urban land. The soil's land capability class is 2e-1 when irrigated and 4e-1 when not irrigated. Its farmland classification is farmland of statewide importance.

148 – Hanford and Greenfield soils, 2 to 9 percent slopes. This undifferentiated unit consists of soils on terraces at elevations of 600 to 1,500 feet. The Hanford soil is very deep, well drained, and has moderately rapid permeability. Surface runoff is medium, and the hazard of erosion is moderate. Hanford soil has low shrink-swell potential. The Greenfield soil is very deep, well drained, and has moderately rapid permeability. Surface runoff is medium, and the hazard of erosion is moderate. Greenfield soil has low shrink-swell potential. This unit is well suited to rangeland (the erosion hazard is moderately limiting) and most areas of these soils are used for cultivated crops and rangeland (a small acreage is urban land). The unit's land capability class is 2e-1 when irrigated and 4e-1 when not irrigated. Its farmland classification is farmland of statewide importance.

175 – Nacimiento silty clay loam, 9 to 30 percent slopes. This rolling to hilly soil was formed in material weathered from calcareous sandstone and shale. It is found on hills at elevations of 600 to 1,500 feet. The soil is moderately deep, well drained, and has moderately slow permeability. Surface runoff is rapid, and the hazard of erosion is high. The soil has moderate shrink-swell potential. The soil is well suited to use as rangeland (the main limitations are the hazard of erosion and surface compaction) and is commonly used for cultivated crops and rangeland. The soil's land capability class is 4e-1 irrigated and nonirrigated. Its farmland classification is not prime farmland.

179 – Nacimiento-Los Osos complex, 9 to 30 percent slopes. This complex consists of moderately steep soils on hills at elevations of 600 to 1,500 feet. The Nacimiento soil is moderately deep, well drained, and has moderately slow permeability. Surface runoff is rapid, and the hazard of erosion is high. The Nacimiento soil has moderate shrink-swell potential. The Los Osos soil is moderately deep, well drained, and has slow permeability. Surface runoff is rapid, and the hazard of erosion is high. The Los Osos soil has high shrink-swell potential. These soils are suited to use as rangeland (the main limitations are erosion hazard and surface compaction). About 80 percent of this complex has been cleared for cultivated crops; the rest is used for rangeland. The complex's land capability class is 4e-1 irrigated and nonirrigated. Its farmland classification is not prime farmland.

Impact. Reservoirs #1 and #2 are located on soil unit 175 – Nacimiento silty clay loam; therefore, the reservoirs would be located on land designated as "not prime farmland". The sites are currently vacant and have been recently plowed and deep ripped to a depth of five feet below existing grade. The reservoirs are considered an agricultural use and would support the production of existing vineyards. Therefore, the project would not result in the conversion of agricultural or prime farmland to non-agricultural use. Construction and operation of the reservoirs would not adversely affect the existing vineyards onsite (it would support them), and the storage of water would not adversely affect

proximate agricultural uses.

The proposed project could result in additional pumping from the groundwater basin to compensate for evaporation loss from the surface of the proposed reservoirs. This additional pumping could reduce agricultural water supplies available to adjacent parcels.

The project applicant would be required to offset any increased water demands resulting from the project, including water loss through evaporation (refer to Section 14, Water and Hydrology). Offsets would be required to be achieved from within the existing Vino Farms San Miguel Vineyard that the reservoirs would benefit. The project applicant proposes to offset evaporative losses by fallowing approximately 3 acres of existing irrigated alfalfa at the location of proposed Reservoir #1. Fallowing agricultural areas to achieve the required offset would not result in indirect significant impacts, as this is a normal part of agricultural operations within the vineyard (fallowing certain areas, planting new areas). In addition, mitigation is identified below that would ensure that the stored water is only used as stated by the applicant for agricultural uses, and the water cannot be sold or used off-site.

The County Department of Agriculture has commented that it has no concerns regarding the project as long as use of the reservoir is limited to agricultural support purposes (Lynda Auchinachie, County Department of Agriculture, personal communication with Emily Creel, SWCA, April 28, 2016).

Mitigation/Conclusion. At the time of application for grading permits, the project plans must clearly state that the purpose of the proposed reservoir is for on-site frost protection and irrigation only and that off-site transfer of reservoir water and/or other uses of the reservoir are prohibited. Additionally, the project will be required to offset any increased water demands from the project, including water loss through evaporation. With implementation of these mitigation measures, impacts to agriculture would be less than significant.

3. AIR QUALITY *Will the project:*	**Potentially Significant**	**Impact can & will be mitigated**	**Insignificant Impact**	**Not Applicable**
a) 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?	☐	☐	☒	☐

3. AIR QUALITY

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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: _____	☐	☐	☐	☐

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. As proposed, the project would result in the disturbance of approximately 11.63 acres, including 105,536 cubic yards of cut and 84,561 cubic yards of fill. This would result in the creation of construction dust as well as short-term vehicle emissions during construction activities.

Table 1. Construction Emissions

	ROG	NO_x	PM_{10}	DPM	CO_{2e}
Winter Emissions (lbs/day)	6.58	74.96	44.83	6.88	6,635.4
Threshold (lbs/day)	137 (ROG and NOx combined)		n/a	7	n/a
Mitigation Required	**No**		**n/a**	**No**	**n/a**
Annual Emissions (tons/yr)	0.12	1.31	0.7	0.12	105.36
Annual Threshold (tons/yr)	25 (ROG and NOx combined)		25	n/a	n/a
Mitigation Required	**No**		**No**	**n/a**	**n/a**

Based on air quality modeling and estimates provided in Table 1, the project would not result in construction emissions exceeding APCD's thresholds of significance. There are no residences located within a quarter mile of either reservoir site. Therefore, the project is not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust and/or emission control measures during construction.

The project proposes to disturb highly erodible soils. The project will be subject to fugitive dust control measures pursuant to Land Use Ordinance Section 22.52.160.C (Construction Procedures, Air Quality Controls), which will provide additional protection of the vineyards from dust, and would ensure fugitive dust emissions are adequately controlled to below the 20 percent opacity limit as identified in the APCD's 401 "Visible Emissions" rule and that dust is not emitted offsite. The proposed project specifications include the following dust control requirements:

1. Contractor shall provide dust control during all phases of the work in accordance with local, state, and federal regulations.
2. Dust control measures capable of preventing the migration of dirt and dust off-site, in a manner acceptable to the agency shall be implemented and maintained during all

construction, earth moving, and grading phases of the project. Failure to do so will result in the issuance of a "stop work" order which will not be released until such time as an adequate program is implemented.

3. Contractor or biller shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent the transport of dust off-site. This person's duty shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such person or persons shall be provided to the Agency.
4. Any temporary stockpiles of earth or debris shall be approved by the agency and shall not obstruct drainage or create blowing dust.
5. Contractor shall obtain all necessary permits for construction from the Air Pollution Control District (APCD). The contractor shall be responsible for all costs to obtain and maintain required permits including monitoring, reports and logs which may be required. Contractor shall use appropriate equipment as required by the APCD and provide training to all workers in the construction area. The contractor will be responsible for all monitoring, recording and reporting to the appropriate agencies in the event of contamination. Appropriate personal protective equipment (PPE) must be provided and used.

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

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 due to the negligible long-term operational 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.

