# 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.** ED17-117 **DATE:** April 5, 2018

**PROJECT/ENTITLEMENT:** Hammond Vineyard Grading Permit; PMT2017-00997

**APPLICANT NAME:** Phillip Hammond **Email:**
**ADDRESS:** 1219 N. Plaza Drive, Visalia, CA 93291
**CONTACT PERSON:** Robert C. Tartaglia **Telephone:** (805) 466-5660

**PROPOSED USES/INTENT:** Request by Phillip Hammond for a major grading permit to construct a 4-inch think compacted clay lined agricultural reservoir within an existing vineyard. The reservoir would be approximately 145 feet wide, 83 feet long, and 15 feet deep, with a maximum capacity of 7.2 acre feet of water for irrigation purposes. The project would result in a total of 1.47 acres of site disturbance, including an estimated 6,850 cubic yards of cut and 4,615 cubic yards of fill, on a 157.8-acre parcel. Cut and fill material would be balanced on-site. The reservoir is proposed to provide water storage for irrigation and frost protection for the existing Hammond Vineyard, which primarily farms grape vines. The reservoir would be supplied from an existing irrigation well located on the property.

**LOCATION:** The project is located on the east side of US 101 El Camino Real and north of CA 46, at 5330 Buena Vista Drive, directly west of the city limits of Paso Robles in the North County planning area, Salinas River sub area.

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

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

**OTHER POTENTIAL PERMITTING AGENCIES:** None

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

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

## Notice of Determination

**State Clearinghouse No.** _____

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

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

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

| Signature | Project Manager Name | Date | Public Agency |
|---|---|---|---|
| | Young Choi (ychoi@co.slo.ca.us) | | County of San Luis Obispo |

# 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 5.10)Using Form

## Project Title & No. Hammond Vineyard Grading Permit ED17-117 (PMT2017-00997)

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

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

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

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

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

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

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

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

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

Young Choi (ychoi@co.slo.ca.us) — 4/2/2018
Project Manager
Prepared by (Print) — Signature — Date

Airlin M. Singewald — 4/2/2018
Supervising Planner
Reviewed by (Print) — Signature — Date

# 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 5.10) Using Form

## Project Title & No. Hammond Vineyard Grading Permit ED17-117 (PMT2017-00997)

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

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

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

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

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

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

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

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

Young Choi (ychoi@co.slo.ca.us)
Project Manager

| Prepared by (Print) | Signature | Date |
|---|---|---|
| Airlin M. Singewald<br>Supervising Planner | | |
| Reviewed by (Print) | Signature | Date |

**Project Environmental Analysis**

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

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

## A. PROJECT

**DESCRIPTION:** The proposed project is a request by Phillip Hammond for a major grading permit to construct a 4-inch think compacted clay lined agricultural reservoir within an existing vineyard. The reservoir would be approximately 145 feet wide, 83 feet long, and 15 feet deep, with a maximum capacity of 7.2 acre feet of water for irrigation purposes. The project would result in a total of 1.47 acres of site disturbance, including an estimated 6,850 cubic yards of cut and 4,615 cubic yards of fill, on a 157.8-acre parcel. Cut and fill material would be balanced on-site. The project site is located on the south side of Buena Vista Road, approximately .50 miles west of Airport Road and Buena Vista Drive and is west of and adjacent to the City of Paso Robles. The project site is within the Salinas River Sub-Area, in the North County planning area.

The reservoir is proposed to provide water storage for irrigation and frost protection for the existing Hammond Vineyard, which primarily farms grape vines. The reservoir would be supplied from an existing irrigation well located on the property. The applicant has contractual rights to operate and use the water supply from the well. Access to the reservoir would be by existing dirt farm roads; no driveways would be constructed. Hammond Vineyard contains a total of 157-acres of grape vines under cultivation on the property. The project is located within Paso Robles Groundwater Basin. The reservoir would operate year-round, where reservoir would primarily be used for frost protection from February to April (full condition), and the reservoir would be used for irrigation during May through January (half-filled condition). The reservoir would allow greater flexibility in the irrigation practices that are associated with the existing vineyard operation.

**ASSESSOR PARCEL NUMBER(S):** 026-191-001

Latitude: 35° 40' 12.9" Longitude: 120° 39' 15.2" **SUPERVISORIAL DISTRICT** # 1

## B. EXISTING SETTING

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

**LAND USE CATEGORY**: Agriculture

**COMB. DESIGNATION**: Airport Review

**PARCEL SIZE**: 157.8 acres

**TOPOGRAPHY**: Nearly level

**VEGETATION**: Agriculture, Vineyard

**EXISTING USES**: Agricultural uses

**SURROUNDING LAND USE CATEGORIES AND USES:**

| | |
|---|---|
| *North:* Agriculture; agricultural uses (vineyard) | *East:* ; City of Paso Robles |
| *South:* Agriculture; agricultural uses (vineyard) | *West:* Agriculture; agricultural uses (vineyard) |

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

**Aesthetics**

**Setting.** The proposed project is located immediately west of and adjacent to the city limits of City of Paso Robles, within a predominately agricultural area. The visual setting of the area is characterized by large agricultural parcels with scattered oak trees and vineyards. Structural components in the area are composed of primarily scattered single family residences, wine processing facilities, agricultural barns, and public wine tasting rooms. Topography generally alternates between gently rolling hills and generally flat spans. The proposed project site vegetation is currently composed of grape vines. The site is generally flat and is bordered by Buena Vista Drive and dirt access road.

**Impact.** The project would not be visible from major public roadway or silhouette against any ridgelines as viewed from public roadways. View of the project would predominantly consist of those typical of an agricultural reservoir and would blend in with the surrounding area, which includes vineyards and agricultural reservoirs. The site does not include unique geological or physical features and no new lighting is proposed at the site. Therefore, no significant visual impacts are expected to occur.

**Mitigation/Conclusion.** No mitigation impacts related to aesthetics or visual resources would occur. No mitigation measures are necessary.

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

**Agricultural Resources**

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

Land Use Category: Agriculture

State Classification: Farmland of Statewide Importance, Prime Farmland if irrigated.

Historic/Existing Commercial Crops: Grape Varietal

In Agricultural Preserve? Yes

Under Williamson Act contract? No

Based on the California Department of Conservation, the Natural Resources Agency, Farmland Mapping and Monitoring Program (FMMP), and San Luis Obispo County Important Farmland Map (FMMP 2014), the project site contains Prime Farmland (if irrigated), and Farmland of Statewide Importance. The reservoir site is currently planted with grape vines and has been historically used as a vineyard.

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

Arbuckle fine sandy loam (2 - 9% slope). 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.

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.

Cropley clay (2 - 9% slope). This gently sloping soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.

Hanford and Greenfield fine sandy loams (0 - 2% slope).

Hanford. This nearly level, coarse loamy bottom soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: no severe limitations identified. The soil is considered Class IV without irrigation and Class I when irrigated.

Greenfield. This nearly level, coarse loamy bottom soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: no severe limitations identified. The soil is considered Class IV without irrigation and Class I when irrigated.

Hanford and Greenfield fine sandy loams (2 - 9% slope).

Hanford. This gently sloping, coarse loamy bottom soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: no severe limitations identified. The soil is considered Class IV without irrigation and Class II when irrigated.

Greenfield. This gently sloping, coarse loamy bottom soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: no severe limitations identified. The soil is considered Class IV without irrigation and Class II when irrigated.

**Impact.** The proposed project is considered an agricultural use and would support the production of the existing vineyards on the project site. Therefore, the project would not result in the conversion of agricultural or prime farmland to non-agricultural use. Construction and operation of the proposed reservoir would not adversely affect the existing vineyards onsite, and the storage of water would not significantly affect proximate agricultural uses. The project site is not under a Williamson Act contract and the proposed agricultural reservoir would not conflict with Williamson Act contracted parcels in the project vicinity.

