EXHIBIT E

CEQA REQUIRED FINDINGS FOR THE LAETITIA AGRICULTURAL CLUSTER SUBDIVISION TENTATIVE TRACT MAP AND CONDITIONAL USE PERMIT SUB2003-00001 (TRACT 2606) ENVIRONMENTAL IMPACT REPORT

1.0 Environmental Determination 1

1.1 Procedural Background 1

2.0 Project Description 2

2.1 General Background 2
2.3 Project Background 3
2.4 Project Objectives 4
2.5 Project Evaluated in the Draft EIR 4
2.6 Staff Recommended Alternative (Approved Project) 5
2.7 Permit Requirements and Approvals 16

3.0 General Findings 18

3.1 CEQA General Findings 18
3.2 Lead Agency and Responsible Agency Use of the Final EIR and Findings 18
3.3 The Record 18
3.4 Certification of the Laetitia Agricultural Cluster Tract Map and CUP EIR 19

4.0 Impact Classification 21

5.0 Findings for Impacts Identified as Less Than Significant 22

5.1 Aesthetic Resources 22
5.2 Geology and Soils 22
5.3 Noise 23
5.4 Transportation and Circulation 24

6.0 Findings for Impacts Identified as Significant but Mitigable 26

6.1 Aesthetic Resources 26
6.2 Agricultural Resources 36
6.3 Air Quality 37
6.4 Archaeological Resources 48
6.5 Biological Resources 53
6.6 Geology and Soils 66
6.7 Hazards and Hazardous Materials 70
6.8 Historic Resources 71
6.9 Noise ..... 74~~73~~
6.10 Paleontological Resources 75

6.11 Public Services and Utilities ..... 77~~76~~
6.12 Recreation 78
6.13 Transportation and Circulation ..... 80~~79~~
6.14 Wastewater 86
6.15 Water Resources ..... 90~~89~~

7.0 Findings for Impacts Identified as Significant and Unavoidable . 101~~100~~

7.1 Agricultural Resources ..... 101~~100~~
7.2 Air Quality ..... 104~~103~~
7.3 Hazards and Hazardous Materials ..... 104~~103~~
7.4 Noise ..... 106~~105~~
7.5 Transportation and Circulation ..... 107~~106~~

8.0 Cumulative and Growth Inducing Impacts ..... 110~~108~~

8.1 Cumulative Impacts ..... 110~~108~~
8.2 Growth-Inducing Impacts ..... 124~~121~~
8.3 Significant Irreversible Environmental changes ..... 126~~123~~

9.0 Alternatives ..... 128~~125~~

9.1 No Project Alternative ..... 128~~125~~
9.2 Mitigated Project: Applicant Proposed Alternative ..... 129~~125~~
9.3 Reduced Project A: Ordinance and General Plan Consistency Alternative ..... 130~~127~~
9.4 Reduced Project B: Reduced Density Two-Cluster Alternative ..... 132~~128~~
9.5 Redesigned Project A: Single Cluster Alternative ..... 133~~129~~
9.6 Redesigned Project B: Single Cluster Alternative, 93% Reduction ..... 134~~129~~
9.7 Redesigned Project C: Effluent Disposal Option ..... 135~~130~~
9.8 Alternative Project Location ..... 135~~131~~
9.9 Proposed Project with Tract Design Mitigation ..... 136~~131~~
9.10 Alternative Access Option ..... 137~~132~~
9.11 Environmentally Superior Alternative ..... 137~~132~~

10.0 Statement of Overriding Considerations ..... 139~~134~~

10.1 Supporting Evidence ..... 139~~134~~

11.0 Mitigation Monitoring Program ..... 140~~136~~

ENVIRONMENTAL DETERMINATION

The Environmental Impact Report (EIR) was prepared, pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] §21000 et seq.), to evaluate the environmental impacts resulting from approval of the Laetitia Agricultural Cluster Subdivision Tentative Tract Map and Conditional Use Permit (CUP) SUB2003-00001 (Tract 2606) (project). The County of San Luis Obispo (County) is the CEQA lead agency.

The EIR addresses the potential environmental effects associated with the project. A number of federal, state, and local governmental agencies require an environmental analysis of the proposed project consistent with the requirements of CEQA in order to act on the project. These agencies include the County, San Luis Obispo County Regional Water Quality Control Board, California Department of Forestry and Fire Protection, California Department of Fish and Wildlife, San Luis Obispo County Air Pollution Control District, U.S. Fish and Wildlife Service, and U.S. Army Corps of Engineers.

The findings and recommendations set forth below (Findings) are adopted by the County Planning Commission as the County's findings under CEQA and the State CEQA Guidelines (California Code of Regulations [CCR] Title 14, §15000 et seq.) relating to the project. The Findings provide the written analysis and conclusions of the Planning Commission regarding the project's environmental impacts, mitigation measures, and alternatives to the project, which, in this Commission's view, justify approval of the project, despite its environmental effects.

PROCEDURAL BACKGROUND

Pursuant to CEQA and the State CEQA Guidelines, the County determined that an EIR would be required for the project. The County distributed the Notice of Preparation (NOP) on April 15, 2005, to various agencies, organizations, and interested persons throughout San Luis Obispo County and the surrounding area. A copy of the NOP is included in Appendix A of the EIR.