The project site is not located in an APCD designated naturally occurring asbestos zone.

Mitigation/Conclusion. The project would be required to implement standard dust control measures to ensure project construction does not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402). Implementation of Land Use Ordinance standards for dust control and applicant proposed and APCD identified air quality control measures will reduce potential air quality impacts to less than significant levels.

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?	☐	☐	☒	☐

4. BIOLOGICAL RESOURCES *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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.**

Biological Resources

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

On-site Vegetation: vineyards, cover crops, alfalfa, grassland, scattered oaks

Name and distance from blue line creek(s): unnamed drainage, approximately 50 feet southeast of the proposed area of disturbance for Reservoir #2.

Habitat(s): agriculture, irrigated vineyards

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

The proposed reservoir sites currently support irrigated alfalfa, remnant cover crops, and previously farmed (now fallow) land. The sites are surrounded by active agricultural areas (irrigated vineyards) on all sides except for an unnamed drainage immediately south of the proposed Reservoir #2 site. There are no trees at either proposed reservoir site and the sites do not support wetland or riparian habitat. USGS topographical maps (San Miguel quadrangle) reflect unnamed blue line creeks running through the center of the Vino Farms San Miguel Vineyard, approximately 900 feet west of the Reservoir #1 site and 50 feet southeast of the Reservoir #2 site.

San Joaquin Kit Fox

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

Impact. Based on past historic disturbance at the site and on-going agricultural uses, the project site

does not support any special-status vegetation species. A San Joaquin Kit Fox Habitat Evaluation Form was prepared for the site by Kevin Merk Associates, Inc. on September 10, 2013.

The evaluation resulted in a score of 66, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). Although the project would result in 11.63 acres of site disturbance during grading and construction, it would result in the permanent removal of 5.9 acres of kit fox habitat for the open water surface of the reservoirs. The evaluation score and resulting mitigation ratio is subject to review and approval by the California Department of Fish and Wildlife.

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

Construction of Reservoir #2, the roadway extension to the pond in particular, would occur within 100 feet from the bank of an unnamed blue-line creek running through the center of the Vino Farms San Miguel Vineyard. No work is proposed within the creek. Potential impacts to the creeks could occur as the result of use or storage of equipment, soils, and materials in proximity to the creeks, down-gradient sedimentation, and potential accidental discharge of pollutants (i.e. oils, fuels) into the creeks.

Mitigation/Conclusion. With regards to the San Joaquin kit fox, the applicant will be required to mitigate the loss of 5.9 acres of kit fox habitat by one of the following ways:

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

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

To protect potential impacts to the adjacent blue line creek south of the Reservoir #2 site, the applicant is required, pursuant to the County Ordinance to prepare and implement a sedimentation and erosion control plan and Stormwater Pollution Prevention Plan. Additional mitigation has been identified to ensure construction is conducted to avoid interference with the creek. The full extent of these measures is presented in Exhibit B.

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

5. CULTURAL RESOURCES ***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?	☐	☐	☒	☐

5. CULTURAL RESOURCES *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Cause a substantial adverse change to a Tribal Cultural Resource?	☐	☐	☒	☐
e) Other: _____	☐	☐	☐	☐

Cultural Resources

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

In order to meet Assembly Bill 52 (AB 52) Cultural Resource requirements, outreach to four Native American tribal groups has been conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council). Karen White, Council Chair of the Xolon Salinan Tribe, sent a letter dated May 9, 2016 indicating that they were unaware of any archaeological sites on the subject property, but that the entire area is "...very sensitive because many smaller ancient village sites are known to extend from San Miguel and the Salinas River."

No historic structures are present or proximate to the proposed reservoir sites, and no paleontological resources are known to exist in the area.

Impact. The project site is not located in an area that would typically be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. The project site has been heavily disturbed due to historic agricultural activities and the presence of surface artifacts is considered low. Per AB 52, tribal consultation was performed and no resources were identified. In the unlikely event resources are uncovered during grading activities, implementation of Land Use Ordinance Section 22.10.040 (Archeological Resources) would be required:

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

No impacts to historical resources would occur and the potential for impacts to archaeological and paleontological resources is considered very low.

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

6. GEOLOGY AND SOILS

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?	☐	☐	☒	☐
b) Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?	☐	☐	☒	☐
c) Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?	☐	☐	☒	☐
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 very steeply sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low to moderate

Liquefaction Potential: Low

Nearby potentially active faults?: Yes Distance? 6 miles (Rinconada Fault)

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

Shrink/Swell potential of soil: Low to high

Other notable geologic features? None

Geology and Soils

Information in this section is referenced from the Geotechnical Engineering Report (Beacon Geotechnical, Inc. 2013) prepared for the project.

As proposed, the project will result in the disturbance of approximately 11.63 acres. During grading activities, there is a potential for erosion and down-gradient sedimentation. The applicant has included proposed erosion control measures to be implemented during construction, including fiber rolls, silt

fencing, clean water diversion ditches, an entrance/outlet tire wash area, temporary concrete washout area, rock bag barriers, and rip-rap fields. Proposed permanent erosion and sediment control measures would include fiber rolls per Best Management Practices (BMPs), silt fencing, and hydroseeding. A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. In addition, based on the area of disturbance, a Stormwater Pollution Prevention Plan (SWPPP) will be required, which would further minimize the potential for erosion and subsequent sediment transport and discharge into surface waters or onto adjacent properties.

No significant geologic hazards are anticipated. The project would be located in a seismically active area, but the project does not propose structures for human habitation and the reservoirs would be constructed in accordance with current established engineering practices. Compliance with these practices and other applicable standards would typically indicate that risks to people and/or structures, including those related to unstable earth conditions, were properly safeguarded against.

The Geotechnical Engineering Report prepared for the project found that the site is suitable for the proposed reservoirs provided the recommendations contained in the report are properly implemented into the project. Plan specifications require that the project be built in conformance with the Geotechnical Report and field direction from the geotechnical engineer, and final reports will be required in accordance with the County Building and Construction Ordinance (Title 19) to confirm the work performed is in substantial conformance to the plans. The applicant is required to comply with existing Land Use Ordinance standards, including Sections 22.52.100 (Grading Plan Requirements) and 22.52.150 (Standards) and the project would be designed to meet or exceed requirements of the California Building Code. Based on compliance with existing regulations and recommendations in the Geotechnical Engineering Report, no significant geologic or soil impacts would occur.

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

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?	☐	☐	☒	☐

7. HAZARDS & HAZARDOUS MATERIALS - *Will the project:*	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Gov't Code 65962.5 ("Cortese List"), and result in an adverse public health condition?	☐	☐	☒	☐
e) Impair implementation or physically interfere with an adopted emergency response or evacuation plan?	☐	☐	☒	☐
f) If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
g) Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?	☐	☐	☒	☐
h) Be within a 'very high' fire hazard severity zone?	☐	☐	☒	☐
i) Be within an area classified as a 'state responsibility' area as defined by CalFire?	☐	☐	☒	☐
j) Other: _____	☐	☐	☐	☐

Hazards and Hazardous Materials

Setting. The project is not located in an area of known hazardous material contamination and is not listed on the "Cortese List" (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5). There is a military cleanup site (potential explosives, munitions debris) associated with Camp Roberts within the Vino Farms San Miguel Vineyard approximately 0.3 mile west of the Reservoir #2 site; cleanup has been completed and the case is closed (SWRCB 2016). There is also a military evaluation site (San Miguel War Housing Project) located on an adjacent parcel approximately 0.3 mile southeast of the Reservoir #1 site. The site's status is listed as Inactive – Needs Evaluation (DTSC 2016).