The proposed project could result in additional pumping to fill the reservoir, potentially impacting agricultural water supplies at adjacent well sites. A hydrogeologic analysis study was prepared to determine if additional pumping would substantially impact agricultural water supplies on adjacent parcels. The results of the study determined that implementation of the project would result in approximately 1.4-ft to 2.9-ft drawdown at adjacent property owners during initial filling of the reservoir and less than 0.1 foot well drawdown during all other operational scenarios evaluated (Monsoon Consultants, 2017). This report was peer reviewed by the County's consultant, GSI Water Solutions, Inc., who estimated maximum drawdown at adjacent wells would be 2.3-ft to 3.5-ft foot and concluded that the effect on adjacent well users would be insignificant (GSI, 2017). The project was referred to the County Agriculture Commission. Commission responded in an email correspondence that as long as the irrigation pond is to support existing vineyard operation, there is no concern regarding the proposed project.

The project description states that the proposed reservoir provides irrigation and frost control for the existing on-site reservoir. Since extraction and exportation of groundwater outside of this area could result in a potentially significant impact to agricultural resources, Mitigation Measure AG-1 requires the project plans to clearly state that the purpose of the proposed reservoir is for on-site irrigation only and that off-site transfer of reservoir water and/or other uses of the reservoir are prohibited.

**Mitigation/Conclusion.** With implementation of mitigation measure AG-1 described in Exhibit B, Mitigation Summary Table, impacts to agriculture would be reduced to less than significant.

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

**Air Quality**

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

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

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

the earth's climate system. This is also known as climate change. These changes are now thought to be broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

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

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

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

For most projects the Bright-Line Threshold of 1,150 Metric Tons CO2/year (MT CO2e/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO2e/yr was adopted for stationary source (industrial) projects.

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

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

**Impact.** As proposed, the project will result in the disturbance of approximately 64,184 square feet (1.47 acres), which will include moving approximately 6,850 cubic yards of cut and 4,615 cubic yards of fill material. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. However, the project would be moving less than 1,200 cubic yards/day of material and would require less than four acres of grading. 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. 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. 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. Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be less significant and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required. Because this project's emissions fall under the threshold, no mitigation is required.

**Mitigation/Conclusion.** The project would result in limited short-term air quality impacts that would be minimized through compliance with County Land Use Ordinance requirements. Therefore, potential impacts on Air Quality and GHG emissions would be less than significant.

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

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

**Biological Resources**

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

On-site Vegetation: vineyards

Name and distance from blue line creek(s): Huerhuero Creek is located .75 miles west of the project site.

Habitat(s): vineyards

Natural Diversity Database identified the following sensitive species and sensitive plant communities as *potentially* occurring site:

Vegetation:

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

Obispo indian paintbrush (*Castilleja densiflora var. obispoensis*) List 1B

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

Wildlife:

Golden eagle (*Aquila chrysaetos*) FP

A site visit of the project site was made on December 1st, 2017 by EcoVision biologists, Dan Dugan and Barbie Dugan to inspect the project site. Nearly the entire 158 acre parcel is currently in wine grape cultivation and supports no grassland, scrubland, or other habitats. Mature valley oaks and few blue oaks are present within the rows of grape vines at various locations scattered throughout the vineyard. The areas between rows and around the vine stems are maintained by mowing and tilling to limit the establishment and growth of plants other than the grape vines. At this time, no evidence of vernal pools or potential areas for ponded water was observed. No other habitat was observed.

**Impact.** The project site is located in an existing vineyard with agricultural support structures. No special status biological resources were observed on the project site, and given the levels of existing disturbance at the project site and surrounding habitat conditions, no special status species are expected to occur and the potential for wildlife is considered low. Because the proposed project site is planted with vineyards and is being maintained by mowing and tilling, there was no indication of habitat suitable for supporting fairy shrimp, or sensitive aquatic animal or plant species associated with vernal pools.

With regards to the San Joaquin Kit Fox, applicant has provided a Kit Fox Habitat Evaluation Report (EcoVision Biologists; December 1, 2018) The report indicates the project will impact 1.47 acres of San Joaquin kit fox habitat. The evaluation form was reviewed by Mr. Brandon Sanderson of the California Department of Fish and Wildlife on January 4th, 2018. The evaluation, complete with Mr. Sanderson's changes, resulted in a score of 66, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). Total compensatory mitigation required for this project is 2.94 acres, based on 2 times 1.47 acres impacted.

**Mitigation/Conclusion.** With regards to the San Joaquin Kit Fox, the applicant will be required to mitigate the loss of **2.94** 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) Disturb archaeological resources?*** | ☐ | ☐ | ☒ | ☐ |
| ***b) Disturb historical resources?*** | ☐ | ☐ | ☒ | ☐ |
| ***c) Disturb paleontological resources?*** | ☐ | ☐ | ☒ | ☐ |
| ***d) Cause a substantial adverse change to a Tribal Cultural Resource?*** | ☐ | ☐ | ☒ | ☐ |
| ***e) Other:*** _____ | ☐ | ☐ | ☐ | ☐ |

**Cultural Resources**

**Setting.** The project is located in an area historically occupied by the Salinan/ Chumash . No historic structures are present and no paleontological resources are known to exist in the area.

No specific archaeological reports have been prepared within ¼ mile of the subject property. Per LUO Section 22.60.040(D), an archeological report (Phase 1) was determined unnecessary for the following reasons: during staff site visit, no resources or indicative features were observed that may have attracted pre-historic activities; the potential for resources was determined to be very low; and the proposed site has been previously disturbed, and is currently being utilized as a vineyard. Should any materials be unearthed during grading, LUO Section 22.10.040 requires that work must stop until the discovered resource is analyzed and adequately mitigated before work may continue.

In order to meet AB52 Cultural Resources requirements, outreach to four Native American tribes groups had been conducted (Northern Salinan, Xolon Salinan, Yak Tityu Tityu Northern Chumash, and the Northern Chumash Tribal Council). Comments were received from one of the tribal groups on November 10th, 2017 and a consultation was conducted on November 21st, 2017.

**Impact.** The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. No evidence of cultural materials was noted on the property. Per AB52, tribal consultation was performed and no resources were identified. Impacts to historical or paleontological resources are not expected.

**Mitigation/Conclusion.** No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary. However, in the event of an unanticipated discovery of archeological resources during earth-moving activities, mitigation measures have been recommended in Exhibit B, Mitigation Summary Table to reduce impacts to less than significant.

## 6. GEOLOGY AND SOILS

*Will the project:*

| | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|---|---|---|---|
| ***a) Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?*** | ☐ | ☐ | ☒ | ☐ |

| 6. GEOLOGY AND SOILS<br>*Will the project:* | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|---|---|---|---|
| ***b) Be within a California Geological Survey "Alquist-Priolo" Earthquake Fault Zone", or other known fault zones*?*** | ☐ | ☐ | ☒ | ☐ |
| ***c) Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?*** | ☐ | ☐ | ☒ | ☐ |
| ***d) Include structures located on expansive soils?*** | ☐ | ☐ | ☒ | ☐ |
| **e) *Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?*** | ☐ | ☐ | ☒ | ☐ |
| ***f) Preclude the future extraction of valuable mineral resources?*** | ☐ | ☐ | ☒ | ☐ |
| ***g) Other:*** _____ | ☐ | ☐ | ☐ | ☐ |

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

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

Topography: Nearly level

Within County's Geologic Study Area?: No

Landslide Risk Potential: High

Liquefaction Potential: Low

Nearby potentially active faults?: No Distance? N/A

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

Shrink/Swell potential of soil: Low

Other notable geologic features? None

**Geology and Soils**

**Impact.** The following analysis is based on the Geotechnical Engineering Report for the proposed project (Hallin Geotechnical, 2017).

