



# 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.** ED16-170

**DATE:** October 14, 2017

**PROJECT/ENTITLEMENT:** Locatelli Winery Minor Use Permit; DRC2014-00102

**APPLICANT NAME:** Locatelli Winery **Email:** raynette@locatelliwinery.com

**ADDRESS:** 8585 Cross Canyons Rd, San Miguel, CA

**CONTACT PERSON:** Raynette or Louis Gregory **Telephone:** (805) 467-0067

**PROPOSED USES/INTENT:** A request by Locatelli Winery for a Minor Use Permit to allow for the phased expansion of a existing 4,600 square foot (sf) winery facility with a public tasting room that will include the following: construction of four winery buildings totaling 26,734 square feet (sf) that will include a 2,936 sf tasting room at buildout and a setback modification of the requirement that a winery tasting room is to be located no closer than 200 feet to a property line to allow 110 feet. The applicant is not requesting an expansion to their existing special event program of 6 events per year with up to 80 guests. The proposed project will result in approximately 1.91 acres of site disturbance on a 97-acre parcel. Wine production is estimated at 75,000 cases per year at buildout.

**LOCATION:** 8585 Cross Canyons Road, San Miguel, CA

**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,  
Environmental Health, Regional Water Quality Control Board

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

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT .....4:30 p.m. (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 Mitigated 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 Mitigated Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.

Holly Phipps

County of San Luis Obispo

**Signature**

**Project Manager Name**

**Date**

**Public Agency**



# Initial Study Summary – Environmental Checklist

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

(ver 5.9) Using Form

## Project Title & No. Locatelli Winery / Minor Use Permit / DRC2014-00102 / ED16-170

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

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water /Hydrology
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

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

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Holly Phipps \_\_\_\_\_ September 5, 2017  
 Prepared by (Print) Signature Date

James Caruso \_\_\_\_\_ Ellen Carroll, Environmental Coordinator 9-5-17  
 Reviewed by (Print) Signature (for) Date

## **Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

## **A. PROJECT**

**DESCRIPTION:** A request by Locatelli Winery for a a Minor Use Permit to allow for the phased expansion (see below details) of a 4,600 square foot (sf) existing winery facility with an existing 240 sf tasting room to include the following: the construction of four winery buildings to be used for wine processing and wine storage that will total 26,734 square feet (sf) and a 2,936 sf tasting room at buildout. The proposed project includes a request to modify the tasting room setback requirement of 200 feet from the front property line to 110 feet. Wine production is estimated at 75,000 cases per year at buildout. No change to the existing special event program of 6 events per year with up to 80 guests. The proposed project will result in approximately 1.91 acres of site disturbance on a 97 acre parcel. The proposed project is within the Agriculture land use category located at 8585 Cross Canyon Road, on the south side of Cross Canyon Road, approximately 0.3 miles east of the community of San Miguel. The project is located within the Salinas River Sub Area of the North County Planning Area.

Phasing Plan Includes the following:

### Phase 1

Construction of a one story 9,150 sf wine processing building that will include a 5,553 sf processing room and a 3,000 sf barrel storage room, a breakroom, a utility room, a restroom, a lab and a 1,500 sf outdoor covered pad.

### Phase 2

Construction of a one story 6,000 sf case goods storage building and a 3,000 sf outdoor covered work area.

### Phase 3

Construction of a one story 7,500 sf barrel and case goods storage building with restrooms.

### Phase 4

Construction of a one story 4,084 sf winery building that will include a 2,936 sf public and private tasting room space, conference room, 3 offices, a 321 sf kitchen, storage, and a 1,360 sf outdoor patio area. Upon completion of Phase 4, the 240 sf tasting room located in the existing commercial winery building will be converted to an office/storage room.

## Ordinance Modifications

The project includes modification to the site design standards that include:

Winery Setbacks: The applicant requests a setback modification that to allow the winery tasting room

(LUO Section 22.30.070.D.2.d.1) to be located 110 feet from a the north (front) property line instead of the required 200 feet .

Permit History

A Minor Use Permit, approved in 2002 (D010173P), authorized the conversion of 2,200 sf portion of an existing 4,600 sf agricultural structure into a commercial winery.

A Minor Use Permit, approved in 2003 (D020143P), authorized the conversion of the remaining 2,400 sf agricultural structure into various winery uses, including a 240 sf tasting room, a restroom, 6 special events per year with up to 80 guests, and a setback modification (LUO 22.30.070.D.2.d.1) to allow the tasting room to be located 40 feet from the east property line instead of the required 200 feet.

**ASSESSOR PARCEL NUMBER:** 027-271-040

Latitude: 35° 45' 9" N Longitude: 120° 40' 41" W

**SUPERVISORIAL DISTRICT # 1**

**B. EXISTING SETTING**

**PLAN AREA:** North County      **SUB:** Salinas River ; Rural      **COMM:**

**LAND USE CATEGORY:** Agriculture

**COMB. DESIGNATION:** None

**PARCEL SIZE:** 97 acres

**TOPOGRAPHY:** Nearly level to gently sloping

**VEGETATION:** 40 acres of vineyards, scattered oak trees, and ornamental landscaping

**EXISTING USES:** Winery facility, single family residence and barn

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Agriculture; vineyards	<i>East:</i> Agriculture; vineyards
<i>South:</i> Agriculture; vineyards	<i>West:</i> Agriculture; scattered residential

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

### Aesthetics

**Setting.** The proposed project is located approximately 0.5 miles east of the community of San Miguel. The area is characterized by relatively large parcels with a mix of rural agricultural uses, vineyards, and scattered single-family residences.. The topography of the proposed project site is nearly level to gently sloping. Current uses include a one story commercial winery, a barn, and a single family residence. The proposed location of the project is within an existing barley and wheat field.

**Impact.** The proposed project consists of the phased expansion of a winery facility including the construction of four buildings totaling 26,734 square feet (sf) at buildout and a setback modification from the northern property (front) line that parallels Cross Canyon Road. The applicant is proposing to plant trees and install a trellis to help provide partial screening of the project as viewed from Cross Canyon Road. The proposed project will not silhouette against any ridgelines as viewed from public roadways.

In accordance with LUO Section 22.30.070.D.2.g.3 the proposed buildings will not exceed 35 feet in height. The proposed structures will have an agrarian style exterior, single slope rooftops, and use neutral colors. The San Miguel Advisory Board reviewed the proposed project and had no concerns. Based on the location, size and design, the project is considered compatible with the surrounding

area.

Standard county regulations require shielding of exterior lighting to minimize glare. As required by the ordinance, the project will be conditioned to require an exterior lighting plan prior to issuance of construction permit to ensure that the project will not create off-site glare. As required by the ordinance, landscape screening for the winery and parking areas shall provide screening as viewed from public roads (Cross Canyon Road) which would further minimize existing views of the winery and proposed structures. No significant visual impacts are expected to occur.

**Mitigation/Conclusion.** The project is not anticipated to result in any significant impacts. As required by the ordinance, the project will be conditioned to require an exterior lighting plan and landscaping plan prior to issuance of construction permits. Based on implementation of these measures, potential visual impacts would be less than significant. No mitigation measures beyond ordinance requirements are necessary.

**2. AGRICULTURAL RESOURCES**

*Will the project:*

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

**Agricultural Resources**

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

Land Use Category: Agriculture

Historic/Existing Commercial Crops: Grape Varietal

State Classification: Farmland of statewide importance, not prime farmland

In Agricultural Preserve? Yes, Estrella AG Preserve Area

Under Williamson Act contract? No

The soil types and characteristics on the subject property include:

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

Arbuckle. This very steeply sloping soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic

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

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

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

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

San Ysidro. This gently sloping coarse loamy soil is considered moderately to well drained. The soil has high erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.

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

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

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

The proposed project is located in Estrella Agricultural preserve with encompasses the majority of the planning area. The intent of this designation is to support continuing availability of these areas for production of food and fiber. As Land Conservation Acts are terminated, land owners may request to remove their properties from an agricultural preserve and to change the land use category from Agriculture to another category, consistent with the *Rules of Procedure to Implement the California Land Conservation Act of 1965*. This property is not enrolled in a Land Conservation Act contract.

The project was reviewed by the Agriculture Department (Lynda L. Auchinachie, April 2015). The Agriculture Department determined that the proposed project will have less than significant impacts to agricultural resources or operations and that the proposal is also consistent with Agricultural Element policies.

**Impact.** The project proposes the phased construction of four winery buildings totaling 26,734 sf that will include a 2,936 sf tasting room at buildout. The proposed project site is located on class 3 soils (according to the Natural Resource Conservation Service).. The proposed winery will support agricultural production and will not adversely impact on-site or adjacent agricultural operations. The Agriculture Department determined that the proposed project would have less than a significant impact to agricultural resources or operations (Lynda Auchinachie, April 2015).

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

### 3. AIR QUALITY

*Will the project:*

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

### Air Quality

**Setting.** The Air Pollution Control District (APCD) has developed and updated their [CEQA Air Quality Handbook \(2012\)](#) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

The project proposes to disturb soils that have been given a wind erodibility rating of 3-5, which is considered “moderately low” to “moderate”.

**Greenhouse Gas (GHG) Emissions** are said to result in an increase in the earth’s average surface temperature. This is commonly referred to as global warming. The rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the earth’s climate system. This is also known as climate change. These changes are now thought to



be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

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

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

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

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO<sub>2</sub>/year (MT CO<sub>2</sub>e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO<sub>2</sub>e/yr was adopted for stationary source (industrial) projects.

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

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

**Impact.** As proposed, the project will result in the disturbance of approximately 1.91 acres. This will result in the creation of construction dust, as well as short and long-term vehicle emissions. The project will be moving less than 1,200 cubic yards/day of material and will disturb less than four acres of area, and therefore will be below the general thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust and/or emission control measures during construction.

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

impacts are expected to occur.

This project would result in the phased construction of four buildings totaling 26,734 sf including a 2,936 sf public tasting room. Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, no mitigation is required.

Due to the distance of any known fault (at least three miles away) or serpentine rock outcrop (at least three miles away), it is not expected that any naturally occurring asbestos would be encountered during any earthmoving activities.

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

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

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

**Biological Resources**

**Setting.** The proposed location of the buildings would be located within an existing barley and wheat field. The following are existing elements on or near the proposed project relating to potential biological concerns:

On-site Vegetation: Agricultural vegetation including common barley, wheat, and cultivated oat; herbaceous, urban built up

Name and distance from blue line creek(s): Two unnamed “blue line” intermittent streams join to form a tributary to the Salinas River within parcel boundary.

Habitat(s): The proposed project site occurs within the Carrizo vernal pool region, which a generalized regional area where vernal pools are known to exist. Vernal pool habitat consists of seasonal wetlands (i.e. areas that pond water during the wet season and dry up during the summer months) that may provide habitat for sensitive aquatic plant and animal species.

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

## **Vegetation**

Kellogg’s horkelia (*Horkelia cuneata var. sericea*) List 1B

The project is potentially within an area known to support the Kellogg’s horkelia (*Horkelia cuneata var. sericea*). This perennial herb is found on sandy or gravelly soils in closed cone coniferous forest, chaparral and coastal scrub habitats (Tibor 2001) at elevations between 10 and 200 meters (30 ft to 660 ft). The typical blooming period is April-September. The Kellogg’s horkelia is considered extremely rare by CNPS (List 1B, 3-3-3).

Lemmon’s jewelflower (*Caulanthus lemmonii*) List 1B

The project is potentially within an area known to support the Lemmon’s jewelflower (*Caulanthus. Lemmonii*). This annual herb is generally found in pinyon and juniper woodland and valley and foothill grassland areas between the 80 and 1,220-meter elevation (260 to 4,265 feet). It has a blooming period of March-May. The Lemmon’s jewelflower is considered rare by CNPS (List 1B, RED 2-2-3).