The project is not located within an Airport Review Area. The project is located within a high fire hazard severity zone and based on the County's response time map, it will take approximately 15 to 20 minutes to respond to a call regarding fire or life safety.

Impact. The project proposes construction of two agricultural reservoirs to support an existing vineyard. The reservoirs would be constructed in accordance with industry standards and consistent with applicable codes. The project would not include the construction of buildings for human habitation and therefore would not expose people to a substantial new hazard. The project does not propose the use of hazardous materials or the generation of hazardous wastes. The military cleanup site within the vineyard has been cleaned and closed and would not affect the proposed project. The military evaluation site on an adjacent parcel is not within the vineyard and would not be affected by the proposed project or vineyard operations. The use of standard materials, oils, and fuels to operate and

maintain construction equipment would be conducted pursuant to existing regulations. The project does not present a significant fire safety risk and the project is not expected to conflict with any regional emergency response or evacuation plan.

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials would occur, and no mitigation measures 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?	☐	☐	☒	☐
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: _____	☐	☐	☐	☐

Noise

Setting. The project is not considered a "noise sensitive land use" and is not within close proximity of loud noise sources. The project is located within an agricultural area and based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area. There are no sensitive receptors (i.e., residences, schools) within a quarter mile of either reservoir site.

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses. Short-term construction noise would be limited in nature and duration and operation of the reservoir would not generate loud noise levels. The project would not expose people to existing or increased noise levels.

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

9. POPULATION/HOUSING

Will the project:

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

Population/Housing

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

Impact. The project would serve an existing vineyard and does not include any structures for human habitation. The project would not result in a need for a significant amount of new housing, and would not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts would occur and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES

Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	☐	☐	☒	☐
b) Police protection (e.g., Sheriff, CHP)?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Roads?	☐	☐	☒	☐
e) Solid Wastes?	☐	☐	☒	☐
f) Other public facilities?	☐	☐	☒	☐
g) Other: _____	☐	☐	☐	☐

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

Police: County Sheriff Location: Templeton (Approximately 14 miles to the south)

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

Location: (Approximately 10 miles to the south)

School District: San Miguel Joint Union Elementary School District.

Public Services

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

Impact. The proposed project is a request to construct two agricultural reservoirs to serve an existing vineyard. Electrical demands of the project would be negligible and electrical service is available at the reservoir sites. Since it will not construct buildings for human habitation or result in a need for a significant amount of new development or infrastructure, the proposed project is not anticipated to increase demands on public facilities or utilities.

Mitigation/Conclusion. No significant public services/utilities impacts would occur and no mitigation measures 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 _____	☐	☐	☐	☐

Recreation

Setting. The County's Parks and Recreation Element does not show any existing or proposed trails going through the Vino Farms San Miguel Vineyard. The Juan Bautista de Anza National Historic Trail passes north through the Camp Roberts Military Reservation, approximately 3.5 miles west of Vino Farms San Miguel Vineyard. The County Parks and Recreation Element identifies a proposed San Miguel to Juan Bautista de Anza Trail, connecting the community of San Miguel (east of the project site) to the Juan Bautista de Anza Historic Trail near Camp Roberts (west of the project site). However, the specific location of the trail has not yet been identified.

Impact. The project would be located within a privately-owned operational vineyard, and would not have any adverse effects on existing or planned recreational opportunities in the County. The proposed San Miguel to Juan Bautista de Anza Trail could eventually be located in the vicinity of the project, but the development of the proposed reservoirs within the existing Vino Farms San Miguel Vineyard would not substantially affect the future siting or development of this proposed trail. The project is not proposed in a location that will affect, or create a significant additional need for, any trail, park, recreational resource, coastal access, and/or Natural Area.

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: _____	☐	☐	☐	☐

Transportation

Setting. The County has established the acceptable Level of Service (LOS) on roads for this rural area as "C" or better. The existing road network in the area, including the project's access street(s) (US 101, San Miguel Avenue, Mission Street, El Camino Real) is operating at acceptable levels. Based on existing road speeds and configuration (vertical and horizontal road curves), sight distance is considered acceptable.

Impact. The proposed project includes construction of two agricultural reservoirs to serve an existing vineyard. After construction activities are complete, the proposed project is not anticipated to increase vehicle trips on the existing road network. As a result, it will have no impact on existing road service or traffic safety levels. The project does not conflict with adopted policies, plans and programs related to transportation. Referrals were sent to County Public Works and no significant traffic-related concerns were identified.

Mitigation/Conclusion. No significant traffic impacts would occur, and no mitigation measures above what are already required by ordinance are necessary.

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: _____	☐	☐	☐	☐

Wastewater

Setting/Impact. The proposed project would not generate wastewater or require wastewater disposal.

Mitigation/Conclusion. No significant wastewater impacts would occur, and no mitigation measures are necessary.

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?	☐	☐	☒	☐

14. WATER & HYDROLOGY

Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
QUANTITY				
h) Change the quantity or movement of available surface or ground water?	☐	☒	☐	☐
i) Adversely affect community water service provider?	☐	☐	☒	☐
j) Expose people to a risk of loss, injury or death involving flooding (e.g., dam failure,etc.), or inundation by seiche, tsunami or mudflow?	☐	☐	☒	☐
k) Other: _____	☐	☐	☐	☐

Water

Setting. The project proposes to obtain its water needs from three existing wells within the Vino Farms San Miguel Vineyard. The project site is within the Estrella sub-area of the Paso Robles Groundwater Basin (the basin). Encompassing an area of approximately 505,000 acres (760 square miles), the basin extends from the Garden Farms area south of Atascadero to San Ardo in Monterey County, and from the Highway 101 corridor to east of Shandon. It is the primary, and in many places the only, source of water available to property owners throughout the North County. Much of the information in this section has been developed in reference to the Paso Robles Groundwater Basin Model Update (December 19, 2014) and the Paso Robles Groundwater Basin Resource Capacity Study (adopted by the County Board of Supervisors in February 2011).

Resource Capacity Study

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

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

LOS I	Level I is reached for a water resource when increasing water demand projected over nine years equals or exceeds the estimated dependable supply.
LOS II	Level II for a water resource occurs when water demand projected over seven years (or other lead time determined by a resource capacity study) equals or

	exceeds the estimated dependable supply.
LOS III	A Level of Severity III exists when water demand equals the available resource; the amount of consumption has reached the dependable supply of the resource.

In February 2011, the County Board of Supervisors approved the Paso Robles Groundwater Basin Resource Capacity Study (RCS), which links the state of the basin to land use policy, basin monitoring, and water conservation. The RCS concluded that the groundwater basin is approaching or has reached its "perennial yield" – the amount of usable water of a groundwater basin that can be withdrawn and consumed economically each year for an indefinite period of time. The RCS established an LOS III for the main basin and a separate LOS I for the Atascadero sub-basin, which is hydrogeologically distinct from the main basin. The County Board of Supervisors, after considering a number of studies about this groundwater basin and approving related documents [i.e., Paso Robles Groundwater Basin Resource Capacity Study (RCS), February, 2011; Paso Robles Groundwater Basin Management Plan (GMP), March, 2012], have concluded the following conditions exist:

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

California law does not allow the County to limit how much water a property owner pumps from the ground. The County must use only the authority it has to address this issue.