The proposed project would result in the disturbance of approximately 1.47 acres, including a total of 6,850 cubic yards of cut and 4,615 cubic yards of fill. During grading activities, there is a potential for erosion and down-gradient sedimentation to occur. The applicant has included proposed grading and erosion control measures to be implemented during construction on the project site. These measures include protection of slopes, stockpiles, disturbed areas, and access areas, hydroseeding with approved erosion control material, and site inspections and maintenance of all erosion control measures. A sedimentation and erosion plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize potential impacts related to erosion control material, maintaining setbacks from

creeks, and siltation. The plan must be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Agricultural reservoirs are exempt from the requirement to prepare a Stormwater Pollution Prevention Plan (SWPPP).

Based on the findings of the Geotechnical Engineering Report prepared for this project, the site topography and exposed soil types indicate that the potential for landslides is minimal and no evidence of previous landslides was observed at the site. The applicant is required to comply with existing Land Use Ordinance standards, including Sections 22.52.100 (Grading Plan Requirements) and 22.52.150 (Standards). The project would conform to County Standards and Specification (Sections 11-351.1403 and 11.351-1404) and incorporate specific geotechnical design recommendations. Compliance with these practices and other applicable standards would typically indicate that risks to people and/or structures, including those related to unstable earth conditions, were properly safeguarded against.

The proposed project site does not lie immediately within an Earthquake Fault Zone. Based on the quality and conditions of the in-place soils and the absence of a high water table, it was determined that the potential for liquefaction and/or lateral spreading is low at the proposed project site. The Geotechnical Engineering Report prepared for the project site found that the site is suitable for the proposed development provided that the recommendations contained in the report are properly implemented into the project. 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.** Based on compliance with existing regulations and recommendations in the Geotechnical Engineering Report, no significant geologic or soil impacts would occur. There is no evidence that measures above what will already be required by ordinance or codes are needed.

| **7. HAZARDS & HAZARDOUS MATERIALS** - ***Will the project:*** | **Potentially Significant** | **Impact can & will be mitigated** | **Insignificant Impact** | **Not Applicable** |
|---|---|---|---|---|
| ***a) Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*** | ☐ | ☐ | ☒ | ☐ |
| ***b) Create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*** | ☐ | ☐ | ☒ | ☐ |
| ***c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?*** | ☐ | ☐ | ☒ | ☐ |

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

**Hazards and Hazardous Materials**

**Setting.** The project is not located in an area of known hazardous material contamination. The project is not within a 'high' or 'very high' severity risk area for fire. The project is within the Paso Robles Airport Review area. Due to location, fire hazard severity data is unavailable. Based on the County's fire response time map, it will take approximately 5-15 minutes to respond to a call regarding fire or life safety. Refer to the Public Services section for further discussion on Fire Safety impacts.

**Impact**. The project proposes the construction of an agricultural reservoir to support existing vineyards. The project would be constructed in accordance with industry standards and consistent with applicable codes. The project would not include the construction of buildings for human habitation and therefore would not expose people to a substantial new hazard. The project does not propose the use of hazardous materials, nor the generation of hazardous wastes. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional emergency response or evacuation plan.

**Mitigation/Conclusion.** No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

## 8. NOISE

| *Will the project:* | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|---|---|---|---|
| ***a) Expose people to noise levels that exceed the County Noise Element thresholds?*** | ☐ | ☐ | ☒ | ☐ |
| ***b) Generate permanent increases in the ambient noise levels in the project vicinity?*** | ☐ | ☐ | ☒ | ☐ |
| ***c) Cause a temporary or periodic increase in ambient noise in the project vicinity?*** | ☐ | ☐ | ☒ | ☐ |
| ***d) Expose people to severe noise or vibration?*** | ☐ | ☐ | ☒ | ☐ |
| ***e) If located within the Airport Review designation or adjacent to a private airstrip, expose people residing or working in the project area to severe noise levels?*** | ☐ | ☐ | ☒ | ☐ |
| ***f) Other:*** _____ | ☐ | ☐ | ☐ | ☐ |

**Noise**

**Setting.** The project is not considered a "noise sensitive land use" and is not within close proximity of loud noise sources. The proposed project is located within an agricultural area and based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an applicable threshold area. There are no sensitive receptors located within 1,000 feet of the project's proposed areas of disturbance.

The project is within the Airport Review designation and the area is subject to relatively low aircraft flyovers.

**Impact**. The project is not expected to generate loud noises, nor conflict with the surrounding uses. The project is located within an agricultural area and based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area. The project would not generate loud noises, nor conflict with the surrounding uses. Operation of the reservoir would not generate an increase in existing noise levels and the project would not expose people to significant increased noise levels in the long term.

During the construction phase of the project, noise generated from construction activities may intermittently dominate the noise environment in the immediate area. Short-term construction noise would be limited in nature and duration. Construction-related noise would not be substantially different from existing farm equipment uses and construction activities would be limited to the daytime hours of 7:00 a.m. to 9:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday or Sunday, consistent with County construction noise exception standards (County Code Section 22.10.120.A). Therefore, potential construction-related noise impacts would be less than significant.

**Mitigation/Conclusion.** No long-term change in noise levels would occur. Short-term construction related noise would be limited in nature and duration and would only occur during appropriate daytime hours. Therefore, potential impacts would be less than significant.

| 9. POPULATION/HOUSING<br>*Will the project:* | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|---|---|---|---|
| ***a) Induce substantial growth in an area either directly (e.g., construct new homes or businesses) or indirectly (e.g., extension of major infrastructure)?*** | ☐ | ☐ | ☒ | ☐ |
| ***b) Displace existing housing or people, requiring construction of replacement housing elsewhere?*** | ☐ | ☐ | ☒ | ☐ |
| ***c) Create the need for substantial new housing in the area?*** | ☐ | ☐ | ☒ | ☐ |
| ***d) Other:*** _____ | ☐ | ☐ | ☐ | ☒ |

**Population/Housing**

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

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

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated. No mitigation measures are necessary.

| 10. PUBLIC SERVICES/UTILITIES<br>*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:* | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|---|---|---|---|
| ***a) Fire protection?*** | ☐ | ☐ | ☒ | ☐ |
| ***b) Police protection (e.g., Sheriff, CHP)?*** | ☐ | ☐ | ☒ | ☐ |
| ***c) Schools?*** | ☐ | ☐ | ☒ | ☐ |
| ***d) Roads?*** | ☐ | ☐ | ☒ | ☐ |
| ***e) Solid Wastes?*** | ☐ | ☐ | ☒ | ☐ |
| ***f) Other public facilities?*** | ☐ | ☐ | ☐ | ☒ |
| ***g) Other:*** _____ | ☐ | ☐ | ☐ | ☐ |

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

| | | |
|---|---|---|
| Police: County Sheriff | Location: Templeton (7.5 miles to the south from project site) | |
| Fire: Cal Fire (formerly CDF) | Hazard Severity: Not Applicable | Response Time: 5-15 minutes |
| Location: 4050 Branch St., Paso Robles, CA 93446 (Approximately 3.9 miles to the east) | | |
| School District: Not Applicable | | |

**Public Services**

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

**Impact**. The proposed project is a request to construct one reservoir to serve existing agricultural uses and would not generate substantial long-term increases in demand for fire protection, police protection, schools, roads, solid waste, or other public services or utilities. Electrical demands of the project would be negligible and electrical service is available immediately adjacent to the project site. The proposed project site would be accessed by existing local and farm roads and would not generate substantial long-term operational trips. Cut and fill material would be balanced on-site and the project would not generate substantial amounts of solid waste requiring disposal. Therefore, potential impacts on public services or utilities would be less than significant.