Shining navarretia (*Navarretia nigelliformis ssp. radians*) List 1B

The project is potentially within an area known to support the shining navarretia (*Navarretia nigelliformis ssp. Radians*). This annual herb is found in cismontane woodland, valley and foothill grasslands and vernal pool areas between the 200 and 1000-meter elevations (650 to 3,280 feet). The typical blooming period is May-July. The shining navarretia is considered rare by CNPS (List 1B, RED 2-2-3).

## **Wildlife**

Coast horned lizard (*Phrynosoma coronatum frontale*)

The potential for the coast horned lizard (*Phrynosoma coronatum frontale*) has been identified about 0.8 miles to the northwest. The coast horned lizard is a large species, and can reach 10 cm (4 inches) excluding the tail. It is less rounded than other horned lizards. It has two large dark blotches behind its head, followed by three broad bands on its body, with several smaller bands along the tail. Its color can be various shades of brown, with cream 'accents' around the blotches and the outer fringe of its scales. This lizard occurs in a variety of habitats, including scrubland, grassland, coniferous woods, and broadleaf woodlands. Typically it is found in areas with sandy soil, scattered shrubs, and ant colonies, such as along the edges of arroyo bottoms or dirt roads (Grismer 2002, Stebbins 2003).

In southern California, *P. coronatum* was most common in areas with native ants and few or no Argentine ants, in areas with native chaparral vegetation, and in sites with porous soils relatively free of organic debris (Fisher et al. 2002). Individuals bury themselves in loose soil. Eggs are laid in a nest dug in the soil or in a burrow. This lizard ranges throughout most of west-central and southwestern California (United States) as well as most of Baja California (Mexico) (except the northeastern portion). In California, it ranges north to Shasta County, though a disjunct population occurs farther north at Grasshopper Flat, Siskiyou County,

California (Jennings 1988, Grismer 2002, Stebbins 2003). The elevational range extends from near sea level to around 2,438 m (8,000 feet) (Stebbins 2003).

#### Pallid bat (*Antrozous pallidus*)

The potential for the pallid bat (*Antrozous pallidus*) has been identified about 0.1 miles to the west. Due to their rarity in California, these bats are a California Species of Special Concern. The pallid bat is a large-eared, light colored bat of western North America. This species roosts colonially in caves, mines, crevices, and abandoned buildings. The pallid bat is usually found in rocky, mountainous areas, and near water. They are also found over more open, sparsely vegetated grasslands, and they seem to prefer to forage in the open. They rarely catch flying insects; instead, they usually capture their prey on foliage or the ground. The pallid bat has three different roosts. The day roost is usually in a warm, horizontal opening such as in attics or rock cracks; the night roost is usually in the open, near foliage; and the hibernation roost, which is often in buildings, caves, or cracks in rocks (Miller,2002).

#### San Joaquin kit fox (*Vulpes macrotis mutica*) FE, ST

The project is potentially within an area known to support the San Joaquin kit fox (*Vulpes macrotis mutica*). The San Joaquin kit fox is federally endangered and state threatened. The kit fox is uncommon to rare. They reside in arid regions of the southern half of the state (Grinnell et al. 1937, Wilson and Ruff 1999:150). This usually nocturnal mammal lives in annual grasslands or grassy open stages of vegetation dominated by scattered brush, shrubs, and scrub. Kit foxes primarily are carnivorous, subsisting on black-tailed jackrabbits and desert cottontails, rodents (especially kangaroo rats and ground squirrels), insects, reptiles, and some birds, bird eggs, and vegetation (Egoscue 1962, Laughrin 1970, Morrell 1971, 1972, Orloff et al. 1986). Their cover is provided by dens they dig in open, level areas with loose-textured, sandy and loamy soils (Laughrin 1970, Morrell 1972). Pups are born in these dens in February through April. Pups are weaned at about 4-5 months. They may not require a source of drinking water. 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.

#### Tricolored blackbird (*Agelaius tricolor*) CSC

The potential for the tricolored blackbird (*Agelaius tricolor*) has been identified about 0.8 miles to the south. The tricolored blackbird mostly resides in California. They breed near fresh water in emergent wetlands with tall dense cattails or tules, and in thickets of willow, blackberry, wild rose, and tall herbs. They form large colonies of about 50 pairs when they nest. They breed throughout mid-April into late July.

The project proposes to disturb more than one acre. Therefore, prior to work beginning, the project will be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) that has been approved by the Regional Water Quality Control Board or County. This Plan will include measures to reduce potential sedimentation, erosion and drainage impacts to existing downstream water sources.

**Impact.** The proposed winery expansion will result in the construction of four new buildings that will be located approximately 1,300 feet north of the existing winery facility. The project will result in 1.91 acres of site disturbance and in the **permanent site disturbance of 0.91** acres (40,000 sf).

A site visit of the project site was made on April 12, 2017 by Planning Staff Cassidy Williams and Holly Phipps to inspect the project site's topography for the potential to support vernal pool habitat (e.g., low-elevation areas, depressions, natural or man-made ponded areas, etc.). At the time of the site visit the proposed winery expansion area was covered in barley and wheat. No oak trees would

be removed or impacted. No evidence of vernal pools or potential areas for ponded water was observed. Therefore, there was no indication of habitat suitable for supporting fairy shrimp, or sensitive aquatic animal or plant species associated with vernal pools.

A San Joaquin Kit Fox Habitat Evaluation Form was prepared by Althouse and Meade, Inc. on May 2, 2016. The evaluation form was reviewed by Brandon Sanderson of the California Department of Fish and Game. The evaluation, complete with Mr. Sanderson's changes, resulted in a score of **68**, which requires that all impacts to kit fox habitat be mitigated at a ratio of **2** acres conserved for each acre impacted (**2:1**). The project will result in the permanent disturbance of **0.91** acres of kit fox habitat.

The biological report concluded there was little to no potential for sensitive plant species, wildlife species or habitats to occur in the study area (Lisa Gadsby and Matthew Beyers, March 2016) due to lack of appropriate habitat, and that special status plant species were unlikely to occur in the study area due to annual disturbance of the soil from agricultural practices.

**Mitigation/Conclusion.** No significant biological impacts are expected to occur to Vernal pool fairy shrimp, Coast horned lizard, Tricolor blackbird and no mitigation measures are necessary.

Total compensatory mitigation required for the project is **1.82** acres, based on two times **0.91** acres impacted. The applicant will be required to mitigate the loss of **1.82** acres of kit fox habitat by one of the following ways:

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

To prevent inadvertent harm to kit fox, the applicant has agreed to retain a biologist for a pre-construction survey, a pre-construction briefing for contractors, and monitoring activities in addition to implementing cautionary construction measures. These mitigation measures are listed in detail in Exhibit B Mitigation Summary Table. 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) <i>Disturb archaeological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historical resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Cause a substantial adverse change to a Tribal Cultural Resource?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Cultural Resources

**Setting.** The project is located in an area historically occupied by the Salinan. No historic structures are present and no paleontological resources are known to exist in the area. An unnamed intermittent blue line creek courses through parcel boundary. Potential for the presence or regular activities of the Native American increases in close proximity to reliable water sources. A Phase I surface survey was

conducted for the subject property (Cultural Resources Management Services, January 2016). No evidence of significant cultural resources was located during the survey.

In order to meet AB52 Cultural Resources requirements, outreach to four Native American tribes groups was conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council).

**Impact.** A site-specific Phase I Archaeological Surface survey and records search was conducted by Thor Conway (January, 2016). Both the site survey and the records search were negative; the report recommended that no further studies be required for the project. No evidence of cultural materials was noted on the property.

The Public Resources Code now establishes that “[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.” (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. (Pub. Resources Code, § 21080.3.1.) If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code §20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources.

In order to meet the consultation requirements of AB52, outreach to four Native American tribes groups was conducted. Notices were provided to the Northern Chumash Tribal Council, the Salinan Tribe of Monterey and San Luis Obispo Counties, the Xolon Salinan Tribe, and the yak tityu tityu Northern Chumash Tribe and no responses were received.

Impacts to historical or paleontological resources are not expected.

**Mitigation/Conclusion.** No significant cultural resource impacts are expected to occur, and no mitigation measures above what area already required by ordinance are necessary.

## 6. GEOLOGY AND SOILS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey “Alquist-Priolo” Earthquake Fault Zone”, or other known fault zones*?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 6. GEOLOGY AND SOILS

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

### Geology

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

Topography: Nearly level to gently sloping

Within County's Geologic Study Area?: No

Landslide Risk Potential: Low

Liquefaction Potential: Low to moderate

Nearby potentially active faults?: No Distance? Not applicable

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

Shrink/Swell potential of soil: Low to moderate

Other notable geologic features? None

Soil drainage characteristics: Not well drained to moderately drained

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

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

Soil erodibility: Moderate

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

Projects involving more than one acre of disturbance are subject to the preparation of a Stormwater 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.** As proposed, the project will result in the permanent disturbance of approximately 1.91 acres.



**Mitigation/Conclusion.** Pursuant to County Ordinances, the applicant will be required to prepare an Erosion and Sedimentation Control Plan, Drainage Plan and a SWPPP all prior to issuance of construction permits. All erosion and sedimentation control plans shall be accompanied by a complete Stormwater Quality Plan and Best Management Practices shall be in compliance with the Low Impact Development Handbook. Implementation of ordinance requirements will mitigate potential impacts associated with geology and soils to a less than significant level. There is no evidence that additional measures beyond compliance with code requirements and the conclusions of the soil investigation will be needed.

<b>7. HAZARDS &amp; HAZARDOUS MATERIALS - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
<b>a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>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?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>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?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>e) Impair implementation or physically interfere with an adopted emergency response or evacuation plan?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>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?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>g) Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>h) Be within a 'very high' fire hazard severity zone?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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

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

**Hazards**

**Setting.** The project is not located in an area of known hazardous material contamination. The project is not within the Airport Review area. With regards to potential fire hazards, the subject project is within the high Fire Hazard Severity Zone. Based on the County's fire response time map, it will take approximately 10-20 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts. The proposed project was referred to CAL FIRE for review.

**Impact.** The project does not propose the use of hazardous materials, nor the generation of hazardous wastes. The proposed project is not found on the 'Cortese List' (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5). The project does not present a significant fire safety risk. The project is not expected to conflict with any regional emergency response or evacuation plan.

The applicant is required to comply with the California Fire Codes, California Building Code, the Public Resources Code, any other applicable fire laws, and measures outlined in the CAL FIRE Safety plan (dated April 28, 2015, Travis Craig). Measures to be implemented include but not limited to: installation of a fire sprinkler system and preparation of a vegetation management plan. These requirements will reduce impacts to less than significant levels and no mitigation is necessary.

**Mitigation/Conclusion.** With the implementation of the Fire Safety Plan required by ordinance, no significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

**8. NOISE**

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate permanent increases in the ambient noise levels in the project vicinity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Cause a temporary or periodic increase in ambient noise in the project vicinity?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 8. NOISE

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
e) <i>If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Noise

**Setting.** The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences). Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

**Impact.** The applicant is not requesting an expansion to their existing special event program of 6 events per year with up to 80 guests that was authorized previously by Minor Use Permit (D020143P). The project is not expected to generate loud noises, nor conflict with the surrounding uses. Construction activities would create a temporary increase in ambient noise levels in the project vicinity above levels existing. However, the County's Noise Ordinance permits the noise from construction activities as long as it is limited to the hours of 7 AM to 9 PM weekdays and 8 AM to 5 PM weekends.

**Mitigation/Conclusion.** The project shall comply with the County Noise Element. No significant noise impacts are anticipated, and no additional mitigation measures are required above Land Use Ordinance requirements.