Basin-wide Supply and Demand

The Paso Robles Groundwater Basin Computer Model was refined and recalibrated in 2015. Based on the most recent modeling (April 2016 Status Update), the basin has a perennial yield of approximately 90,215 acre feet per year (afy).

Table 2. Water Balance and Perennial Yield Estimates (afy)

	Total Inflow	Total Outflow	Change in Storage	Total Pumping	Perennial Yield
2014 Calibration Estimates	107,468	110,414	-2,900	92,600	89,700
2015 Recalibration Estimates	109,672	112,057	-2,385	92,600	90,215

RCS Implementation - Water Conservation Requirements

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

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

The water conservation requirements:

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

Urgency Ordinance

On August 27, 2013, the County Board of Supervisors adopted a 45-day urgency ordinance establishing a moratorium on new or expanded irrigated crop production and new development dependent upon a well in the Paso Robles Groundwater Basin unless such uses qualify for an exemption or offset their total projected water use. It does not apply in the Atascadero sub-basin. On October 8, 2013, the Board continued the urgency ordinance for a period of two years. The purpose of the ordinance was to cap water demand while the County conducts studies and reports required to consider a comprehensive ordinance and/or general plan amendment addressing water shortages within the Paso Robles Groundwater Basin.

On October 27, 2015, the County Board of Supervisors adopted Resolution 2015-288. The resolution included changes to the County Code that affected new construction and new irrigated agriculture in the basin. Under Resolution 2015-288, new construction in the basin must offset water use at a 1:1 ratio. The County runs a water conservation program to generate credits that applicants can purchase to meet the water offset requirement. Resolution 2015-288 also requires that any new irrigated agriculture in the basin offset projected new water use. This requirement must be met at the time of permit issuance.

Paso Robles Groundwater Basin Groundwater Management Plan (AB 3030)

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

The Countywide Water Conservation Program and Water-Related General Plan and County Code Amendments

On October 27, 2015 the Board of Supervisors adopted the Countywide Water Conservation Program to address ongoing water scarcity concerns. The objectives of the Countywide Water Conservation Program are to halt increase in groundwater extraction in areas that have been certified LOS III; provide a mechanism to allow new development and new or altered irrigated agriculture to proceed in certified LOS III areas, subject to the requirements of the County General Plan and County Code, in a manner that fully offsets projected water use; and to reduce the wasteful use of water in the county. The amendments were effective on November 26, 2015 and affect the following areas:

- Paso Robles Groundwater Basin:
  - New buildings and new irrigated agriculture must offset new water use. (Building and Construction Ordinance and The County Land Use Ordinance)
  - New construction and new irrigated agriculture in the Paso Robles Groundwater Basin must be water neutral.
- Nipomo Mesa Water Conservation Area:
  - New buildings must offset new water use. (Building and Construction Ordinance)

- Countywide:
    - Water waste prevention measures apply to all unincorporated areas where a similar program is not already operated by a water purveyor. (Health and Sanitation Ordinance)
    - Agricultural best management practices are encouraged in all unincorporated areas (The County Land Use Ordinance)

The adopted Countywide Water Conservation Program and ordinances included amendments to the County Health and Sanitation Ordinance, Building and Construction Ordinance, County Land Use Ordinance, and County Fee Schedule.

Drainage Characteristics

The topography of the project is gently sloping to very steeply sloping The closest creek from the proposed development is an intermittent, unnamed blue line creek approximately 50 feet south of the proposed Reservoir #1 site. As described in the NRCS Soil Survey, the soil surface is considered to have moderate to high erodibility.

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

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

Within the 100-year Flood Hazard designation? No

Closest creek? unnamed Distance? Approximately 50 feet

Soil drainage characteristics: Well drained

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110 or CZLUO Sec. 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION – Soil type, 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: Moderate to high

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

The proposed project involves approximately 11.63 acres of disturbance including 190,097 cubic yards of cut and fill on a 546.94-acre vineyard. The reservoir would be constructed on gently to steeply sloping topography. No portion of the proposed reservoir sites or vineyard is within a 100-year Flood Hazard designation. The proposed extension of dirt agricultural roads to Reservoir #2 would be

located less than 100 feet from an unnamed blue line creek that extends through the vineyard. Underlying soils have moderate to high erodibility. The applicant has included proposed erosion control measures to be implemented during construction, including fiber rolls, silt fencing, clean water diversion ditches, an entrance/outlet tire wash area, temporary concrete washout area, rock bag barriers, and rip-rap fields. Proposed permanent erosion and sediment control measures would include fiber rolls per Best Management Practices (BMPs), silt fencing, and hydroseeding. In addition to preparation and implementation of a SWPPP, implementation of the following County standards will further reduce the project's water quality impacts to less than significant levels:

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

To provide protection from downward migration of stored water within the reservoir, the proposed earthen irrigation reservoir would be lined with 60-mil high density polyethylene (HDPE) plastic. This HDPE liner would provide protection from leakage into the subsurface. With this liner in place, potential water quality impacts associated with subsurface leakage would be less than significant.

Water Quantity

Water used to fill the reservoirs would be sourced from three existing wells within the Vino Farms San Miguel Vineyard. The project is intended to increase water-use efficiency during the peak frost period by storing a large volume of water to be readily available, thereby reducing the amount of water simultaneously pumped from the basin during frost events. The proposed reservoirs would therefore increase water-use efficiency by enabling better water management during frost events. However, the project would also result in water loss through evaporation from the water surface to the atmosphere. To reduce evaporative water losses, the applicant proposes to fill the reservoir for frost protection purposes during the typical peak frost period (April 1st through May 31st). At the end of the frost season, the reservoir would be maintained at 25 percent capacity for irrigation operations from June 1st through October 31st. The reservoir would remain empty between November 1st and March 31st.

The worst case total evaporative water loss resulting from the project is estimated to be 13.27 afy under extreme drought conditions, which would require increased groundwater pumping to maintain proposed reservoir capacity (Monsoon 2015). This information was peer reviewed and confirmed by the County's consultant (Fugro 2016).

Due to the level of existing groundwater pumping from the basin that has reached or is quickly approaching the basin's perennial yield, the project must offset 13.27 afy of new water use to account for evaporative losses and avoid significant water quantity impacts.

Well Interference

The applicant's consultant, Monsoon Consultants, performed a well interference analysis, which determined that the estimated pump rate at the supply wells to account for evaporative loss of water (when the reservoir contains water) would range from 1.77 to 13.88 gallons per minute, depending on various climatic condition scenarios. The anticipated drawdown, as measured at the property lines nearest to the three wells, resulting from the increased pumping to account for evaporative losses would range from approximately 0.002 to 0.325 feet. This information was peer reviewed and confirmed by the County's consultant (Fugro 2016). Well interference impacts of this magnitude are not considered to be significant (Fugro 2016).