**Mitigation/Conclusion.** No significant impacts to public services or utilities would occur. No mitigation measures are necessary.

| **11. RECREATION** *Will the project:* | **Potentially Significant** | **Impact can & will be mitigated** | **Insignificant Impact** | **Not Applicable** |
|---|---|---|---|---|
| ***a) Increase the use or demand for parks or other recreation opportunities?*** | ☐ | ☐ | ☒ | ☐ |
| ***b) Affect the access to trails, parks or other recreation opportunities?*** | ☐ | ☐ | ☒ | ☐ |
| ***c) Other _____*** | ☐ | ☐ | ☐ | ☒ |

**Recreation**

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

**Impact**. The project would be located within privately-owned operational agricultural parcels that primarily support existing vineyards. Construction and operation of the proposed reservoir would not have any adverse effects on existing or planned recreational opportunities in the County. The proposed project would not create a significant need for additional park, Natural Area, and/or recreational resources.

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

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

**Transportation**

**Setting.** The County has established the acceptable Level of Service (LOS) on roads for this rural area as "C" or better. The existing road network in the area is operating at acceptable levels. Based on existing road speeds and configuration, sight distance is considered acceptable. Referrals were sent to County Public Works. No significant traffic-related concerns were identified. The project is not located within a County road fee area.

The project is within the County's Airport Review combining designation (AR). The AR is used to recognize and minimize the potential conflict between new development around the Paso Robles Municipal airport and the ability of aircraft to safely and efficiently maneuver to and from this airport. This includes additional standards relating to limiting structure/vegetation heights as well as avoiding airport operation conflicts (e.g., exterior lighting, radio/electronic interference, etc.). The Airport Land Use Plan (ALUP) provides guidance for and limitations to the type of development allowed within the AR designation. Per the ALUP, the proposed use is considered compatible. All projects within the AR designation are required to obtain an avigation easement to secure avigable airspace.

**Impact**. The proposed project includes construction of an agricultural reservoir to serve an existing agricultural operation. Short-term construction related trips would be minimal and area roadways are

operating and acceptable levels and would be able to accommodate construction related traffic.

After construction activities are complete, the proposed project would not increase vehicle trips on the existing roadway network. Long-term maintenance and operational trips would not substantially differ from existing onsite vineyard operations. As a result, the proposed project would have no long-term impact on existing road service or traffic safety levels. The project does not conflict with adopted policies, plans and programs related to transportation.

**Mitigation/Conclusion**. Applicant will be required to obtain an avigation easement to secure avigable airspace, as conditioned. No significant traffic impacts were identified, and no mitigation measures above what are already required by ordinance are necessary.

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

**Wastewater**

**Setting/Impacts.** The proposed project would not generate wastewater or require wastewater disposal during project operation. Construction-related wastewater would be accommodated by licensed on-site portable restroom and hand-washing facilities and disposed of in accordance with existing regulations.

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

| 14. WATER & HYDROLOGY<br>*Will the project:* | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|---|---|---|---|
| ***QUALITY*** | | | | |
| ***a) Violate any water quality standards?*** | ☐ | ☐ | ☒ | ☐ |
| ***b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, sediment, temperature, dissolved oxygen, etc.)?*** | ☐ | ☐ | ☒ | ☐ |
| ***c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?*** | ☐ | ☐ | ☒ | ☐ |

## 14. WATER & HYDROLOGY

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

**Water**

**Setting.** The proposed project is within the Salinas/Estrella water planning area. The project proposes to obtain its water needs from an on-site well. The project site and well location are within the Paso Robles Ground Water Basin, which is an LOS III groundwater basin.

The topography of the project site is nearly level to gently rolling. The closest creek from the proposed development is approximately .75 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low 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, however, agricultural reservoirs are exempt from SWPPP. When work is done in the rainy season, the County's Land Use Ordinance requires that temporary erosion and sedimentation measures to be installed.

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

Within the 100-year Flood Hazard designation? No

Closest creek? Huerhuero Creek Distance? Approximately .75 miles to the west

Soil drainage characteristics: 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: Low to 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.

Section 19.07.042(d) of the Building and Construction Ordinance, Title 19, requires Offset Clearance from the Department of Planning and Building for projects overlying the Paso Groundwater Basin, prior to building permit issuance, verifying that new water use has been offset at a 1:1 ratio. This standard does apply to the proposed project since it would use an existing well.

On March 21, 2017, the County Board of Supervisors adopted Ordinance No. 3345, which establishes permitting procedures, application content requirement, and development standards related to agricultural ponds, reservoirs, and basins. The ordinance eliminated the Alternative Review Program as a permitting option for agricultural ponds; requires all grading permits for agricultural ponds to include a hydrogeologic analysis to study how groundwater pumping to fill the reservoir would affect the groundwater supplies and neighboring well levels; requires ponds overlying an LOS III groundwater basin to offset evaporative water loss on a 1:1 basis; and requires all ponds to incorporate design features and management strategies to minimize evaporations. The ordinance also requires the Notice of Intent to Adopt a Negative or Mitigated Negative Declaration to be sent to all landowners within 1,000 feet of the subject property.

**Impact – Water Quality/Hydrology**

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

- ✓ Approximately 64,033 square feet (1.47 acres) of site disturbance is proposed and the movement of approximately 4,615 cubic yards of material;
- ✓ The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- ✓ The project 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;
- ✓ Stockpiles will be properly managed during construction to avoid material loss due to erosion;
- ✓ All hazardous materials and/or wastes will be properly stored on-site, which include secondary containment should spills or leaks occur;

Implementation of these County standards would reduce the project's water quality impacts to less than significant.

**Water Quantity**

Water used to fill the reservoir would be sourced from an existing irrigation well within Hammond Vineyard, which is owned by the applicant. The applicant has contractual rights to operate and use the water supply from the referenced wells. The reservoir would be used to irrigate a total of 157 acres of

wine grapes on the project parcel.

The proposed reservoir would be located next to an existing irrigation well and would utilize the existing irrigation system. No expansion of agricultural uses or direct increase in water demands would occur as a result of the project.

The proposed reservoir would have a maximum storage capacity of 7.2 acre-feet. The reservoir would be lined with a 4-inch compacted clay liner, which would protect from leakage into the subsurface.

The applicant submitted a hydrogeologic report (Monsoon Consultants, 2017) to analyze the potential impacts of onsite pumping on adjacent wells in close proximity to the project. GSI Water Solutions, Inc. peer reviewed the report and concurred with the conclusion that the project's impact on the groundwater level would be insignificant and temporary. Initial filling of the reservoir to full capacity (5 acre-feet) is proposed to take place over 5.5-days and result in a drawdown of approximately 2.3 to 3.5 feet in surrounding offsite wells and less than 0.1 foot well drawdown during all other operational scenarios evaluated. This initial filling of the reservoir is a one-time event and the groundwater levels of the affected offsite wells would be expected to recover within a few days. The impact on the groundwater level would be temporary, therefore this would not be considered a significant impact.

The proposed project would result in long-term evaporative water losses through surface evaporation of stored water in the reservoir. The 2017 Monsoon report estimated the project would result in an annual evaporative loss of 1.81 acre-feet per year. The applicant's hydrogeologic analysis was peer reviewed by the County's consultant, GSI Water Solutions and concurred with the conclusion.

The proposed project is located within Paso Robles Ground Water Basin (PRGWB). The project applicant is required to offset 1.81 acre-feet of annual net evaporative losses described in the previous paragraphs of this report. A 1:1 net evaporative water loss offset will be required through the elimination of existing grape vines. Applicant proposes to offset the water loss through the elimination of existing grape vines which are currently located on approximately 1.73 acres of planted ground in the general footprint area of the proposed reservoir. The elimination of approximately 1.73 acres of existing vineyard will result in a decrease in irrigation demand for the existing Hammond Vineyard of approximately 2.16 AF/ac/yr. This reduction of irrigation demand meets and exceeds the 1:1 offset requirement as required by Ordinance No. 3345, therefore no significant impact is expected to occur.