## 9. POPULATION/HOUSING

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

county. The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

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

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated. The project will mitigate its cumulative impact to the shortage of affordable housing stock by providing affordable housing unit(s) either on-site and/or by payment of the in-lieu fee (residential projects), or housing impact fee (commercial projects). 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) <b>Fire protection?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <b>Police protection (e.g., Sheriff, CHP)?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <b>Schools?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <b>Roads?</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <b>Solid Wastes?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <b>Other public facilities?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <b>Other:</b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

<u>Police:</u> City of Paso Robles	<u>Location:</u> City of Paso Robles (Approximately 9 miles to the South)
<u>Fire:</u> County Fire	<u>Hazard Severity:</u> High
<u>Location:</u> 13 miles southeast, 4050 Branch Rd, Paso Robles	<u>Response Time:</u> 10-20 minutes
<u>School District:</u> San Miguel Joint Union Elementary School District., Paso Robles Joint Unified School District	

**Public Services**

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

**Impact.** No significant project-specific impacts to utilities or public services were identified. This project, along with others in the area, will have a cumulative effect on police/sheriff and fire protection, and schools. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

**Mitigation/Conclusion.** The project has been reviewed by County Fire for consistency with the Uniform Fire Code and is required to implement measures outlined in the Fire Safety plan. The applicant shall pay all applicable school and public facilities fees. Regarding cumulative effects, public facility (County) and school (State Government Code 65995 et seq.) fee programs have been adopted to address this impact, and will reduce the cumulative impacts to less than significant levels

## 11. RECREATION

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

### Recreation

**Setting.** The County's Parks and Recreation Element does not show that a potential trail goes through the proposed project. Based on the County Trails Map, the project parcel is within reasonably close proximity to the Salinas River Trail.

**Impact.** The proposed project will not create a significant need for additional park, Natural Area, and/or recreational resources. The subject property's western boundary is adjacent to the Salinas River proposed trail corridor. However, the proposed project site is approximately 2,000 feet east of the trail corridor and will not increase usage of the trail nor impede access to the trail.

**Mitigation/Conclusion.** No significant recreation impacts are anticipated, and no mitigation measures are necessary. Impacts to recreation resources would be less than significant.

## 12. TRANSPORTATION/CIRCULATION

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Level of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g. LOS, mass transit, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Conflict with an applicable congestion management program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**12. TRANSPORTATION/CIRCULATION**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
<i>Will the project:</i>				
<i>h) Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>i) Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Transportation**

**Setting.** The project is located on the south side of Cross Canyons Road (a collector road). The County has established the acceptable Level of Service (LOS) on roads for this rural area as “C” or better. Referrals were sent to County Public Works and Caltrans. No comments were submitted by Caltrans in response to the application.

The existing road network in the area is operating at acceptable levels. The existing winery facility produces approximately 4 peak hour trips per week and the existing public tasting room generates 1 peak hour trip per week.. The previously authorized special event program of 6 events per year with up to 80 guests generates approximately 32 trips per event. Traffic associated with the previously authorized special event program occurs on weekends and not during peak hours.

**Impact.** The project proposes the phased construction of a winery facility with expanded tasting room. At build-out, the winery would total 26,734 square feet (sf) including a 2,936 sf public tasting room. Primary access to the project is from Cross Canyon Road. The winery will process grapes grown from on-site and off-site vineyards.

The proposed wine processing facility is estimated to generate approximately 22 additional traffic trips per week at buildout. The public tasting room is estimated to produce 8 additional trips per week. Peak traffic associated with the tasting room is expected to occur between the hours of 11:00 am and 5:00 pm, which are considered “non-peak” hours.

This small amount of additional traffic will not result in a significant change to the existing road level of service or traffic safety levels. The project does not conflict with adopted policies, plans and programs on transportation. Referrals were sent to County Public Works and no significant traffic-related concerns were identified.

Large trucks that deliver grapes to the processing facility have the potential to impact traffic flows and could create a stacking safety issue along Cross Canyon Road if adequate space is not available between the road and entrance gate (if one is installed).

Parking shall be in compliance with LUO Section 22.18.060, and all driveways and gates constructed on a driveway shall be constructed in accordance to County Public Improvement Standards and per Resolution 2008-152. The Department of Public Works (Tim Tomlison, March 13, 2015) has reviewed the project and reported no significant impacts related to traffic.

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

### 13. WASTEWATER

<i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, day-lighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Wastewater

**Setting.** The project is located within the Paso Robles Groundwater Basin. The project proposes to use on-site systems as its means to dispose of wastewater. The winery will use two wastewater systems, one for domestic waste and one for process waste.

For domestic wastewater, the leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Based on the proposed project, adequate area appears available for an on-site system. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that can show that the leach area can adequately percolate to achieve this threshold.

The proposed winery project has been conditioned through the Minor Use Permit to provide a waste discharge permit or an exemption for liquid waste disposal (the process waste) from the Regional Water Quality Control Board. The RWQCB will conduct final review and approval of the wastewater disposal system.

For on-site septic systems, there are several key factors to consider for a system to operate successfully, including the following:

- ✓ Sufficient land area (refer to County’s Land Use Ordinance or Plumbing Code) – depending on water source, parcel size minimums will range from one acre to 2.5 acres;
- ✓ The soil’s ability to percolate or “filter” effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
- ✓ The soil’s depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on percolation rates]);
- ✓ The soil’s slope on which the system is placed (surface areas too steep creates potential for daylighting of effluent);
- ✓ Potential for surface flooding (e.g., within 100-year flood hazard area);
- ✓ Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
- ✓ Distance from creeks and water bodies (100-foot minimum).

To assure a successful system can meet existing regulation criteria, proper conditions are critical. Above-ground conditions are typically straight-forward and most easily addressed. Below ground

criteria may require additional analysis or engineering when one or more factors exist:

- ✓ the ability of the soil to “filter” effluent is either too fast (percolation rate is faster or less than 30 minutes per inch and has “poor filtering” characteristics) or is too slow (slower or more than 120 minutes per inch);
- ✓ the topography on which a system is placed is steep enough to potentially allow “daylighting” of effluent downslope; or
- ✓ the separation between the bottom of the leach line to bedrock or high groundwater is inadequate.

Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type(s) for the project is provided in the listed in the previous Agricultural Resource section. The main limitation(s) of this soil for wastewater effluent include:

- shallow depth to bedrock**, which is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once the effluent reaches the bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth’s surface. In this case, based on soil boring information, it is expected that there will be sufficient separation between leach line and bedrock to provide for adequate filtering of effluent, and no special requirements (e.g., engineered system) are anticipated to be able to meet Basin Plan/CPC requirements.
- steep slopes**, where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. In this case, the proposed leach lines are located on *the* nearly level portion of the subject property that is sufficiently set back from any steep slopes to avoid potential daylighting of effluent. Therefore, no measures are necessary above what is called out for in the CPC/Basin Plan to address potential steep slopes.
- slow percolation**, where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components.

**Impacts/Mitigation.** Based on the following project conditions or design features, wastewater impacts are considered less than significant:

- ✓ The project has sufficient land area per the County’s Land Use Ordinance to support an on-site system;
- ✓ The soil’s percolation rate is between 30 to 120 minutes per inch;
- ✓ There is adequate soil separation between the bottom of the leach line to bedrock or high groundwater;
- ✓ The soil’s slope is less than 20%
- ✓ The leach lines are outside of the 100-year flood hazard area;
- ✓ There is adequate distance between proposed leach lines and existing or proposed wells;
- ✓ The leach lines are at least 100 feet from creeks and water bodies.

Based on the above discussion and information provided, the site appears to be able to design an on-site system that will meet CPC/Basin Plan requirements. Prior to building permit issuance and/or final inspection of the wastewater system, the applicant will need to show to the county compliance with the County Plumbing Code/ Central Coast Basin Plan, including any above-discussed information relating to potential constraints. Therefore, based on the project being able to comply with these regulations, potential groundwater quality impacts are considered less than significant.

## 14. WATER & HYDROLOGY

*Will the project:*

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

### Water

**Setting.** The project proposes to obtain its water needs from an on-site well. The existing winery facility currently produces approximately 4,200 cases per year. The proposed project will produce 25,000 cases per year after Phase 1 and 75,000 cases per year upon buildout. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is nearly level to gently sloping. The closest creek from the proposed



development courses through project parcel boundary. As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility.

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

The project overlies the Paso Robles groundwater basin and is subject to applicable water offset requirements of Title 19 (Building and Construction Ordinance) and Title 22 (Land Use Ordinance):

- Section 19.07.042(d) of the Building and Construction Ordinance, Title 19 – Requires Offset Clearance from the Department of Planning and Building, prior to building permit issuance, verifying that new water use has been offset at a 1:1 ratio. Applies to all new structures with plumbing fixtures on properties that overlie the Paso Robles groundwater basin.
- Section 22.94.050 of the Land Use Ordinance, Title 22 – Requires discretionary development projects to offset new water demand at a 2:1 ratio through participation in water conservation programs. Exempts agricultural processing uses as defined in the Land Use Ordinance.

While agricultural processing uses are exempt from the 2:1 offset pursuant to LUO Section 22.94.025(F)(5), they are still subject to project-specific land use and/or water conservation mitigation measures based on environmental review. Submittal of an Offset Clearance pursuant to Title 19 for 2.32 AFY will adequately mitigate the water demand impacts associated with the agricultural processing components of the project.

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

Within the 100-year Flood Hazard designation? No

Closest creek? Salinas River tributary Distance? Courses through parcel boundary

Soil drainage characteristics: Moderately drained to not well drained

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

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

Soil erodibility: Moderate

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

### **Impact – Water Quality/Hydrology**

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

- ✓ Approximately 1.91 acres of site disturbance is proposed;

- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project will be disturbing over an acre and will be required to prepare a SWPPP, which will be implemented during construction;
- ✓ The project is not on highly erodible soils, nor on moderate to steep slopes;
- ✓ The project is not within a 100-year Flood Hazard designation;
- ✓ The project is more than 100 feet from the closest creek or surface water body;
- ✓ All disturbed areas will be permanently stabilized with impermeable surfaces and landscaping;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur

### Impact - Water Quantity

The proposed project will produce up to 75,000 cases annually at buildout. The net water demand, including the irrigation pumping offset proposed, is shown on Table 1, below.

**Table 1: Estimated New Water Demand with Offset Irrigation Reduction**

Use	Rate	Gross Demand (gallons/year)	Gross Demand (AFY)	Return Rate (Ground Water Recharge)	Net NEW Demand (AFY)	Ratio	Offset (AFY)
Wine Production (23,978 sf at buildout)	75,000 Cases per year (@ 10 gallons per case)	750,000	2.3	Negligible recharge from recycled H <sub>2</sub> O land applied	2.3	1:1 Ag Use	2.3
Tasting Room (2,936 sf)	Estimated 56 patrons/week at 5 gal/patron	14,560	0.05	80% recharge	0.01	2:1 Non Ag	0.02
<b>TOTAL</b>		<b>464,560</b>	<b>2.35</b>		<b>2.31</b>		<b>2.32 Offset Required</b>

Domestic water use for the project is estimated as 14,560 gallons per year for the tasting room and 450,000 for the wine production facilities. Approximately 80% of the domestic use will be returned to groundwater through septic leaching, reducing the net new domestic water demand to 0.01 acre-feet

per year.

As shown on Table 1, the project’s estimated gross water demand amounts to 2.35 acre-feet per year, reduced to 2.32 afy with septic recharge. The estimates for applied volume of existing irrigation and groundwater recharge rates used in the determination of adequate water supply are derived from Paso Robles area industry standards and are considered to be conservative.

Based on available water information, there are no known constraints to prevent the project from obtaining its water demands.

**Mitigation/Conclusion.** There is adequate evidence indicating that water resources are adequate to support the proposed project. As specified above for water quality, existing regulations and/or required plans will adequately address surface water quality impacts during construction and permanent use of the project.

The proposed project will could result in an estimated 2.32 AFY in net new water demand. Based on the water offset requirements in Title 19 and Title 22 for new development in the Paso Robles groundwater basin, the proposed project would have an offset requirement of 2.32 AFY.

Prior to implementation of the project, the applicant will be required to obtain an Offset Clearance from the Department of Planning and Building for 2.32 AFY, which will reduce the project’s water supply impact to a less than significant level. The eligible water conservation programs listed in LUO Section 22.94.025(F)(3) do not allow for offsets through the removal of agricultural land.