Drainage and Flood Hazard

As noted above, construction of the reservoir would be located within a gently to steeply sloping area of existing irrigated vineyards. Stormwater would be diverted around the reservoir and managed on-site via a system of lined swales, rip rap lined cut off drains, and rock check dams. The project also includes permanent post-construction erosion and sedimentation control measures, including fiber rolls, silt fencing, and hydroseeding.

The proposed reservoirs would not be located in the 100-year flood zone and would not substantially impede floodwaters or otherwise create a public health and safety issue. Based on the incorporation of standard engineering design standards and compliance with existing regulations, no significant drainage or flood hazard impacts would occur.

Mitigation/Conclusion. Mitigation is required to ensure impacts to adjacent creeks are avoided as described in Exhibit B. As specified above for Biological Resources, compliance with identified mitigation, existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project.

The project would be required to offset any new water use at a 1:1 ratio to ensure water neutral development and avoid adverse effects on the currently impacted basin. To be eligible as an offset, irrigated agriculture must have been in existence for a period of at least five years, the minimum amount of time to demonstrate ongoing agricultural activities.

The applicant proposed to offset evaporative water losses through the elimination of 3 acres of existing irrigated alfalfa at the Reservoir #1 site. Elimination of 3 acres of irrigated alfalfa would reduce water demand by 13.5 acre feet per year (afy), based on an assumed 4.5 acre-feet of water demand per acre of alfalfa production (Fugro 2016). A water demand reduction of 13.5 afy would offset the anticipated evaporative loss of 13.27 afy and satisfy the necessary 1:1 water offset. However, to use the alfalfa as an offset the applicant would be required to show that it has been planted for at least five years.

Mitigation requiring evidence that a 13.27 afy offset has been achieved by the project applicant, subject to the approval of the County, would be required before permit issuance. Fallowing of agricultural areas to achieve the required offset would not result in indirect significant impacts, as this is a normal part of agricultural operations (fallowing certain areas, planting new areas). Implementation of the mitigation identified in Exhibit B would reduce potential water quantity impacts to less than significant with mitigation.

The project would result in negligible water level drawdown at neighboring properties due to increased pumping activities (less than 0.325 feet drawdown under worst case scenarios). Potential impacts related to water level drawdown would be less than significant.

15. LAND USE ***Will the project:***	**Inconsistent**	**Potentially Inconsistent**	**Consistent**	**Not Applicable**
a) Be potentially inconsistent with land use, policy/regulation (e.g., general plan [County Land Use Element and Ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?	☐	☐	☒	☐
b) Be potentially inconsistent with any habitat or community conservation plan?	☐	☐	☐	☒

15. LAND USE

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

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, General Plan, etc.). Identified mitigation would require new water use offsets at a 1:1 ratio consistent with County plans and ordinances aimed at addressing water shortages within the Paso Robles Groundwater Basin. Referrals were sent to various County Departments and outside agencies to review for policy consistencies (e.g., Environmental Health Department, Agricultural Commissioner, SLOAPCD, Regional Water Quality Control Board, California Department of Fish and Wildlife) and no concerns or issues were raised. The project was found to be consistent with applicable plans and policies (refer also to Exhibit A on reference documents used).

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

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

16. MANDATORY FINDINGS OF SIGNIFICANCE

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	**Not Applicable**
☒	County Environmental Health Services	**None**
☒	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	**None**
☐	CA Department of Forestry (Cal Fire)	**Not Applicable**
☐	CA Department of Transportation	**Not Applicable**
☐	Community Services District	**Not Applicable**
☒	Other Xolon Salinan Tribe	**Attached**
☐	Other _____	

*** "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
- ☒ North County Area Plan/Salinas River SA 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:

1. Beacon Geotechnical, Inc. February 26, 2013. Geotechnical Engineering Report for Two Proposed Irrigation Reservoirs, San Miguel Reservoirs 1 and 2, APN 027-011-034 and APN 027-011-036.
2. County of San Luis Obispo, Adopted by the Board of Supervisors February 2011. Resource Capacity Study: Water Supply in the Paso Robles Groundwater Basin.
3. Fugro Consultants, Inc. January 15, 2016. Review of Evaporative Loss Evaluation, Vino Farms San Miguel Reservoirs PMT2013-00281.
4. Fugro Consultants, Inc. March 2010. Paso Robles Groundwater Basin Water Balance Review and Update.
5. Fugro Consultants, Inc. February 2005. Paso Robles Groundwater Basin Study – Phase II.
6. Fugro Consultants, Inc. August 2002. Paso Robles Groundwater Basin Study – Phase I.
7. Kevin Merk Associates, LLC. September 10, 2013. San Joaquin Kit Fox Habitat Evaluation for the Development of Two Irrigation Reservoirs, San Miguel Ranch, San Luis Obispo County, California.
8. Monsoon Consultants. April 17, 2015. PMT 2013-00281 – Vino Farms Grading Permit – San Miguel Vineyard / Analysis of Off-site Impacts from Reservoir Evaporative Losses.
9. Natural Resources Conservation Service. (May 9, 2016). Web Soil Survey National Cooperative Soil Survey.
10. San Luis Obispo County Water Resources. April 4, 2016. April 2016 Status Update: Paso Robles Groundwater Basin Computer Model.
11. Todd Engineers. (May 2009). Evaluation of Paso Robles Groundwater Basin Pumping.
12. Todd Engineers. (December 2007). Update for the Paso Robles Groundwater Basin.

Exhibit B - Mitigation Summary Table

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

Agricultural Resources

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

Air Quality

AQ-1 **Fugitive PM10 Mitigation Measures. Prior to commencement of construction/grading activities,** the applicant shall notify the San Luis Obispo Air Pollution Control District, by letter, than the following air quality mitigation measures have been applied.

a. Reduce the amount of the disturbed area where possible;
b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD'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. Please note that since water use is a concern due to drought conditions. The contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;

l. All PM10 mitigation measures required should 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 and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division **prior to construction and/or grading permit issuance**.

Biological Resources

San Joaquin Kit Fox

The Kit Fox Evaluation, which was completed for the Vino Farms San Miguel Vineyard Site by Kevin Merk Associates, LLC, indicates the project will impact 5.9 acres of San Joaquin kit fox habitat. The evaluation resulted in a score of 66, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). Compensatory mitigation required for the proposed reservoir is 11.8 acres, based on 2 times 5.9 acres impacted.

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

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

a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 11.8 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) (see contact information below) and the County.

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

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

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

your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification identifying your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

c. Purchase 11.8 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

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

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

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

b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

c. **Prior to or during project activities,** if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence,** the applicant must consult with the U.S. Fish and Wildlife Service and the

Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

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

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

    a) Potential kit fox den: 50 feet
    b) Known or active kit fox den: 100 feet
    c) Kit fox pupping den: 150 feet

2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.

3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

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

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

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

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

BR-6 **During the site-disturbance and/or construction phase,** to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth

shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

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

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

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

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

BR-11 **During the site-disturbance and/or construction phase,** the applicant shall install a temporary wildlife ladder or similar feature approved by the County within the reservoirs that would enable wildlife species to exit the reservoirs. The ladder or similar feature shall remain in place until the permanent perimeter fence is constructed and no wildlife species is present within the reservoirs. This measure shall be shown on all applicable grading and construction plans.