**Mitigation/Conclusion.** The applicant would be required to prepare a drainage plan and sedimentation and erosion control plan in accordance with the County of San Luis Obispo Land Use Ordinance. Compliance with these existing regulations would ensure potential impacts related to drainage, sedimentation, and erosion would be less than significant; therefore water quality related impacts would be less than significant.

The initial filling of the reservoir would result in drawdown at adjacent well by 2.3 to 3.5 feet. This initial filling of the reservoir is a one-time event, and groundwater level of the affected wells are expected to recover within few days. Therefore, initial fill of the reservoir would not be considered a significant impact.

During operation, the project would result in an annual evaporative loss of 1.81 acre-feet per year. The applicant proposes to eliminate approximately 1.73 acres of existing vineyard, which will result in a decrease in irrigation demand for the existing Hammond Vineyard. This reduction of irrigation demand meets the 1:1 offset requirement as required by the County. Therefore, no substantial long-term adverse impacts on water quantity would occur.

This project would not require connection to any existing water, or stormwater facilities and would not affect, or exceed the capacity of existing facilities or community water service provider. The project is not within the 100-year flood zone and would not increase the risk of flooding or inundation. Therefore, potential impacts related to water service providers and flooding would be less than significant.

## 15. LAND USE

***Will the project:***

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

**Land Use**

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

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

The proposed project is not subject to the 1:1 offset requirement in Title 19 for projects overlying the Paso Robles Groundwater Basin because it would use an existing well. However, the project would be required by the agricultural ponds ordinance (Ord. No. 3345) to offset evaporative water loss on a 1:1 basis. The project meets this requirement because the pond would replace 1.73 acres of vineyard land, which would reduce water use for irrigation by 2.16 acre-feet per year.

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 22.94.020 A Paso Robles Airport Review Area
3. LUO Section 22.94.080 Salinas River Sub- Area

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

## 16. MANDATORY FINDINGS OF SIGNIFICANCE

*Will the project:*

| | Potentially Significant | Impact can & will be mitigated | Insignificant Impact | Not Applicable |
|---|---|---|---|---|
| ***a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?*** | ☐ | ☐ | ☒ | ☐ |
| ***b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*** | ☐ | ☐ | ☒ | ☐ |
| ***c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*** | ☐ | ☐ | ☒ | ☐ |

For further information on CEQA or the County's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Information", or the California Environmental Resources Evaluation System at: http://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:

| Contacted | Agency | Response |
|---|---|---|
| ☒ | County Public Works Department | **In File**** |
| ☐ | County Environmental Health Services | **Not Applicable** |
| ☒ | County Agricultural Commissioner's Office | **In File**** |
| ☒ | County Airport Manager | **In File**** |
| ☐ | Airport Land Use Commission | **Not Applicable** |
| ☐ | Air Pollution Control District | **Not Applicable** |
| ☐ | County Sheriff's Department | **Not Applicable** |
| ☐ | Regional Water Quality Control Board | **Not Applicable** |
| ☐ | CA Coastal Commission | **Not Applicable** |
| ☒ | CA Department of Fish and Wildlife | **Attached** |
| ☐ | CA Department of Forestry (Cal Fire) | **Not Applicable** |
| ☐ | CA Department of Transportation | **Not Applicable** |
| ☐ | Community Services District | **Not Applicable** |
| ☐ | Other _____ | **Not Applicable** |
| ☒ | Other AB 52 _____ | **In File**** |

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

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

☒ Project File for the Subject Application

County documents

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

Other documents

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

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


1. San Luis Obispo County Air Pollution Control District (APCD). 2001. *Clean Air Plan – San Luis Obispo County*. December 2001.
2. GSI Water Solutions, Inc. 2018. *Review of Hammond Vineyard Agricultural Storage Pond Hydrogeologic Analysis.* January 2017.
3. Natural Resources Conservation Service. *Web Soil Survey National Cooperative Soil Survey.* Accessed November 14, 2017.
4. Monsoon Consultants. 2017. *Hydrogeologic Analysis for the Proposed Agricultural Irrigation Storage and Frost Protection Reservoir to be Constructed at the Hammond Vineyard.* September 2017.

# 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.

## Agriculture

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

## Biology/San Joaquin Kit Fox

The Kit Fox Evaluation, which was completed for PMT2017-00997 (Hammond), on December 1st, 2017 by EcoVision, indicates your project will impact 1.47-acres of San Joaquin kit fox habitat. The evaluation form was reviewed by Mr. Brandon Sanderson of the California Department of Fish and Game on January 4th, 2018. The evaluation, complete with Mr. Sanderson's changes, resulted in a score of 66, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted [2:1]. Total compensatory mitigation required for the project is 2.94 acres, based on 2 times 1.47 acres impacted. The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should your project change, your mitigation obligation may also change, and a re-evaluation of your 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) 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 **2.94** 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) and the County.

*This mitigation alternative (a) above requires that all aspects if 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", would total* ***$7,350.00****. 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 about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.*

c) Purchase **2.94** 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. 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* ***$7,350.00.*** *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.*

**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. The retained biologist shall perform the following monitoring activities:

d) **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.

e) 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 BR-11. 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.

f) **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 (see contact information below) 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 determines 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. 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.

g) 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 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 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:

h) If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".

i) 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.

## Cultural Resources

**CR-1** In the event that archeological resources are unearthed or discovered during any construction activities, the following standards apply:

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

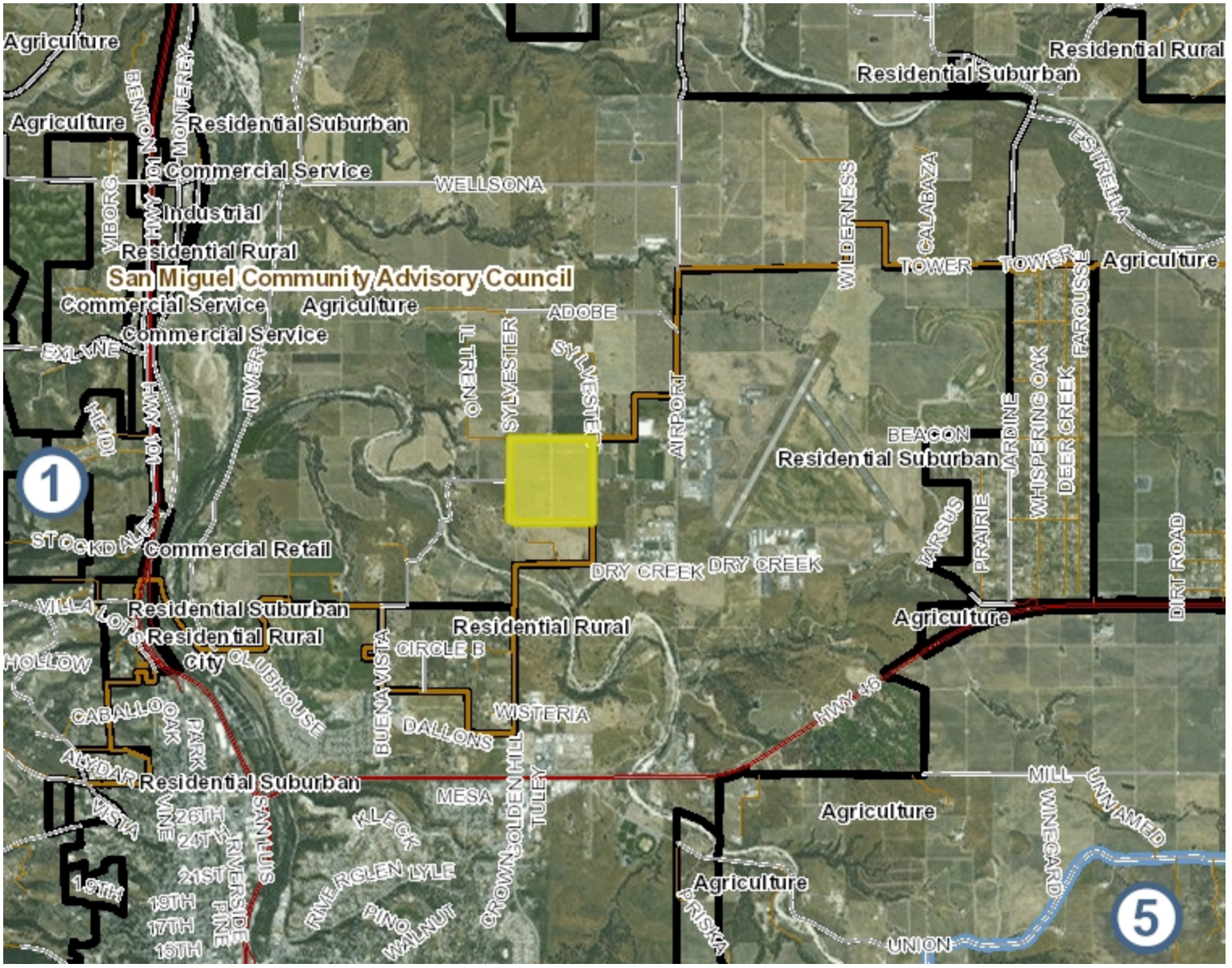
In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the Coroner shall be notified in addition to the County of San Luis Obispo Project Manager so proper disposition may be accomplished.