**15. LAND USE**

*Will the project:*

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

**Land Use**

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

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

1. LUO Section 22.94 – North County Planning Area
2. LUO Section 22.94.080 – Salinas River Sub-area

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.

**Ordinance Modifications:** The project includes modifications to the site design standards that include: Winery Setbacks. The proposed project also requests a modification to the 200 foot setback requirement for the tasting room. The modification proposes a 110 foot setback from the north (front) property line.

These setbacks can be modified through Minor Use Permit approval when a Conditional Use Permit is not otherwise required. Approval may be granted only after the Review Authority first determines that the request satisfies any of the following findings: (1) there is no feasible way to meet the required setbacks without creating environmental impacts or impacting prime agricultural land (SCS Class I, II and III); (2) the property fronts an arterial or collector street; (3) the setbacks are not practical or feasible due to existing topographic conditions or existing on-site vegetation or (4) is a legally constructed existing structure that was built prior to 1980 and it can be clearly demonstrated that the structure was intended for a legitimate agricultural or residential use. The proposed project meets condition number (2) as the property fronts on a collector street.

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

**16. MANDATORY FINDINGS OF SIGNIFICANCE**

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

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                          |                          |                                     |                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>a) <i>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?</i></p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>b) <i>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)</i></p>                                                                                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i></p>                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

For further information on CEQA or the County's environmental review process, please visit the County's web site at "[www.sloplanning.org](http://www.sloplanning.org)" under "Environmental Information", or the California Environmental Resources Evaluation System at: <http://resources.ca.gov/ceqa/> for information about the California Environmental Quality Act.

## Exhibit A - Initial Study References and Agency Contacts

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

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	<b>Attached</b>
<input checked="" type="checkbox"/>	County Environmental Health Services	<b>Attached</b>
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	<b>Attached</b>
<input type="checkbox"/>	County Airport Manager	<b>Not Applicable</b>
<input type="checkbox"/>	Airport Land Use Commission	<b>Not Applicable</b>
<input type="checkbox"/>	Air Pollution Control District	<b>Not Applicable</b>
<input type="checkbox"/>	County Sheriff's Department	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	<b>None</b>
<input type="checkbox"/>	CA Coastal Commission	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Fish and Wildlife	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	<b>Attached</b>
<input type="checkbox"/>	CA Department of Transportation	<b>Not Applicable</b>
<input type="checkbox"/>	Community Services District	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Other _____	<u>San Miguel Advisory Council</u> <b>Attached</b>
<input checked="" type="checkbox"/>	Other _____	<u>AB52 Native American Tribal Councils</u> <b>None</b>

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

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

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

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

- *Archaeological Inventory Survey of +/-10 Acres of a 100 Acre Parcel, for Locatelli Vineyards and Winery, 8585 Cross Canyons Road, San Miguel, San Luis Obispo County, California;* Cultural Resource Management Services, August 2016
- *Biological Letter Report for Locatelli Vineyards, San Luis Obispo County;* Althouse and Meade, Inc., April 19<sup>th</sup>, 2016
- *Kit Fox Habitat Evaluation Form;* Althouse and Meade, Inc., May 2, 2016

## 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.

### **BIOLOGICAL RESOURCES**

#### **San Joaquin Kit Fox**

The Kit Fox Evaluation, which was completed for project Cross Canyons MUP, DRC2014-00102, on May 2, 2016 by Althouse and Meade, Inc. indicates the project will impact 40,000 square feet of San Joaquin kit fox habitat. The evaluation form was reviewed by Brandon Sanderson of the California Department of Fish and Game on March 8, 2017. The evaluation, complete with Mr. Sanderson's changes, resulted in a score of 68, which requires that all impacts to kit fox habitat be mitigated at a ratio of two acres conserved for each acre impacted (**2:1**). Total compensatory mitigation required for the project is **1.82** acres, based on two times **0.91** acres impacted. 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 1.82 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 **\$4,550.00**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the



increasing cost of property in San Luis Obispo County; 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 1.82 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 **\$4,550.00**. This fee is calculated based on the current cost-per-credit of \$2500 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.

- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of **1.82** acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. The Department can provide a draft agreement to review; a signed Mitigation Agreement shall be submitted to the County prior to County permit issuance and initiation of any ground disturbing activities.

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

- a. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c. Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the

qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

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

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

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

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

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

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

**BR-5 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction**, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum,

as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

- BR-6 During the site-disturbance and/or construction phase,** to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
- BR-7 During the site-disturbance and/or construction phase,** any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-8 During the site-disturbance and/or construction phase,** all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-9 Prior to, during and after the site-disturbance and/or construction phase,** use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- BR-10 During the site-disturbance and/or construction phase,** any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.
- BR-11 Prior to final inspection, or occupancy,** whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".

- b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

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

July 12, 2017

**DEVELOPER'S STATEMENT FOR  
CROSS CANYONS LLC / LOCATELLI WINERY / MINOR USE PERMIT  
DRC2014-00102**

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

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

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

**BIOLOGICAL RESOURCES**

**San Joaquin Kit Fox**

The Kit Fox Evaluation, which was completed for project Cross Canyons MUP, DRC2014-00102, on May 2, 2016 by Althouse and Meade, Inc. indicates the project will impact 40,000 square feet of San Joaquin kit fox habitat. The evaluation form was reviewed by Brandon Sanderson of the California Department of Fish and Game on March 8, 2017. The evaluation, complete with Mr. Sanderson's changes, resulted in a score of 68, which requires that all impacts to kit fox habitat be mitigated at a ratio of two acres conserved for each acre impacted (**2:1**). Total compensatory mitigation required for the project is **1.82** acres, based on **2** times **0.91** acres impacted.

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 **1.82** 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 **\$4,550.00**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; 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 **1.82** 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 **\$4,550.00**. This fee is calculated based on the current cost-per-credit of \$2500 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.

- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of **1.82** acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. The Department can provide a draft agreement to review; a signed Mitigation Agreement shall be submitted to the County prior to County permit issuance and initiation of any ground disturbing activities.

**Monitoring:** Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Division of Environmental and Resource Management.

**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.

**Monitoring:** Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Division of Environmental and Resource Management.

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

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

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

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



shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

- BR-6 During the site-disturbance and/or construction phase,** to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
- BR-7 During the site-disturbance and/or construction phase,** any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-8 During the site-disturbance and/or construction phase,** all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-9 Prior to, during and after the site-disturbance and/or construction phase,** use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- BR-10 During the site-disturbance and/or construction phase,** any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.
- BR-11 Prior to final inspection, or occupancy,** whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

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

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

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

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

  
Signature of Owner(s)

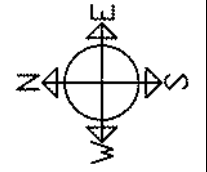
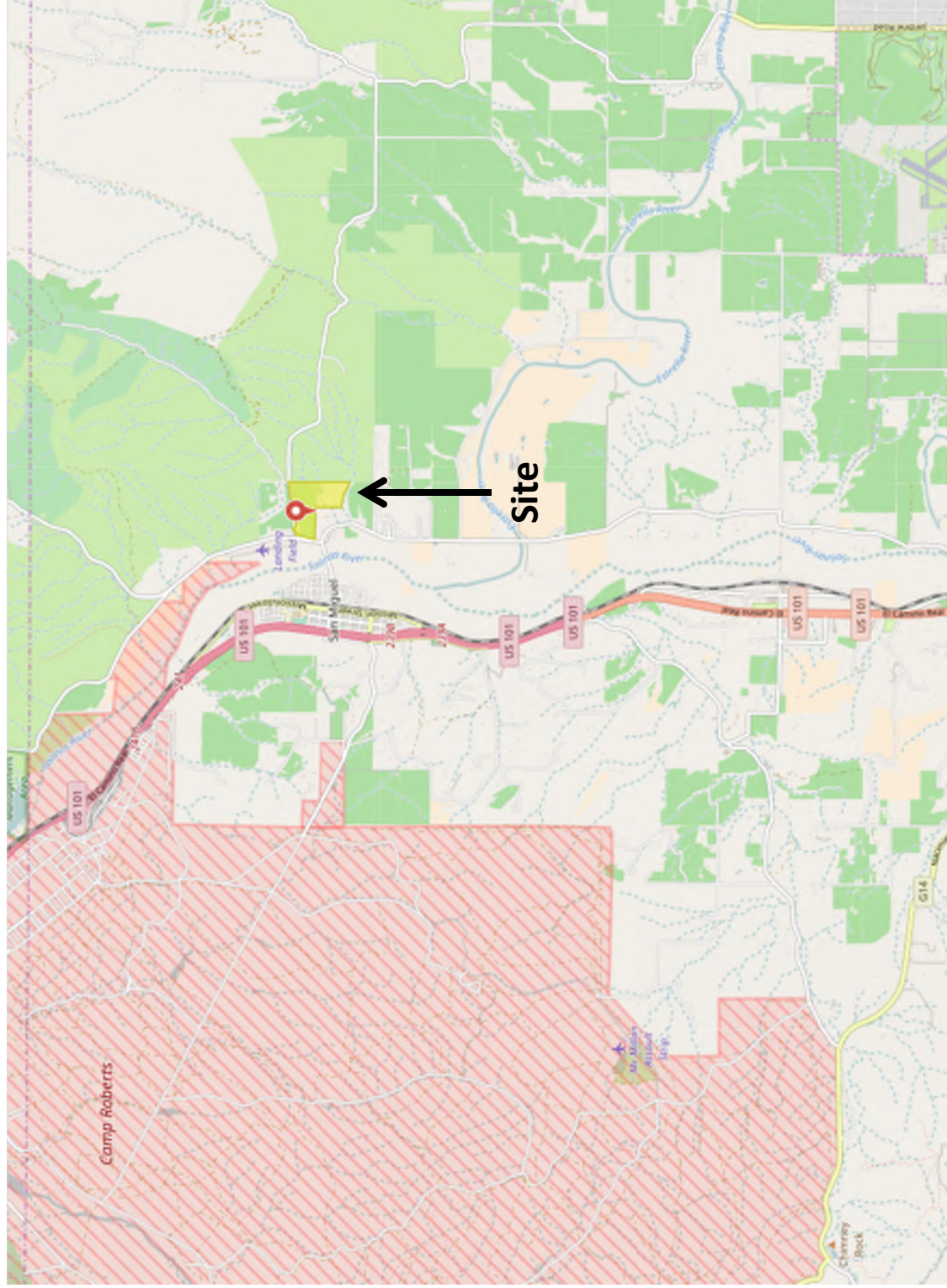
Raynette Gregory  
Name (Print)