BR-12 **Prior to issuance of grading and/or construction permits**, the "project limits" shall be clearly delineated on all construction drawings. The identified work areas shall be as far away from the drainage as possible and limited to areas north of the dirt agricultural road running between the unnamed blue line creek and Reservoir #2 site. No construction work (including staging, access, and storage of materials) shall occur outside of the "project limits". Any temporary fencing required to protect adjacent unnamed blue line creeks shall remain in place during the entire construction period and checked and repaired as needed by the applicant or resident engineer. **Prior to final inspection**, the applicant shall provide verification to the

satisfaction of the County that no disturbance occurred outside of the approved "project limits" line.

Water Resources

WR-1 **Prior to issuance of grading and/or construction permits,** the applicant shall provide evidence to the County Planning and Building Department that a water offset equivalent to 13.27 acre feet per year has been achieved. To be eligible as an offset, irrigated agriculture must have been in existence for a period of at least five years, the minimum amount of time to demonstrate ongoing agricultural activities. The future offset plan shall be subject to independent review and verification by a hydrogeologist **prior to issuance of construction/grading permits**.

DEVELOPER'S STATEMENT FOR:
Vino Farms San Miguel Vineyard
Major Grading Permit
PMT2013-00281

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 construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

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

Agricultural Resources

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

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

Air Quality

AQ-1 **Fugitive PM10 Mitigation Measures. Prior to commencement of construction/grading activities,** the applicant shall notify the San Luis Obispo Air Pollution Control District, by letter, that the following air quality mitigation measures have been applied.

a. Reduce the amount of the disturbed area where possible;
b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD'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. Please note that since water use is a concern due to drought conditions. The contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance

by the APCD;

g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
l. All PM10 mitigation measures required should 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 and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division **prior to construction and/or grading permit issuance.**

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

Biological Resources

San Joaquin Kit Fox

The Kit Fox Evaluation, which was completed for the Vino Farms San Miguel Vineyard Site by Kevin Merk Associates, LLC, indicates the project will impact 5.9 acres of San Joaquin kit fox habitat. The evaluation resulted in a score of 66, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). Compensatory mitigation required for the proposed reservoir is 11.8 acres, based on 2 times 5.9 acres impacted.

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

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

a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 11.8 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) (see contact information below) and the County.

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

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

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

c. Purchase 11.8 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

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

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

a. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction,** the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted,

the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.

b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

c. **Prior to or during project activities,** if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

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

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

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

   a) Potential kit fox den: 50 feet
   b) Known or active kit fox den: 100 feet
   c) Kit fox pupping den: 150 feet

2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.

3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

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

prior to initiation of site disturbance and/or construction.

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

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

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

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

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

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

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

100% Post Consumer Recycled Paper

SLO COUNTY apcd | Air Pollution Control District
San Luis Obispo County

RECEIVED
APR 22 2016
SLO CO PLAN & BLDG DEPT

April 21, 2016

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

SUBJECT: APCD Comments Regarding the John Hancock Life Insurance Co. – Vino Farms Reservoirs Project Referral (PMT2013-00281)

Dear Mr. Singewald:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project referenced above. The proposed project would include major engineered grading for two irrigation reservoirs: one containing 49.8 acre-feet (approximately 320' x 480' x 27') with total disturbed area of 5.66 acres; and the other at 44.2 acre-feet (approximately 340' x 540' x 26') with total disturbed area of 5.97 acres, each with 60 mil HDPE geomembrane liner with inlet, outlet, and overflow piping. The site is northwest of the town of San Miguel, off of Allende Road on the west side of U.S. 101, south of the intersection of San Miguel Avenue / Mission Street and U.S. 101.

The following are APCD comments that are pertinent to this project.

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text**.

CONSTRUCTION PHASE IMPACTS - Below Threshold

The APCD evaluated the construction impacts of this project using the most recent CalEEMod computer model for estimating construction emissions related to the development of land uses. The modeling results indicate that the construction phase impacts will likely be less than the APCD's significance threshold values identified in Table 2-1 of the CEQA Air Quality Handbook (available at the APCD web site: www.slocleanair.org). **Therefore, with the exception of the requirements below, the APCD is not requiring other construction phase mitigation measures for this project.**

Dust Control Measures

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. **Projects with grading areas that are within 1,000 feet of any sensitive receptor (residences to the east, west and south within 1000' of the project property line) shall implement the following mitigation measures to manage fugitive dust emissions such that they do not exceed the APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402).**

a. Reduce the amount of the disturbed area where possible;
b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD'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. **Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control.** For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
c. All dirt stock pile areas should be sprayed daily and covered with tarps or other dust barriers as needed;
d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
j. To prevent "track out," install and operate a "track-out prevention device" where vehicles enter and exit unpaved roads onto paved streets. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. The "track-out prevention device" can be any device or combination of devices that is effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective;
k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
l. All PM_{10} mitigation measures required should be shown on grading and building plans; and,

m. 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 and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Construction Phase Idling Limitations

This project is in close proximity to nearby sensitive receptors (residences to the east, west and south within 1000' of the project property line). Projects that will have diesel powered construction activity in close proximity to any sensitive receptor shall implement the following mitigation measures to ensure that public health benefits are realized by reducing toxic risk from diesel emissions:

To help reduce sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project, the applicant shall implement the following idling control techniques:

1. California Diesel Idling Regulations
   a. ***On-road diesel vehicles*** shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
      1. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
      2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
   b. ***Off-road diesel equipment*** shall comply with the 5 minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board's In-Use off-Road Diesel regulation.
   c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5 minute idling limit.
   d. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: www.arb.ca.gov/msprog/truck-idling/2485.pdf and www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.

2. Diesel Idling Restrictions Near Sensitive Receptors (residences to the east, west and south within 1000' of the project property line)
   In addition to the State required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:
   a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
   b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
   c. Use of alternative fueled equipment is recommended; and

d. Signs that specify the no idling areas must be posted and enforced at the site.

OPERATIONAL PHASE IMPACTS - Below Threshold

Based on the APCD operational phase emission estimates using the most recent CalEEMod computer model, the operational phase emissions would likely be less than the APCD's significance threshold values identified in Table 3-2 of the CEQA Air Quality Handbook. **Therefore, APCD is not requiring any operational phase mitigation measures for this project.**

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-5912.

Sincerely,

Vince Kirkhuff

Vince Kirkhuff
Air Quality Specialist

VJK/ihs

cc: Mr. Jim Ledbetter

h:\plan\ceqa\project_review\3000\3900\3958-1\3958-1.docx

XOLON SALINAN TRIBE

"PEOPLE OF THE OAKS"

P.O. Box 7045,
Spreckels, Ca. 93962

Karen R. White
Council Chair
blukat41@yahoo.com

Robert Sims
Council Vice Chair
ziggyorjoyce@yahoo.com

Francine Martinez
Council Secretary – MLD/Monitor Coordinator
sassysalinan@aol.com

George Larson
Council Treasurer
smalltownfolks@sbcglobal.net

Council Members:
Thomas Ball - elder
Linda Castle - elder
Selena Castle
Blaise Haro

Tribal Headwoman
Donna Haro – elder
"AAKLETSE"
xolonaakletse@aol.com

The Xolon Salinan Tribe are the People who have been referred to as the Salinan Indians from Missions San Miguel, San Antonio and Soledad. We have always called ourselves "Xolon Indians." The Federal government called us the "Salinans," because of the Salinas River that runs through most of our ancient territory; hence, we now call ourselves "The Xolon Salinan Tribe," so that everyone will know who we are. Our ancient People lived (documented) along the Central Coast of California, from the northern part of San Luis Obispo – to the Big Sur area to the north – and inland to the Temblor Range. There have been erroneous writings, regarding Natives observed living along the coast, claiming that this area was inhabited by Indians called the "Playanos." This is incorrect. It was the Salinan People – our families – who would go there on a seasonal basis to fish and collect shells for regalia and trade.