## Transportation

**TR-1** Prior to the issuance of a construction permit, the property owner shall grant an avigation easement to the County of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel. Based on the encumbrances identified in the preliminary title report submitted to the County, additional documents, including, without limitation, a Consent of Lienholder or Consent of Lessee, may be required in connection with the avigation easement.

Department of Planning & Building

# Interactive Data Viewer




## Legend

Roads
- CalTrans
- Maintained by SLO CO
- Private Maintenance
- Federal or State Maintenance

Community Advisory Groups
- Community Advisory Group Boundary
- Creston Advisory Body Sub Areas

Supervisor Districts

Land Use Outlines

-12,037.30 0 6,018.65 12,037.30 Feet 1: 72,224

WGS_1984_Web_Mercator_Auxiliary_Sphere

Department of Planning & Building

# Interactive Data Viewer


## Legend

- SLO County Parcels
- Roads
  - CalTrans
  - Maintained by SLO CO
  - Private Maintenance
  - Federal or State Maintenance

-1,504.66 0 752.33 1,504.66 Feet 1: 9,028

WGS_1984_Web_Mercator_Auxiliary_Sphere



The County of San Luis Obispo does not assume liability for any damages caused by errors or omissions in the data and makes no warranty of any kind, express or implied, that these data are accurate and reliable.

Map for Reference Purposes Only

N
1"= 1200'

183

BUENA VISTA RD.

10 11
15 14

5330

N 88 20'43" W 2623.11

01
158.7 AC±

1350.20

16

20.01

1.

N 1 44'22" E 1213.13

2629.66 N 1 48'01" E

025/434

163.62

68.39

2476.20 N 88 24'02" W

14

2.

N 1 18'54" E 1302.10

35
75.2 AC±

1299.69 N 1 48'19" E

R 5 / 35 43

2465.10 N 88 27'23" W

020/012

025/435

11 12
14 13

PASO ROBLES AIRPORT

RD.

AIRPORT

DRY CREEK RD.

14 13
23 24

13 18
24 19

R. 12 E.
R. 13 E.

24

| REVISIONS | |
|---|---|
| I.S. | DATE |
| NA | 11-20-03 |
| NA | 12-05-05 |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

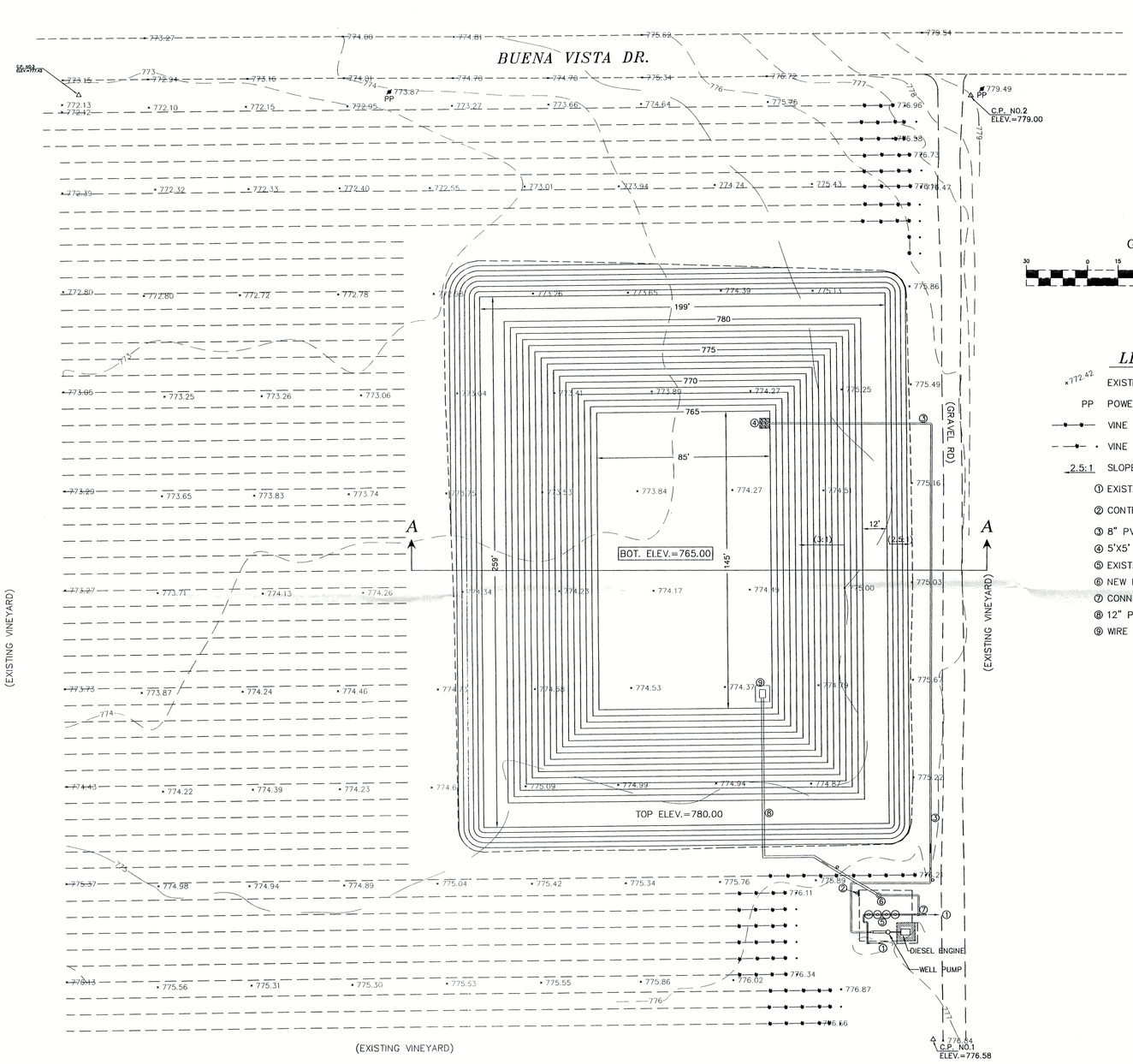
600' 0 1200' 2400'

GB 02-27-96 THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.