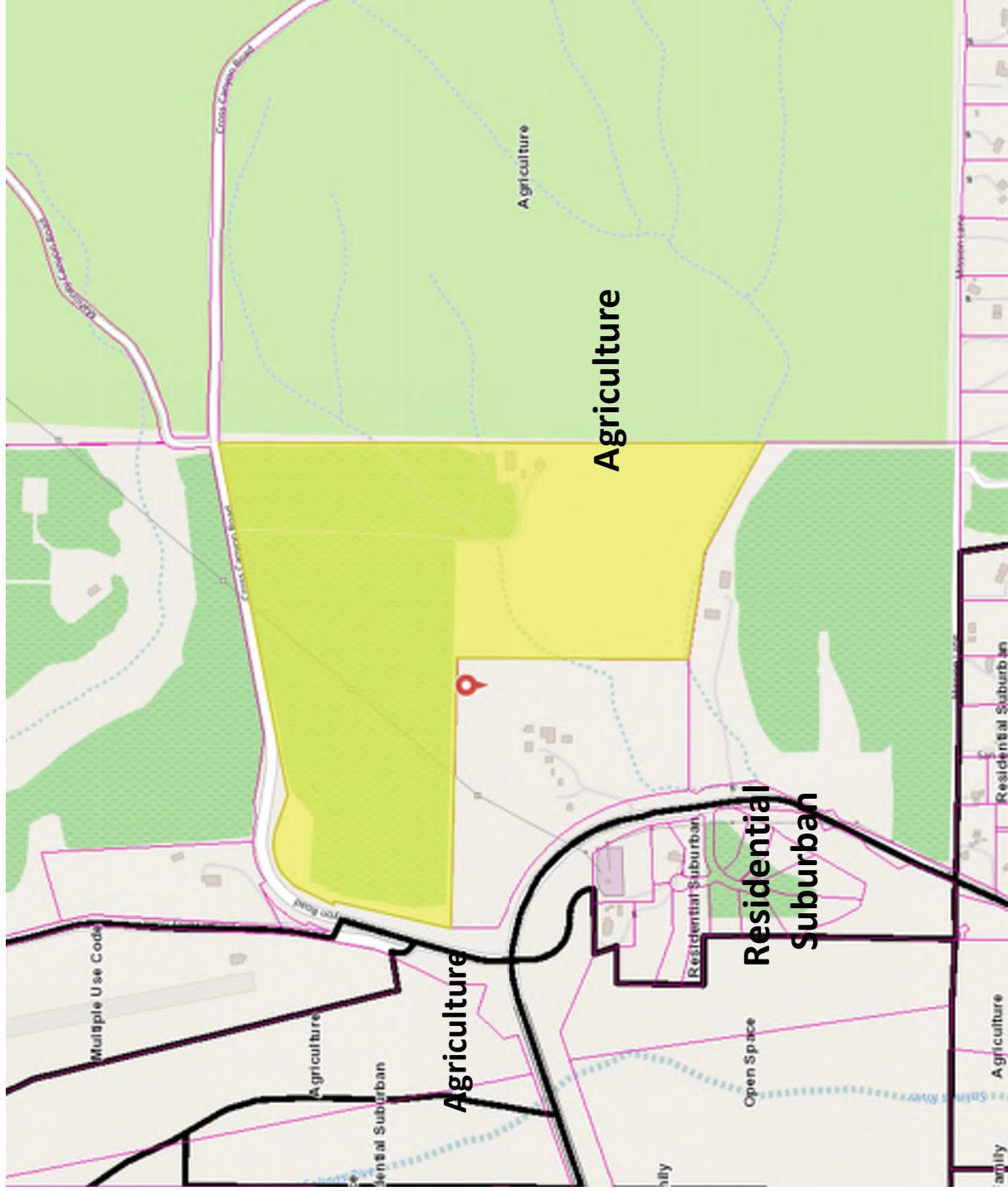
7/12/17  
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Signature of Owner(s)

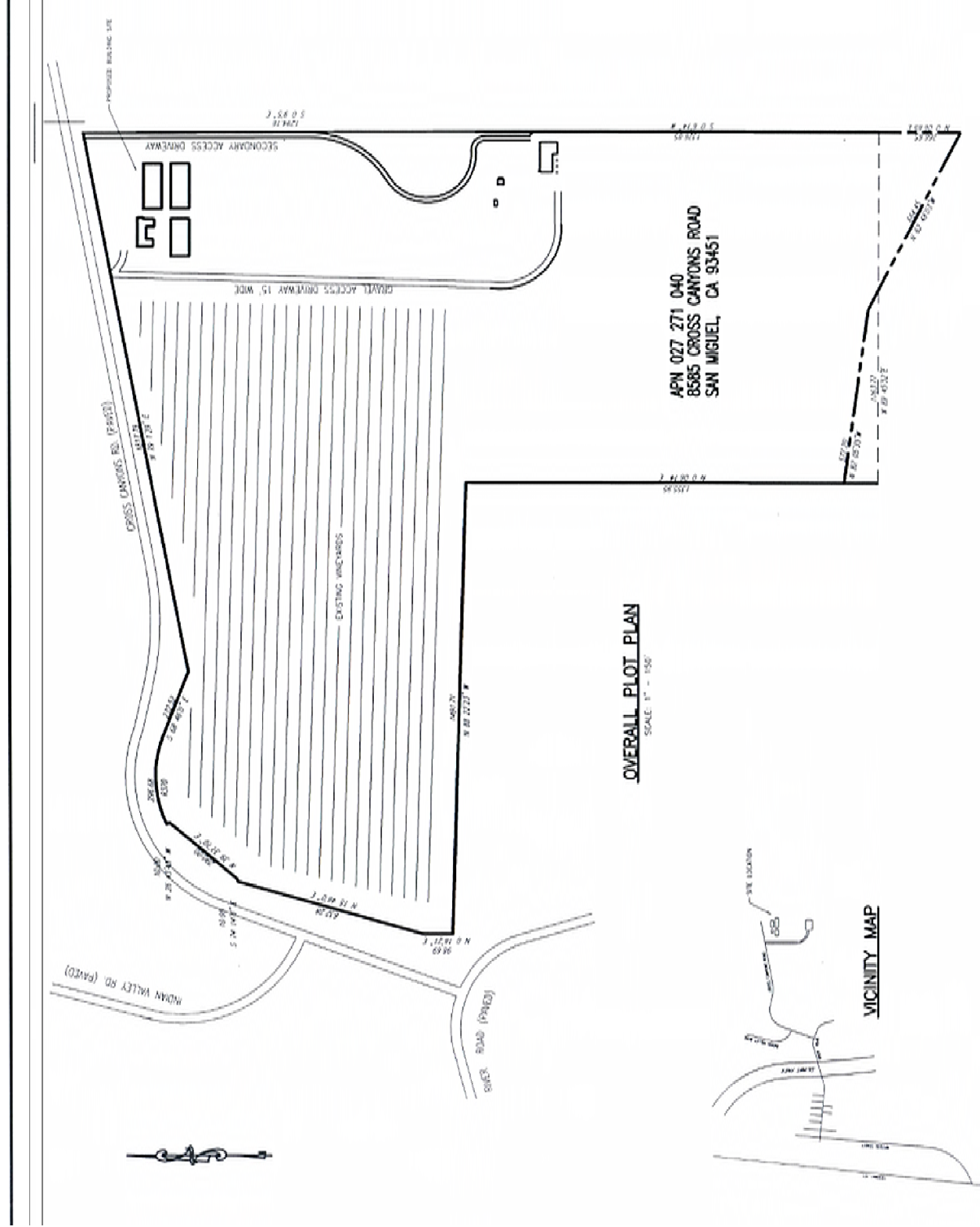
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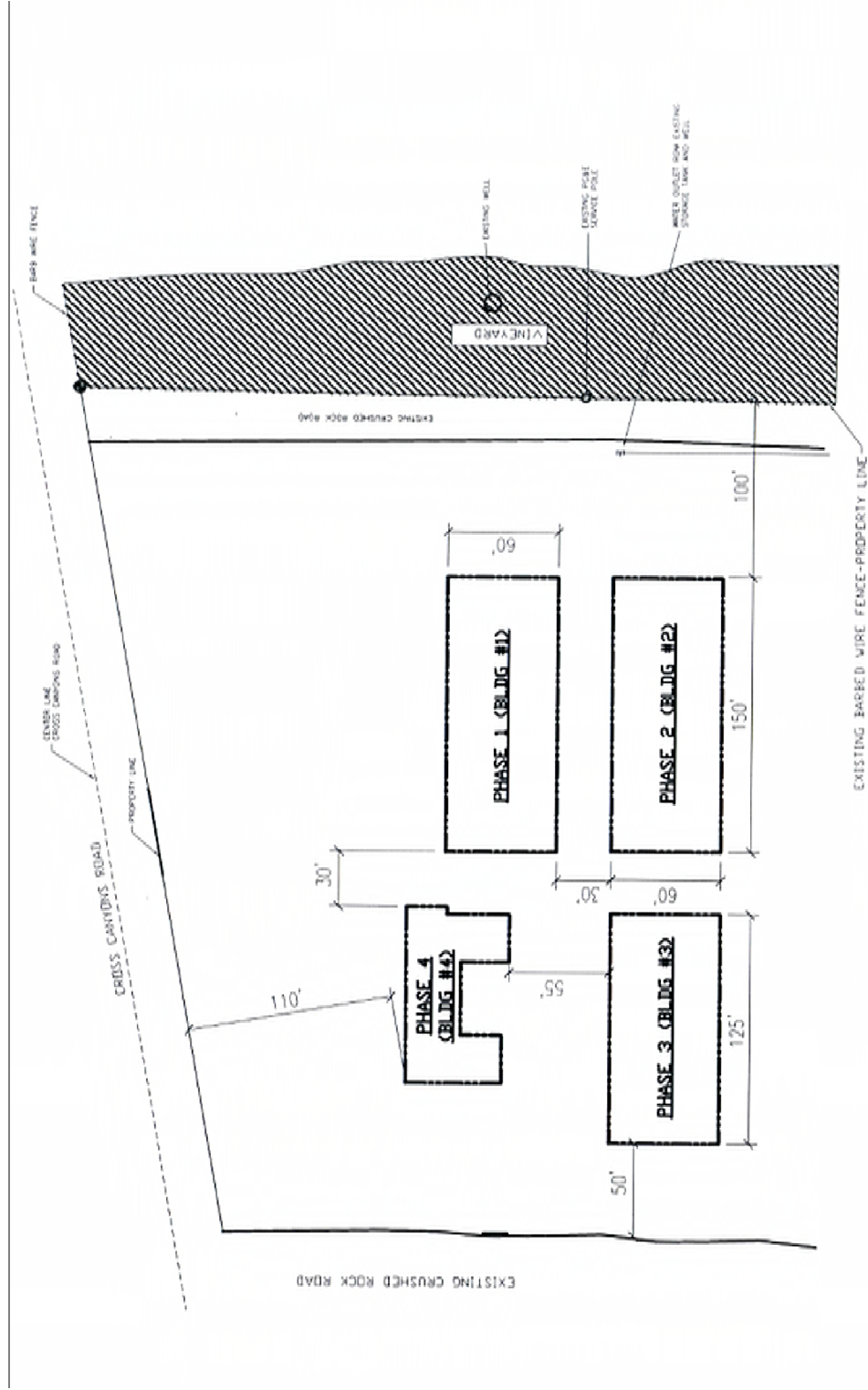
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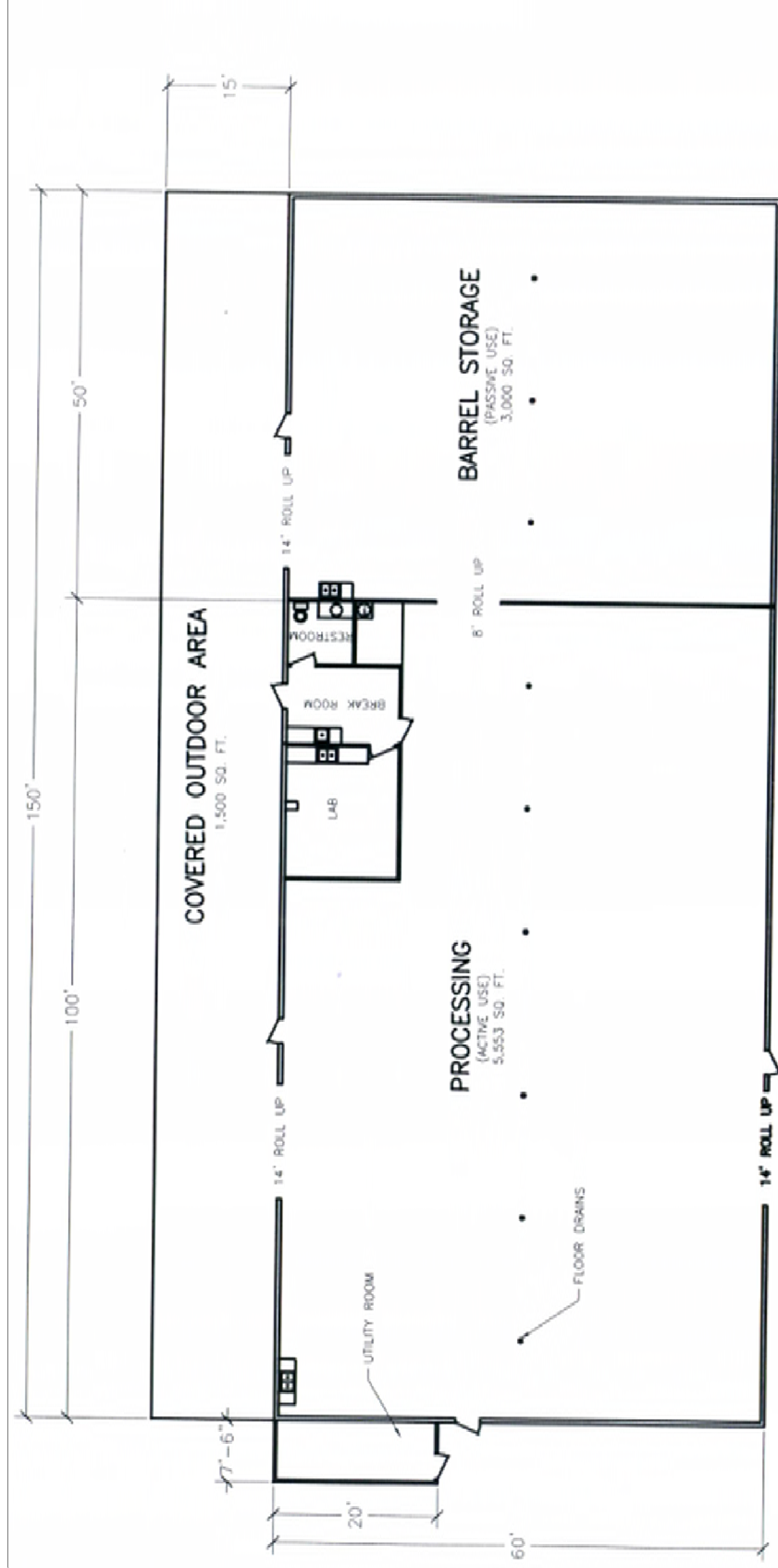