May 9, 2016

Subject: **Consult for PMT2013-00281 John Hancock Life Ins.Co., major grading for two irrigation reservoirs, Vino Farms, North side of San Miguel, CA.**

Good Day Ms Singewald,

Based on information provided and reviewed, this area falls within our geographical area of traditional and cultural affiliation boundaries.

The package for this project appears to be incomplete? Has there been an Initial Study or cultural assessment done by a CRM?

We presently do not know of any sensitive areas within the boundaries of this property but, please keep in mind this location is close to the Salinas River and San Miguel. Our people lived very close to rivers & creeks, and San Miguel was one of our largest ancestral villages. The entire area is very sensitive because many smaller ancient village sites are known to extend from San Miguel and the Salinas River.

This project has the same potential as Firestone Brewery reservoir concerns.

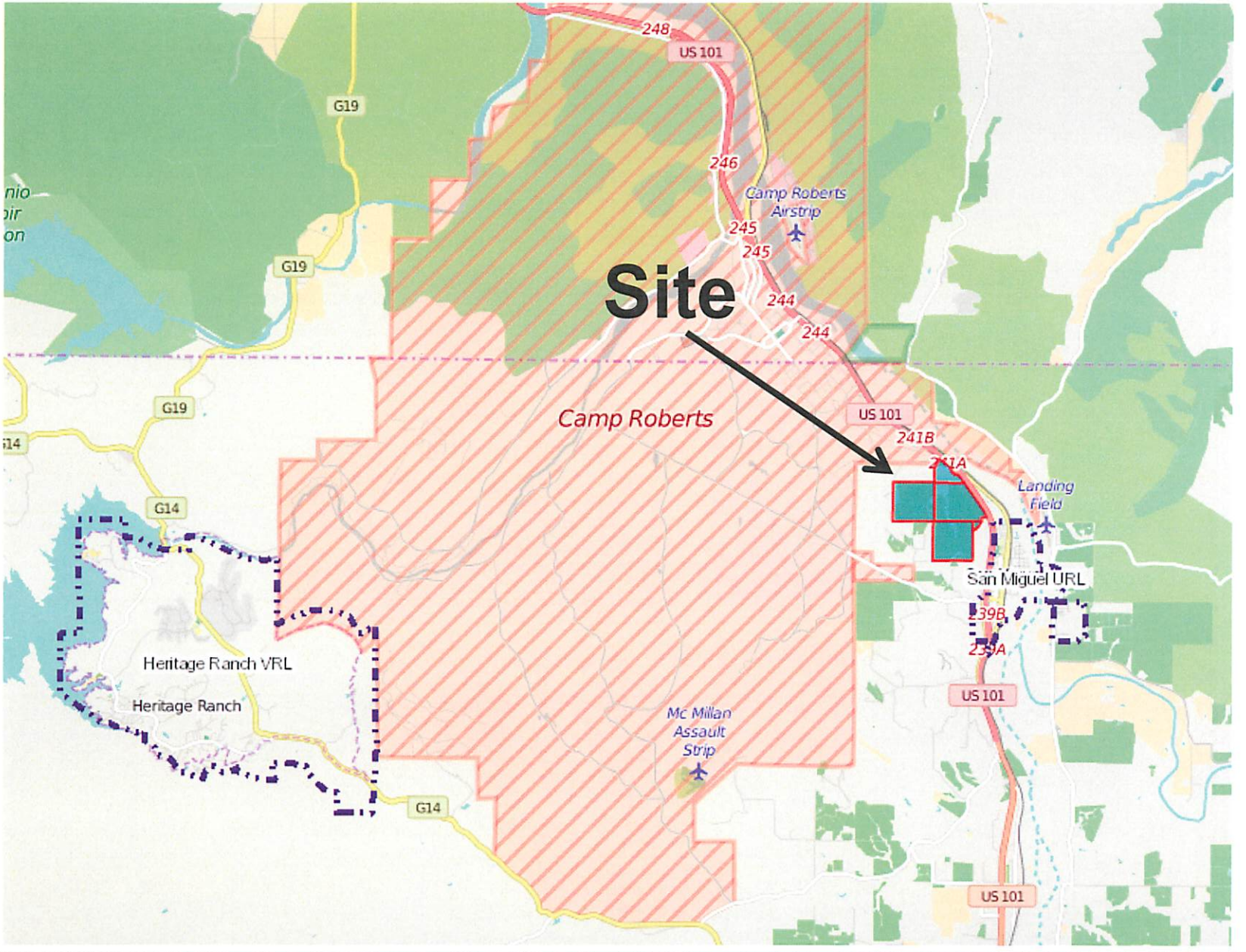
We appreciate notification, and most definitely recommend a complete cultural assessment.

If you have any further questions, please do not hesitate to contact us. In the future all consult requests must be emailed to blukat41@yahoo.com