T 26 S., R. 12 E., M.D.B.M., PTN. SECS. 13, 14 & 24

PASO ROBLES VICINITY
ASSESSOR'S MAP, COUNTY OF SAN LUIS OBISPO, CA.
BOOK 026 PAGE 191

CUT: 6850 CU.YD.
FILL: 4615 CU.YD.




GRAPHIC SCALE

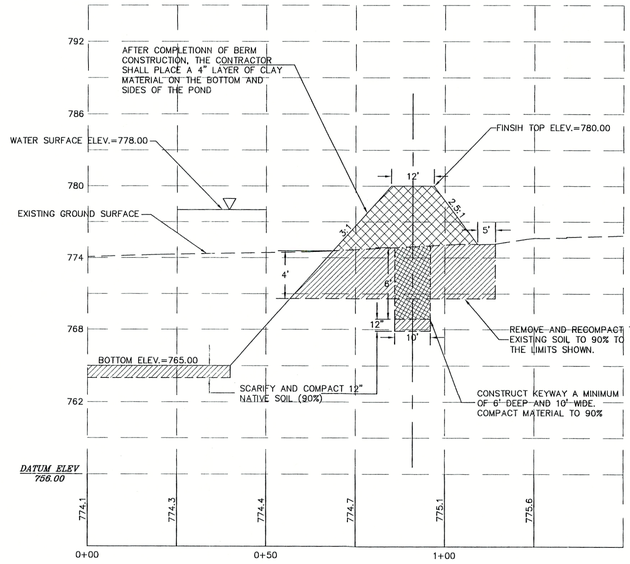
30 0 15 30 60 120

( IN FEET )
1 inch = 30 ft.

## LEGEND

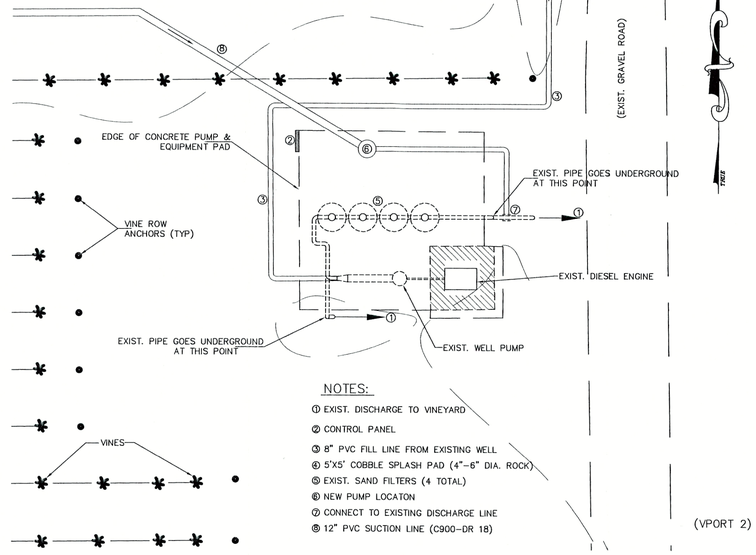
- ×772.42 EXISTING GROUND ELEVATION
- PP POWER POLE
- VINE ROW
- VINE ROW ANCHOR
- 2.5:1 SLOPE AND DIRECTION
- ① EXIST. DISCHARGE TO VINEYARD
- ② CONTROL PANEL
- ③ 8" PVC FILL LINE FROM EXISTING WELL
- ④ 5'X5' COBBLE SPLASH PAD (4"–6" DIA. ROCK)
- ⑤ EXIST. SAND FILTERS
- ⑥ NEW PUMP LOCATON
- ⑦ CONNECT TO EXISTING DISCHARGE LINE
- ⑧ 12" PVC SUCTION LINE (C900–DR 18)
- ⑨ WIRE INLET CAGE AND CONCRETE SLAB

(VPORT 1)




## TYPICAL BERM DETAIL

SCALES: 1"=20' HORIZ.
1"= 6' VERT.




NOTES:

① EXIST. DISCHARGE TO VINEYARD
② CONTROL PANEL
③ 8" PVC FILL LINE FROM EXISTING WELL
④ 5'X5' COBBLE SPLASH PAD (4"–6" DIA. ROCK)
⑤ EXIST. SAND FILTERS (4 TOTAL)
⑥ NEW PUMP LOCATON
⑦ CONNECT TO EXISTING DISCHARGE LINE
⑧ 12" PVC SUCTION LINE (C900–DR 18)

(VPORT 2)

## WELL SITE AND EQUIPMENT AREA DETAIL

SCALE: 1"=10'

*UNDERGROUND SERVICE ALERT*
811
*DIAL 811*
*TWO WORKING DAYS BEFORE YOU DIG*

# GRADING PLAN & DETAILS

5330 BUENA VISTA DR. - PASO ROBLES

| REV. | DESCRIPTION | DATE | APP. |
|---|---|---|---|
| 1 | – | – | – |


TARTAGLIA ENGINEERING
CIVIL ENGINEERS
7360 El Camino Real, Suite E, Atascadero, CA 93422
805-466-5660 FAX: 805-466-5471


*P. HAMMOND*

REGISTERED PROFESSIONAL ENGINEER
ROBERT C. TARTAGLIA
No. 24084
Exp 12/31/17
CIVIL
STATE OF CALIFORNIA

| | |
|---|---|
| DESIGN | RCT |
| DRAWN | RCT |
| CHECKED | XXX |
| SCALE | AS NOTED |
| DWG.NO. | 17–15 |
| DATE | 09/15/17 |

3 OF 4

COUNTY OF SAN LUIS OBISPO
**Department of Public Works**
**Wade Horton,** *Director*

REFERRAL

Date: October 23, 2017

To: Holly Phipps, Project Planner

From: Glenn Marshall, Development Services

**Subject: Public Works Comments on PMT2017-00997 Hammond Vineyard LP GP, Buena Vista Dr., Paso Robles, APN 026-191-001**

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 is within a drainage review area. Drainage plan is required to be prepared by a registered civil engineer and it will be reviewed at the time of Building Permit submittal by Public Works. The applicant should review Chapter 22.52.110 or 23.05.040 of the Land Use Ordinance prior to future submittal of development permits.

B. This project is not a regulated project as it appears to not meet the applicability criteria for Storm Water Management (it is located outside a MS4 Stormwater Management area). Therefore, no Storm Water Control Plan is required.

**Recommended Project Conditions of Approval**:

Drainage

1. **At the time of application for construction permits,** the applicant shall submit complete drainage plans and report prepared by a licensed civil engineer for review and approval in accordance with Section 22.52.110 (Drainage) or 23.05.040 (Drainage) of the Land Use Ordinance.

2. **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.

3. **Prior to issuance of construction permits**, the applicant shall provide evidence satisfactory to the Department of Planning and Building that the Army Corps of Engineers and the California Department of Fish and Game environmental permits have either been secured or that the regulatory agency has determined that their permit is not required.

4. **Prior to issuance of construction permits**, the applicant shall provide evidence satisfactory to the Department of Planning and Building that the CA Department of Water Resource, Division of Safety of Dams permits have either been secured or that the regulatory agency has determined that their permit is not required.