**SITE LAYOUT PLAN**  
SCALE: 1/4" = 8'-0"

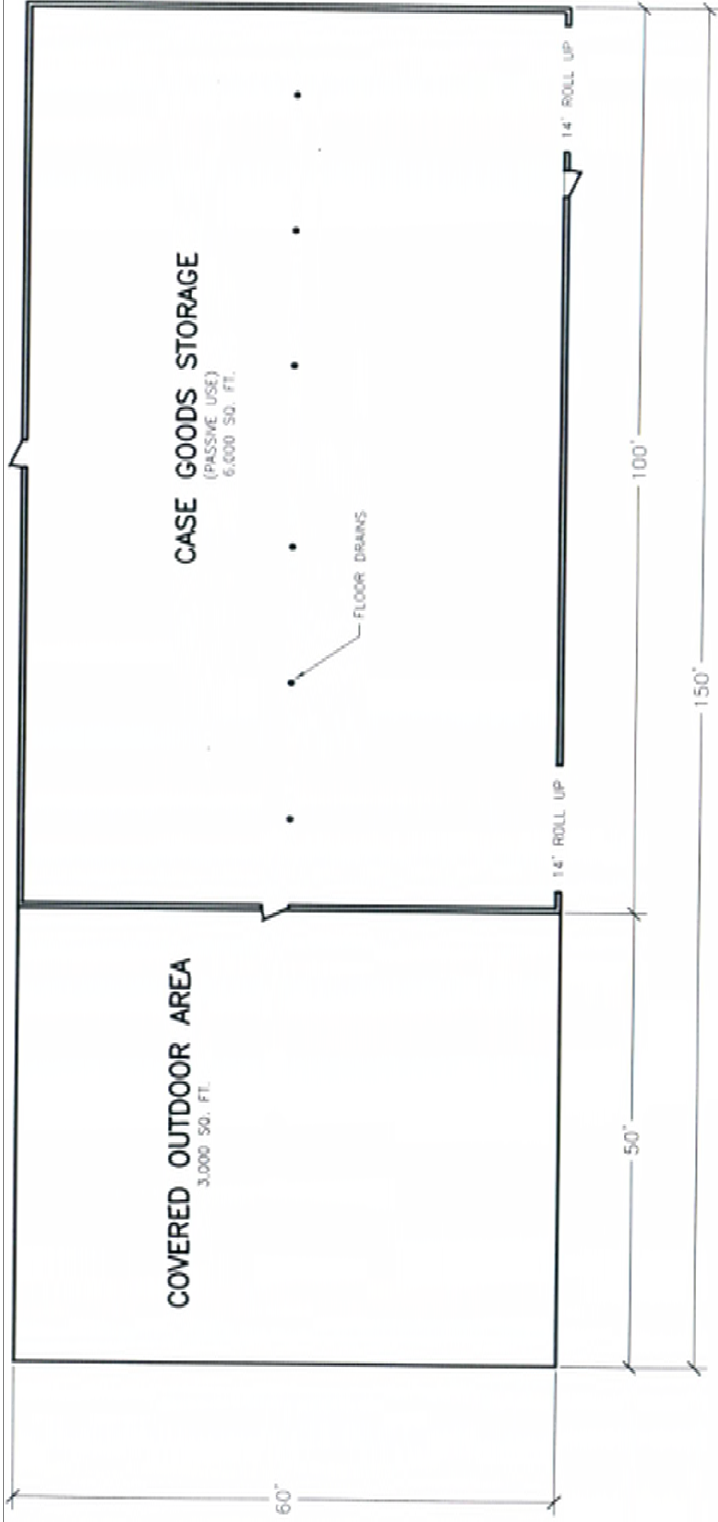


**PHASE 1 (BUILDING 1)**

SCALE: 1/8" = 1'- 0"

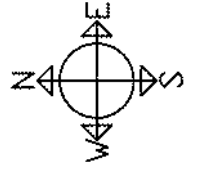


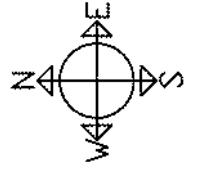
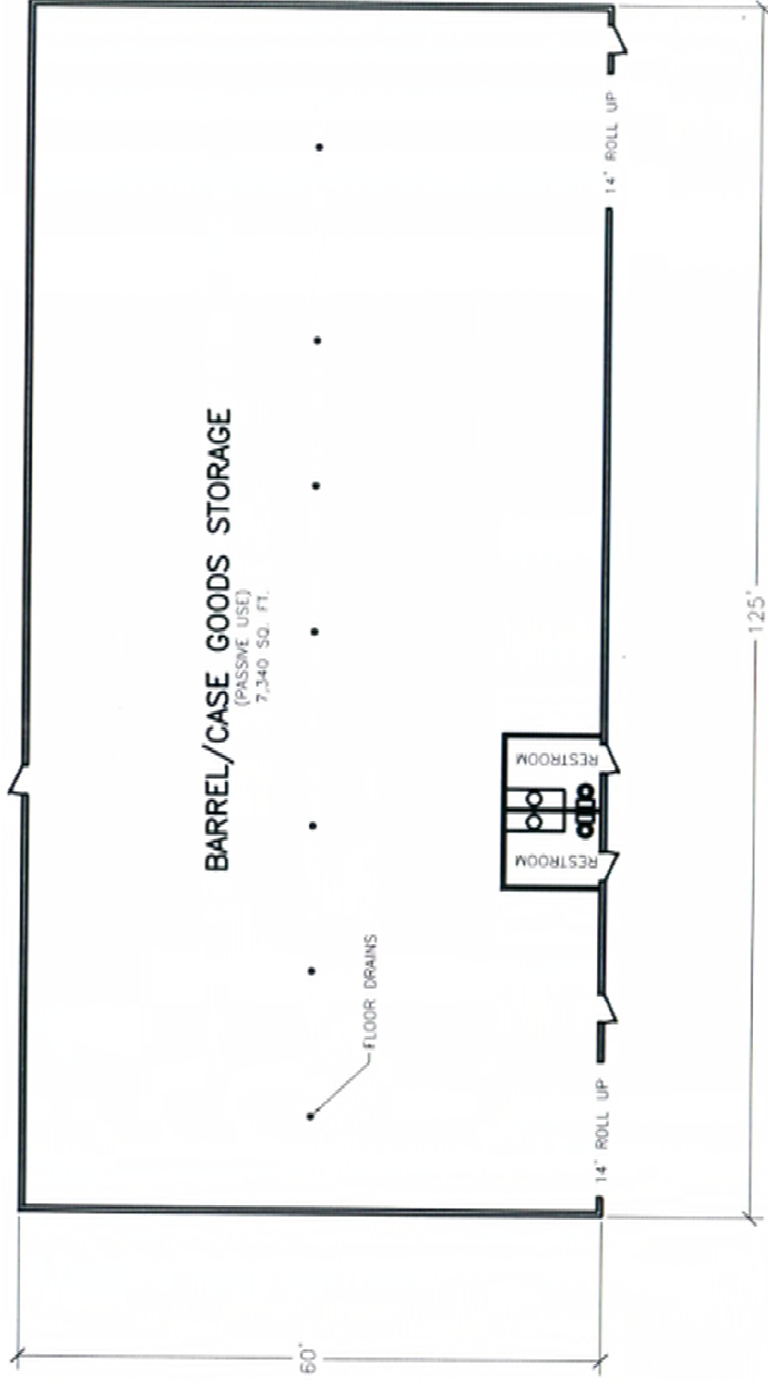




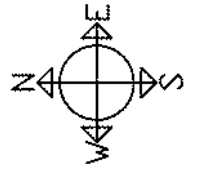
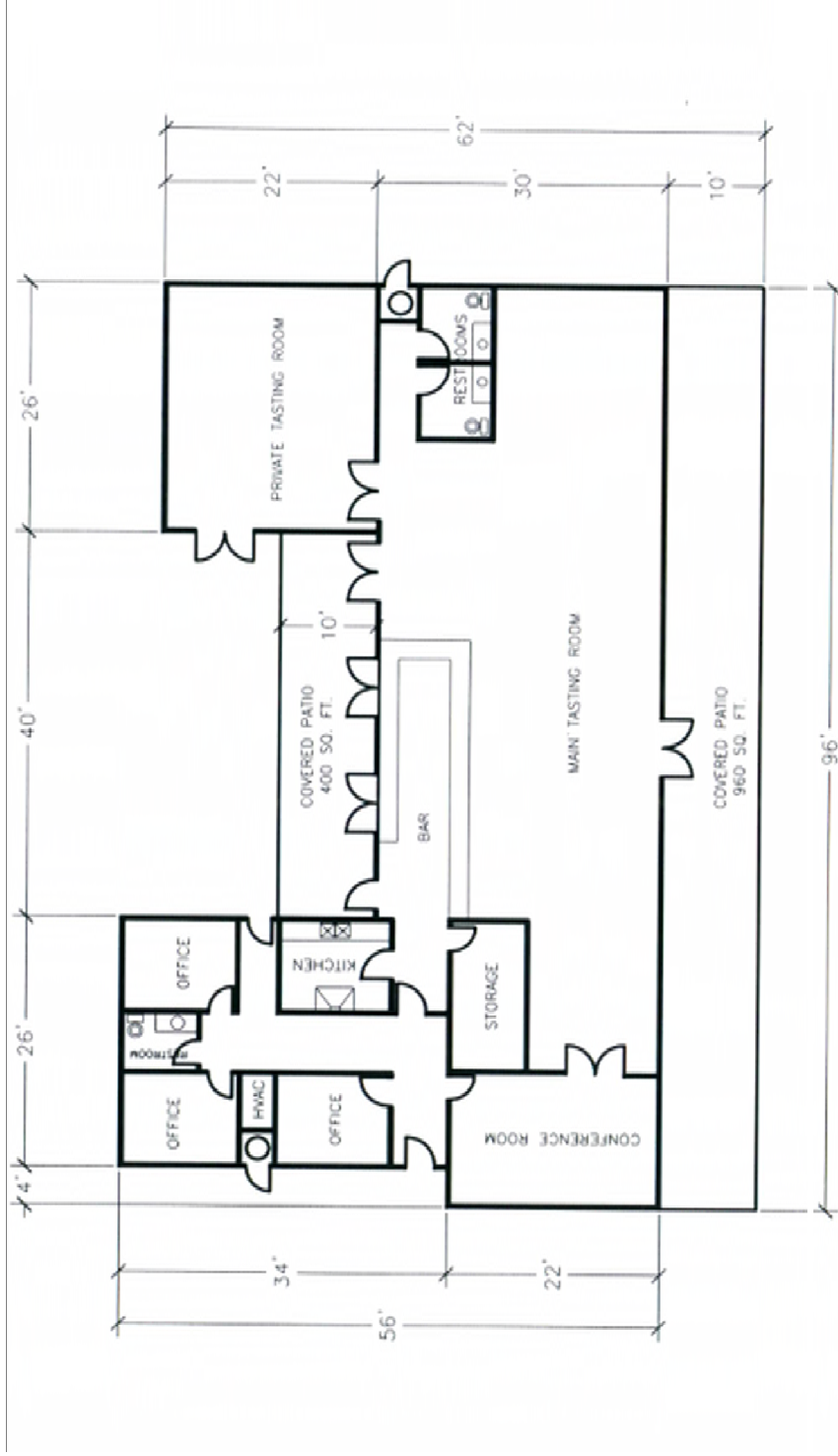
**PHASE 2 (BUILDING #2)**