Best Regards,

Karen R. White,
Council Chair
Xolon Salinan Tribe

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



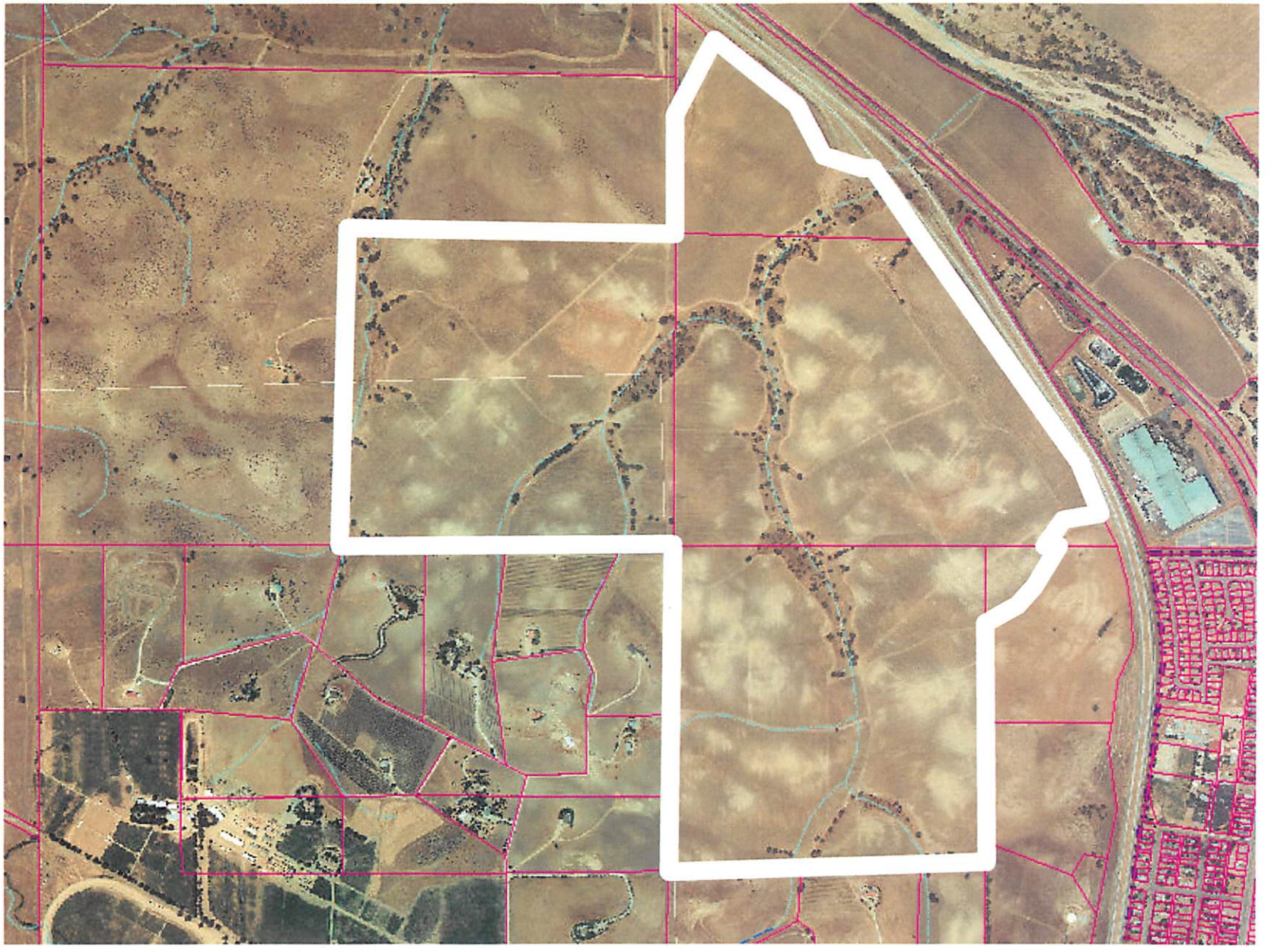
PROJECT

John Hancock Life Insurance Company
Major Grading Permit PMT2013-00281

EXHIBIT

Vicinity Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



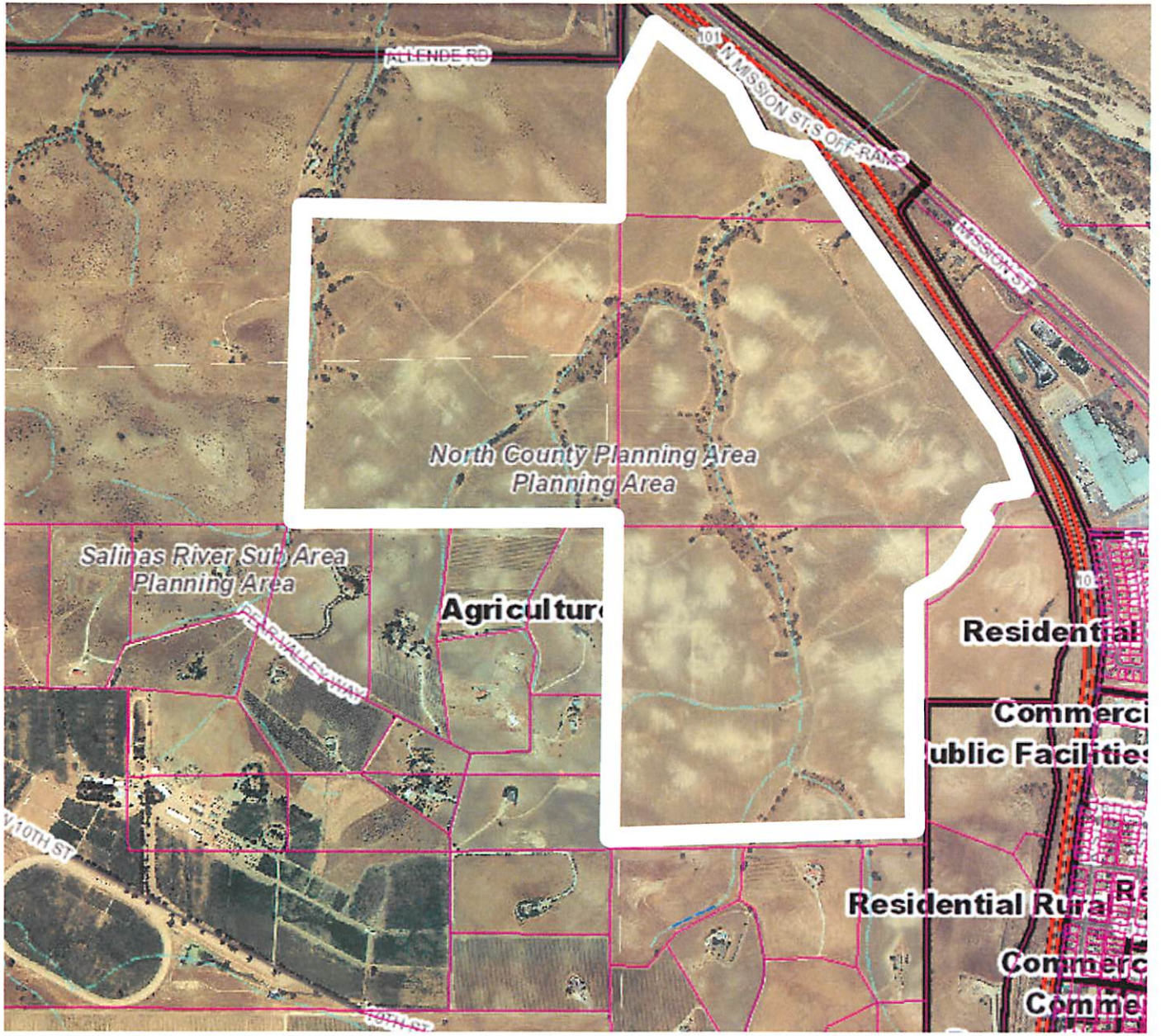
PROJECT

John Hancock Life Insurance Company
Major Grading Permit PMT2013-00281

EXHIBIT

Aerial Photograph

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

John Hancock Life Insurance Company
Major Grading Permit PMT2013-00281

EXHIBIT

Land Use Category Map

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Promoting the wise use of land - Helping to build great communities

RECEIVED
APR 14 2016
SLO CO PLAN & BLDG DEPT

THIS IS A NEW PROJECT REFERRAL

DATE: 4/8/2016

TO: AG. DEPT. / AG COMM.

FROM: Airlin Singewald (805-781-5198 or asingewald@co.slo.ca.us)
North County Team / Development Review

PROJECT DESCRIPTION: PMT2013-00281 JOHN HANCOCK LIFE INSURANCE COMPANY --- Proposed major grading for two irrigation reservoirs for Vino Farms. Site #1 83,564 CY (5.66 ACRES); and Site #2 106,533 CY (5.97 ACRES).
APNs: 027-011-034, -036, & 027-061-014, & 027-061-021.

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.

THE RESERVOIRS APPEAR TO BE FOR AGRICULTURAL PURPOSES. CONSIDER OPTIONS TO REDUCE EVAPORATION.

4/13/16 — Date

LYNDA AUCHINACHIE — Name

5914 — Phone