/Volumes/groups/Development/_DEVSERV Referrals/Land Use Permits/GP/PMT2017-00997 Hammond Vineyard LP Paso Robles.docx
UPDATED: October 23, 2017


County Govt Center, Room 206 | San Luis Obispo, CA 93408 | (P) 805-781-5252 | (F) 805-781-1229
pwd@co.slo.ca.us | slocounty.ca.gov

# Kit Fox Habitat Evaluation Form

## Cover Sheet

**Project Name**: Hammond Vineyards Irrigation Pond **Date**: 1 December 2017

**Project Location***: 5330 Buena Vista Drive, Paso Robles, CA

*Include project vicinity map and project boundary on copy of U.S.G.S. 7.5 minute map (size may be reduced)

**U.S.G.S. Quad Map Name:** Paso Robles

**Lat/Long or UTM coordinates (if available):** 35.672887; -120.654420

**Project Description:** Construction of irrigation pond

**Project Size:** 1.47 **Acres** **Amount of Kit Fox Habitat Affected:** 1.47 **Acres**

**Quantity of WHR Habitat Types Impacted (i.e. - 2 acres annual grassland, 3 acres blue oak woodland):**

**WHR type** Vineyard 1.47 **Acres**

**WHR type** _____ **Acres**

**WHR type** _____ **Acres**

**WHR type** _____ **Acres**

**Comments:** Chain-link fence for former Paso Robles Youth Correctional Facility forms an impenetrable barrier to SJKF along the southern half (0.25 miles [0.40 km]) of the eastern property line.

**Form Completed By:**

Dan Dugan- Principal Biologist

*Rev 3/02 G:envdiv/forms/kit fox habitat*

# San Joaquin Kit Fox Habitat Evaluation form

**Is the project area within 10 miles of a recorded San Joaquin kit fox observation or within contiguous suitable habitat as defined in question 2 (A-E)**

**(Yes) - Continue with evaluation form**

**No - Evaluation form/surveys are not necessary**

**1. Importance of the project area relative to Recovery Plan for Upland Species of the San Joaquin Valley, California (Williams et al., 1998)**

(A.) Project would block or degrade an existing corridor linking core populations or isolate a subpopulation (20)
B. Project is within core population (15)
C. Project area is identified within satellite populations (12)
(D.) Project area is within a corridor linking satellite populations (10)
E. Project area is not within any of the previously described areas but is within known kit fox range (5)

**2. Habitat characteristics of project area.**

A. Annual grassland or saltbush scrub present >50% of site (15)
B. Grassland or saltbush scrub present but comprises<50% of project area (10)
C. Oak savannah present on >50% of site (8)
D. Fallow ag fields or grain/alfalfa crops (7)
(E.) Orchards/vineyards (5)
F. Intensively maintained row crops or suitable vegetation absent (0)

**3. Isolation of project area.**

(A.) Project area surrounded by contiguous kit fox habitat as described in Question 2a-e (15)
(B.) Project area adjacent to at least 40 acres of contiguous habitat or part of an existing corridor (10)
C. Project area adjacent to <40 acres of habitat but linked by existing corridor (i.e., river, canal, aqueduct) (7)
D. Project area surrounded by ag but less than 200 yards from habitat (5)
E. Project area completely isolated by row crops or development and is greater than 200 yards from potential habitat (0)

**4. Potential for increased mortality as a result of project implementation. Mortality may come from direct (e.g., - construction related) or indirect (e.g., - vehicle strikes due to increases in post development traffic) sources.**

A. Increased mortality likely (10)
(B.) Unknown mortality effects (5)
C. No long term effect on mortality (0)

**5. Amount of potential kit fox habitat affected.**

A. >320 acres (10)
B. 160 - 319 acres (7)
C. 80 - 159 acres (5)
D. 40 - 79 acres (3)
(E) < 40 acres (1)

**6. Results of project implementation.**

(A) Project site will be permanently converted and will no longer support foxes (10)
B. Project area will be temporarily impacted but will require periodic disturbance for ongoing maintenance (7)
C. Project area will be temporarily impacted and no maintenance necessary (5)
D. Project will result in changes to agricultural crops (2)
E. No habitat impacts (0)

**7. Project Shape**

(A) Single Block (10)
B. Linear with > 40 foot right-of-way (5)
C. Linear with < 40 foot right-of-way (3)

**8. Have San Joaquin kit foxes been observed within 3 miles of the project area within the last 10 years?**

A. Yes (10)
(B) No (0)

**Scoring**

| | | |
|---|---|---|
| 1. | Recovery importance | ~~10~~ 20 |
| 2. | Habitat condition | 5 |
| 3. | Isolation | ~~10~~ 15 |
| 4. | Mortality | 5 |
| 5. | Quantity of habitat impacted | 1 |
| 6. | Project results | 10 |
| 7. | Project shape | 10 |
| 8. | Recent observations | 0 |
| **TOTAL** | | ~~51~~ 66 |

Revised by Brandon Sanderson with CDFW on 1/4/18.

# RE: Hammond Irrigation Pond

Sanderson, Brandon@Wildlife <Brandon.Sanderson@wildlife.ca.gov>

Fri 2/16/2018 2:54 PM

Inbox

To: Bob Tartaglia <robert@tartaglia-engineering.com>;

Cc: Young L. Choi <ychoi@co.slo.ca.us>; Stafford, Bob@Wildlife <Bob.Stafford@wildlife.ca.gov>; 'ddugan@slonet.org' <ddugan@slonet.org>;

3 attachments (1 MB)

20180214095536897.pdf; hab eval guidelines.pdf; Hammond Vineyards SJKF Habitat Evaluation_CDFW1.4.18.pdf;

Mr. Tartaglia,
Thank you for your comments on the San Joaquin kit fox evaluation. Please keep in mind that the evaluation is intended to be used to address site specific project impacts on kit fox habitat, but is also considered to address cumulative impacts under CEQA across kit fox range within San Luis Obispo County. Within the bigger picture, when evaluating habitat impacts and appropriate project mitigation, consider that all the agricultural development within kit fox range goes unmitigated for impacts to kit fox habitat. Please refer to the guidelines attached for completing the evaluation.

For Question #1. Importance of Project Area for Recovery – Please refer to the Recovery Plan for Upland Species of the San Joaquin Valley. The Project lies within the identified corridor between the Carrizo core population and the Salinas Valley subpopulation. While the Project would not block this corridor path it does degrade the corridor between a core population and subpopulation as identified in the evaluation. As the Guidelines state, “if a project degrades or eliminates the corridor between Carrizo and the Salinas Valley (core to subpopulation)…, a score of 20 should be assigned.”

As to the statement regarding whether a kit fox population occurs on Camp Roberts, I am not aware of surveys that have been conducted recently for the Salinas Valley subpopulation that utilize the appropriate methods to detect kit foxes at lower densities. Therefore, it would be speculative to make such a determination that kit fox no longer occurs within the Salinas Valley.

For Question #3. Isolation of Project Area – refer to Answers A-E for Question #2 regarding kit fox habitat characteristics of the site. As provided, vineyards are considered kit fox habitat. While marginal, they provide foraging and dispersal opportunities for kit fox and may occasionally be used as denning habitat if other suitable habitat is not located nearby. For example, the City of Bakersfield would typically not be considered normal habitat; however, kit foxes are found there in high densities. The proposed pond location is completely surrounded by vineyards therefore locating it within contiguous kit fox habitat as identified in the evaluation.

In review, my revisions stand as appropriate to evaluate the impacts of this Project. Thank you again for your correspondence. Please feel free to contact me should you have further questions.

Thank you,

-Brandon

**Brandon Sanderson**
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**From:** Bob Tartaglia [mailto:robert@tartaglia-engineering.com]
**Sent:** Wednesday, February 14, 2018 12:06 PM
**To:** Sanderson, Brandon@Wildlife <Brandon.Sanderson@wildlife.ca.gov>
**Cc:** Young L. Choi <ychoi@co.slo.ca.us>
**Subject:** Hammond Irrigation Pond

Brandon,
Attached is my letter regarding your comments on the Kit Fox Habitat Evaluation that was prepared by EcoVision Consultants. I believe that some of the questions are subject to interpretation and are very broad in nature. I think that when an evaluation for a site is made, it needs to be site specific and not just genereal in nature.
Again, your consideration would be appreciated. I will wait for your response.
Thank you,

Robert Tartaglia
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