SCALE: 1/8" = 1'-0"



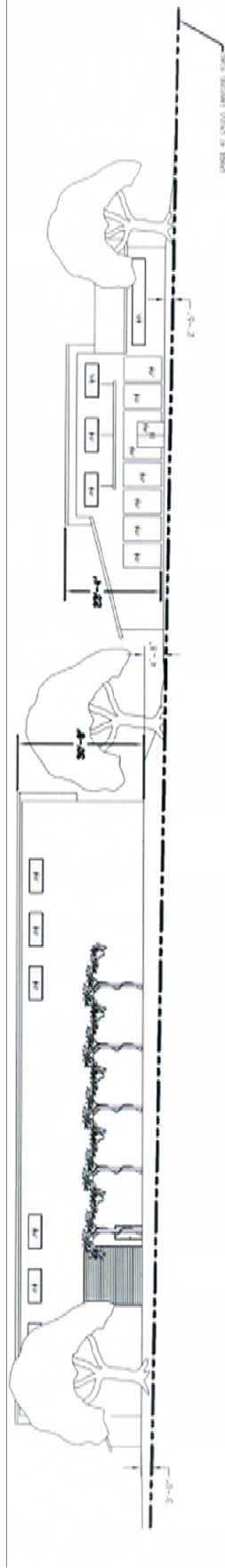


**PHASE 3 (BUILDING #3)**  
SCALE: 1/8" = 1' - 0"



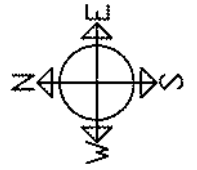
**PHASE 4 (BUILDING #4)**

SCALE: 1/8" = 1'-0"



**ELEVATION VIEWED FROM CROSS CANYONS ROAD**

SCALE: 1/4" = 3'-0"





SAN LUIS OBISPO COUNTY  
**DEPARTMENT OF PUBLIC WORKS**

Wade Horton, Director

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

**MEMORANDUM**

Date: March 13, 2015  
To: Holly Phipps, Project Planner  
From: Tim Tomlinson, Development Services  
Subject: **Public Works Comments on DRC2014-00102, Cross Canyons MUP, Cross Canyons Rd., San Miguel, APN 027-271-040**

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

---

**Public Works Comments:**

- A. The proposed project will require drainage review. Drainage plan is required and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52.110 of the Land Use Ordinance prior to future submittal of development permits.
- B. The project engineer must certify that the easterly driveway meets county sight distance standards (A-5a) for 55 miles per hour (500' clear sight distance each approach).

---

**Recommended Project Conditions of Approval:**

Access

1. **Prior to occupancy or final inspection**, the primary (westerly) driveway approach must be reconstructed to conform with County Public Improvement Standard B-1e. An encroachment permit issued by the Department of Public Works is required prior to performing any work in the public right of way.
2. **Prior to occupancy or final inspection**, sight distance must be verified for the secondary (easterly) driveway approach and be realigned if necessary, and reconstructed to conform to County Public Improvement Standard B-1a. An encroachment permit issued by the Department of Public Works is required prior to performing any work in the public right of way.

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

Drainage

4. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance.
5. **At the time of application for construction permits**, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.



Re: DRC2014-00102 8585 CROSS CANYONS, North County E-Referral,  
MUP, San Miguel

Michael Stoker to: Holly Phipps

03/24/2015 02:13 PM

Cc: Cheryl Journey

Holly,

Please find the Building Departments comments for DRC2014-00102 below. Please let me know if you have any questions.

In regards to this preliminary review, a building permit is required. The drawings specify the work to be completed consists of a winery expansion adding four new buildings totaling 23,000 sq. ft (office building of 2,000 sq. ft and three steel buildings totaling 21,000 sq. ft). A California State licensed design professional (Architect/Engineer) shall prepare plans in compliance with current codes adopted by the County of San Luis Obispo (2013 California Building Standards Codes and Title 19 of the SLO County Codes).

While a thorough plan review will be conducted at the time of the building permit application, the following items are noted to assist design review;

- 1) Please complete the area of work/building tabulation on the cover sheet of the plans showing the occupancy and floor area for each building.
- 2) A separate building permit will be required for each building.
- 3) Any fire resistive walls or ceilings due to occupancy separations will need to be detailed on the plans to comply with the requirements of with CBC, including Chapter 5, 6 and 7.
- 4) The fire and smoke protection features (i.e. exterior walls, projections, openings, rated wall assemblies, shaft enclosures, etc) shall be shown and detailed on the plans to comply with CBC, including Chapter 7.
- 5) The interior finishes (floors, ceiling, walls, insulation, etc) will need to be shown on the plans to comply with CBC, including Chapter 8.
- 6) Provide an occupant load and exiting analysis on the plans to verify compliance with CBC, including Chapter 10.
- 7) The accessibility elements throughout will need to be shown on the plans to comply with CBC, including Chapter 11B.
- 8) Provide isometric / single line drawings for the electrical, plumbing, and mechanical elements to verify compliance with the 2013 versions of the California Electrical, Plumbing, and Mechanical Codes.
- 9) Energy Calculations will need to be provided to verify compliance with 2013 California Energy Code.
- 10) The project will require a soils report and structural calculations for the design of the buildings. All structural elements to be detailed on the plans to comply with CBC and adopted referenced codes.
- 11) A grading permit and SWPPP plan may need to be submitted for this project

- depending on the total area of grading or excavation to be completed.
- 12) A fire sprinkler plans will be required for all structures in compliance with the current version of the California Fire Code.
  - 13) Plans need to reflect compliance with the California Green Building Code and the counties green building ordinance.

Thanks

Michael Stoker  
Building Division Supervisor, CASp  
805.781.1543







SAN LUIS OBISPO COUNTY

## DEPARTMENT OF PLANNING AND BUILDING

RECEIVED

THIS IS A NEW PROJECT REFERRAL

MAY 01 2015

DATE: 3/9/2015

TO: Cal FireFROM: Holly Phipps (805-781-1162 or hhipps@co.slo.ca.us)  
North County Team / Development ReviewRECEIVED MAR 13 2015  
PLANNING & BUILDING

**PROJECT DESCRIPTION:** DRC2014-00102 8585 CROSS CANYONS – Proposed minor use permit for a winery expansion adding four buildings totaling 23,000 sf (office building of 2,000 sf, plus three steel buildings of approximately 21,000 sf). Site location is 8585 Cross Canyon Rd, San Miguel. APN: 027-271-040

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.

SEE ATTACHED FIRE PLAN.

Date

4/29/15

Name

TRAVIS CRAIG

Phone

805.593.3427



**CAL FIRE**  
**San Luis Obispo**  
**County Fire Department**

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

Robert Lewin, Fire Chief

## COMMERCIAL FIRE PLAN REVIEW

April 28, 2015

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

Subject: DRC2014-00102/ Locatelli Vineyards & Winery – Conditional Use Permit

Mrs. Phipps,

I have reviewed the project referral information and building plans submitted for the proposal for a winery expansion adding four buildings totaling 23,000. An office building of 2,000 square foot, plus three steel buildings of approximately 21,000 square foot, located at 8585 Cross Canyon Road near San Miguel, CA. The project is located within a **“High”** Fire Hazard Severity Zone. The project location has an approximate **15** minute response time from the nearest County Fire Station. The project and applicant shall comply with the 2013 California Fire Code (CFC), the 2013 California Building Code (CBC), the Public Resources Code (PRC) and any other applicable fire laws. The requirements of Chapter 7A of the 2013 California Fire Code shall be adhered to throughout project design and construction.

**Concerns:**

The cumulative effects of intensified commercial operations within areas such as this, continues to place significant challenges upon the ability of CAL FIRE/County Fire to provide efficient and effective emergency services within rural areas.

The nearest CAL FIRE/County Fire Station (#52- Meridian) is located at 4050 Branch Road Paso Robles, CA. 13 miles from this site. This station is staffed at all times by a minimum of 2 fulltime/permanent employees.

**Roof Coverings:**

The roof type will have to be consistent with the requirements of Chapter 7A and Chapter 15 of the 2013 California Building Code and no less than a **Class B** roof.

*The proposed metal roof covering exceeds the required minimum rating for projects within this area.*

**Roof Access:**

As proposed, the building(s) do not present a concern to CAL FIRE/County Fire for access to the roof.

**Fire Flow Requirements outside Community Water Systems:**

Several properly located *pressurized* fire hydrants shall be required for the current project as proposed. The fire hydrants shall meet specifications set forth within the San Luis Obispo County Department of Public Works – *Public Improvements Standards W-2* (Fire Hydrant Installation). The County Fire Department shall assist the applicant with ensuring proper placement of fire hydrants throughout the development/construction process. The minimum main size shall not be less than 6 inches. Pressures may not be less than 20 psi or more than 150 psi. The Plans for the entire system should be submitted to the County Fire Department for review and approval.

**Fire Protection Systems:**

A Fire Alarm System is **required**. The alarm system shall terminate at a 24-hour monitoring point. 2013 California Fire Code Section 907. Two sets of plans shall be submitted to the County Fire Department for review and approval.

***This project will require installing a commercial fire sprinkler system in all buildings associated with the current proposal.*** The type of sprinklers required will depend on the occupancy classification type and must comply with NFPA 13. The automatic fire extinguishing system shall comply with the National Fire Protection Association (NFPA) 13, 231, 20, 22. The applicant will have to identify what Hazard Class the project is for review by the fire department (exp. Ordinary Hazard Class II), for each of the buildings in the project. Three sets of plans and calculations shall be submitted for functional review and approval to the County Fire Department. The contractor shall be licensed by the State of California, CFC. A licensed alarm company shall monitor the fire sprinkler and alarm system. The fire department connection (FDC) supporting the sprinkler systems shall be located within 20 feet of a County standard hydrant and visible on fire engine approach to the building. A letter from the monitoring company shall be submitted to the County Fire Department verifying service.

*A Registered Fire Protection Engineer will be required to determine the amount of water required to be held in storage that is dedicated to fire suppression purposes.*

**Technical Report:**

**A Fire Protection Engineer shall review the proposed fire protection systems and water storage tank for this project.**

The Fire Protection Engineer will require that you provide working plans as outlined in NFPA 13, 14.1 (2002). The Fire Protection Engineer will be required to send an original letter of their project review when completed, including all changes needed.

**Portable Fire Extinguishers:**

Portable fire extinguishers shall be installed in all the occupancies in compliance with the 2010 California Fire Code Section 906 and Title 19. The contractor shall be licensed by the State Fire Marshal.

**Exiting:**

All egress and exiting requirements shall comply with **Chapter 10 - Means of Egress** of the 2010 California Fire Code to provide egress from the building(s) to the public way.

**Building Set Backs:**

A minimum 30-foot setback shall be provided from all property lines, PRC 4290, Section 1276.01.

**Note: Setbacks are subject to County Planning Department approval.**

**Defensible Space and Construction Type:**

Each building site will be built with a "Defensible Space". PRC 4291 requires all structures to provide a 100 foot clearance free of flammable vegetation. This does not mean all vegetation must be removed but that the vegetation shall not provide a means of readily transmitting fire. Building sites should be located so that the structure is not directly above or below a topographic "chimney." The construction type should be designed to withstand a wildfire. This would include a class A roof, unexposed venting, fire resistant exterior walls, unexposed rafters, windows appropriately placed, LPG tanks properly placed, fire resistive decks and balconies, and other fire resistive construction techniques. All landscaping should be of fire resistive plants, preferably natives. **A Wildland Fire/Vegetation Management Plan must be developed and approved by CAL FIRE/County Fire.**

**Commercial Access Road:**

- A commercial access road must be a minimum of 20 feet wide.
- Parking is only allowed where an additional 8 feet of width is added for each side of the road that has parking.
- "No Parking - Fire Lane" signs will be required.
- Fire lanes shall be provided as set forth in the 2010 California Fire Code Section 503.
- Fire access shall be provided within 150 feet of the outside building(s) perimeter.
- Must be an all weather non-skid paved surface.
- All roads must be able to support a fire engine weighing 40,000 pounds.
- Vertical clearance of 13'6" is required.

**Gates:**

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

**Emergency Access:**

All commercial buildings shall install a Knox key box for fire department emergency access. 2010 California Fire Code Section 506. The box shall be installed prior to final inspection of the building(s). An order form is available from the Prevention Bureau, call for more information at (805) 543-4244, extension 3429.

**Addressing:**

Address numbers must be legible from the roadway and on all buildings. They shall be on a contrasting background and a minimum of 8 inches high with a 1/2" stroke for commercial and 10 inches high for industrial. All occupancies shall have a distinct address. A monument sign displaying the location of all buildings in the complex must be displayed in a prominent location at the entrance to the facility and streets/roads shall be identified with approved signs. California Fire Code Section 505.

**Fire Safety during Construction:**

Prior to construction, an operational water supply system and established access roads must be installed. California Fire Code Section 503.1 & 507. During construction all applicable Public Resources Codes must be complied with to prevent a wildfire. These will include the use of spark arresters, adequate clearance around welding operations, smoking restrictions and having extinguishers on site. The Industrial Operations Fire Prevention Field Guide will assist the applicant.

**Notes:**

As discussed in March 2015, a registered Fire Protection Engineer must provide a written technical analysis of the proposed water storage.

If I can provide additional information or assistance on this mater, please don't hesitate to contact me at (805) 543-4244, extension 3425.

Sincerely,



Travis Craig  
Fire Captain



COUNTY OF SAN LUIS OBISPO

**Department of Agriculture/Weights and Measures**

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

(805) 781-5910 • FAX (805) 781-1035

Martin Settevendemie

Agricultural Commissioner/Sealer

[www.slocounty.ca.gov/agcomm](http://www.slocounty.ca.gov/agcomm)

[AgCommSLO@co.slo.ca.us](mailto:AgCommSLO@co.slo.ca.us)

**DATE:** April 8, 2015  
**TO:** Holly Phipps, Project Manager  
**FROM:** Lynda L. Auchinachie, Agriculture Department   
**SUBJECT:** Cross Canyons Minor Use Permit DRC2014-00102 (1814)

APR - 8

The Agriculture Department's review finds that the proposed Cross Canyons Minor Use Permit for a phased development of four wine production structures totaling 23,000 square feet will have less than significant impacts to agricultural resources or operations. The proposal is also consistent with Agriculture Element policies.

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

If you have questions, please call 781-5914.



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

RECEIVED

DATE: 3/9/2015

TO:

Env. Health

MAR 12 2015

FROM: Holly Phipps (805-781-1162 or hhipps@co.slo.ca.us)  
North County Team / Development Review

PROJECT DESCRIPTION: DRC2014-00102 8585 CROSS CANYONS - Proposed minor use permit for a winery expansion adding four buildings totaling 23,000 sf (office building of 2,000 sf, plus three steel buildings of approximately 21,000 sf). Site location is 8585 Cross Canyon Rd, San Miguel. APN: 027-271-040

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

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

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

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

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

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

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

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

Please see attached

Date

3/15/15

Name

[Signature]

Phone

X5551



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY

**Public Health Department**

Jeff Hamm  
Health Agency Director

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



**Public Health**  
Prevent. Promote. Protect.

March 18, 2015

To: Holly Phipps, North County Team / Development Review  
Department of Planning and Building

From: Environmental Health  
Leslie Terry

Project Description: DRC2014-00102, CROSS CANYONS MUP  
APN 027-271-040

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

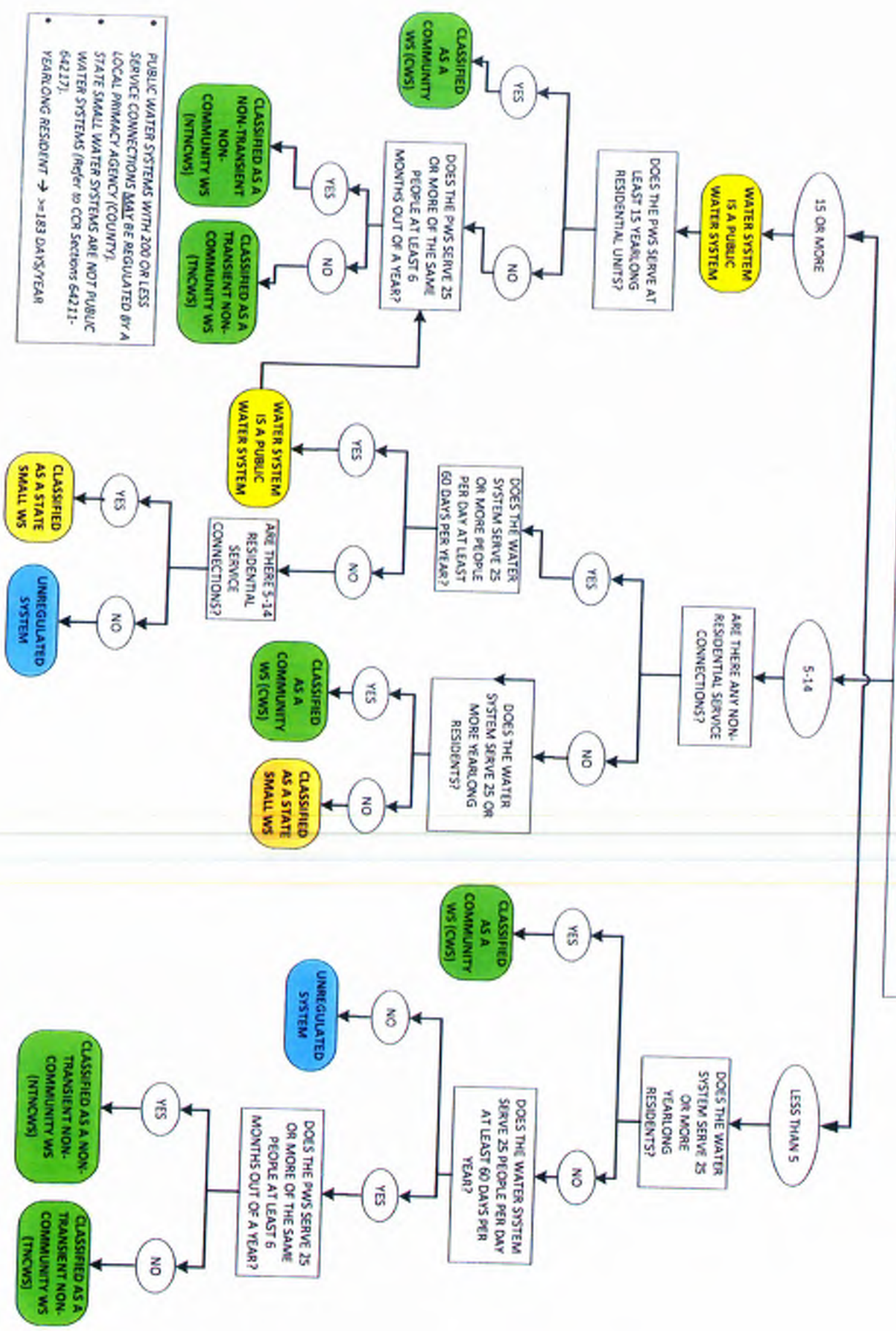
If plan review for cross connection determines a device is necessary, then an annual device test requirement shall be added as a condition of this MUP.

Be advised that in existing tasting room, no food, except for crackers, may be served without a health permit. Cheese and olives can be seen on the facility's yelp page. Please contact this office if in the future additional food will be provided to the public (regardless of whether food is sold or simply provided). Use only licensed caterers for public events where food may be served.



# DECISION TREE FOR CLASSIFICATION OF WATER SYSTEMS

HOW MANY SERVICE CONNECTIONS DOES THE WATER SYSTEM HAVE?



PUBLIC WATER SYSTEMS WITH 200 OR LESS SERVICE CONNECTIONS MAY BE REGULATED BY A LOCAL PRIMARY AGENCY (COUNTY). STATE SMALL WATER SYSTEMS ARE NOT PUBLIC WATER SYSTEMS (refer to CCR sections 642.11-642.17). YEARLONG RESIDENT → ≥183 DAYS/YEAR

## San Miguel Advisory - Mar 25 2015 Results

Michael Conger to: Holly Phipps

03/26/2015 03:22 PM

Hi, Holly...

Here are the results from last night's San Miguel Advisory Council meeting....

### DRC2014-00084 - Ormonde

- San Miguel Advisory initially considered this item at their February meeting. They took no action at that time, as the applicant requested they defer action until March.
- Applicant was not present at the March 25 meeting. The Advisory Chair stated that the applicant said he "was not ready." SMAC requests to review this project once the applicant is ready.
- Specific concerns for this project are focused primarily on generation of additional traffic at an intersection that is considered potentially unsafe -- US 101 and Wellsona Road. Advisory council would like information on traffic counts and whether the project would exceed the maximum number of trips for that intersection. Concerns stem from high speed, visibility, and left-turning trucks. People often bring up a recent 4-person fatality as a reason for their concern.

### DRC2014-00085 - Marsden

- San Miguel Advisory initially considered this item at their February meeting. Applicant was not present, and so no action was taken. Applicant was not present at the March meeting either.
- The advisory council feels they do not have sufficient information to consider the request at this time.
- The advisory council has questions as to what the use of the building will be. It's "warehousing", but what is being warehoused? Wine? They feel this may affect traffic generation, wastewater discharge, and water demand.
- The advisory council would like information on how much traffic the project would generate at the US 101 - Wellsona intersection, and in particular how many truck trips. As in Ormonde, there are similar concerns about approving new development that will increase traffic at what is perceived as an unsafe intersection.
- The advisory council would like additional information on wastewater discharge. There were questions as to whether a standard septic system would be needed or if they would be doing something that might generate the need for a small wastewater treatment system. There was some speculation that this project might hook in to the wastewater discharge facility that Mr. Marsden operates for the nearby Vines RV Park.

### DRC2014-00102 - Cross Canyons

- Applicant was not present at the meeting. The advisory council will consider this item at their April meeting.
- Initial concerns expressed were largely about the visibility and industrial appearance of the buildings. There was some discussion about using landscaping or architectural embellishment to create a more harmonious view from Cross Canyons Road.

Michael T. Conger  
Long Range Planning Division  
County of San Luis Obispo Dept. of Planning and Building  
Phone: (805) 781-5136  
Fax: (805) 781-5624  
Email: mconger@co.slo.ca.us