The Draft EIR was available for public review and comment for 45 days from September 22, 2008, through November 8, 2008, and was filed with the State Office of Planning and Research under State Clearinghouse No. 2005041094. A Recirculated Draft EIR was then prepared and made available for public review and comment for 45 days in April 2012, and was filed with the State Office of Planning and Research under the same State Clearinghouse No. 2005041094. The Recirculated Draft EIR included the following Chapters: Introduction, Biological Resources, Water Resources, Alternatives Analysis, and References. At the time, the Notice of Availability was not posted at the San Luis Obispo County Clerk's office, as required by CEQA Guidelines Section 15087. In addition, the applicant requested recirculation of the EIR sections due to concerns with the consistency between the 2012 recirculated Draft EIR and the original Draft EIR. Therefore, the County recirculated the Introduction, Biological Resources, Water Resources, and Alternatives Analysis sections of the Draft EIR. The Recirculated Draft EIR was again available for public review and comment for 45 days from July 10, 2013 to August 26, 2013. The Notice of Availability was posted in the County Clerk's office.

The County prepared written responses to the comments received during the noted comment periods and included these responses in the Final EIR, which was published by the County on March 3, 2015. The Final EIR with responses to comments was made available to all commenters and the general public for review for 90 days.

2.0 PROJECT DESCRIPTION

The applicant, John Janneck, Janneck Limited, submitted an application for an Agricultural Cluster, including Vesting Tentative Tract Map 2606 and Conditional Use Permit SUB2003-00001. A description of the project location, project history, and project elements are discussed in the sections below.

2.1 GENERAL BACKGROUND

Project Title:	Laetitia Agricultural Cluster Tract Map and Conditional Use Permit
Project Applicant:	John Janneck Janneck Limited 116 Cory Avenue Los Angeles, CA 90069
Project Representative:	~~Allison Donatello/~~Victor Montgomery RRM Design Group 3765 South Higuera Street, Suite 102 San Luis Obispo, CA 93401
Property Owner:	Laetitia Vineyard and Winery, Inc. 453 Laetitia Vineyard Drive Arroyo Grande, CA 93420
Planning Area:	South County Inland (Rural)
County Land Use Designations:	Agriculture: 828.38 acres Rural Lands: 1,082.28 acres
County Case Numbers:	Vesting Tentative Tract Map 2606 Conditional Use Permit; SUB2003-00001 Environmental Determination No. 04-233
State Clearinghouse Number:	2005041094
Assessor Parcel Numbers:	047-051-005; 048-121-006; 047-311-001, -007, -010, -011; 047-301-002, -003; 075-341-007
Project Location:	The 1,910-acre project site is located approximately two miles south of the City of Arroyo Grande, adjacent to Highway 101. Approximately 1,834 acres are located on the east side of Highway 101, and 76 acres are located on the west side. No development is proposed on the west side of Highway 101. Upper Los Berros Road is located along the southern property boundary of the eastern portion of the project site.

2.3 PROJECT BACKGROUND

In September 2008, the County Planning and Building Department released a Draft Environmental Impact Report (Draft EIR) for the Laetitia Agricultural Cluster Subdivision Tentative Tract Map and Conditional Use Permit (project). The Draft EIR (2008) noted several significant, adverse, and unavoidable impacts related to biological resources, archaeological resources, agricultural resources, transportation and circulation, air quality, noise, aesthetics, hazards and hazardous materials, and public services and utilities. The public comment period for the Draft EIR (2008) began on September 22, 2008. The comment period extended from September 22 to November 8, 2008. Since the closure of that public comment period, two primary issues delayed preparation of a Final EIR for the project and necessitated the need to re-circulate portions of the Draft EIR (2008). These two key issues included: 1) modifications to the originally proposed project description and presentation of an applicant-proposed alternative and 2) the County determined additional analysis of water resources was necessary based on comments received on the Draft EIR (2008). The changes to the project description were requested by the applicant, and included elimination of an equestrian center and the replacement of two wells for domestic water supply. Originally proposed Wells 12 and 13 would affect stream flow within Los Berros Creek; therefore, these wells were replaced by Wells 14 and 15 to address this potentially significant impact. In addition, the applicant submitted a Mitigated Project Alternative for consideration and inclusion in the EIR. Regarding water resources, following public circulation of the Draft EIR (2008), public comments were received identifying potential inadequacies in the technical reports that supported the EIR analysis and determination of effect. Upon review of these comments, the County determined that further analysis of water resources was necessary to adequately assess the baseline conditions and environmental effects of the project, including sustainable yield.

The Introduction, Biological Resources, Water Resources, and Alternatives Sections of the Draft EIR were recirculated in April 2012. At the time, the Notice of Availability was not posted at the San Luis Obispo County Clerk's office, as required by CEQA Guidelines Section 15087. In addition, the applicant requested recirculation of the EIR sections due to concerns with the consistency between the 2012 recirculated Draft EIR and the original 2008 Draft EIR. Therefore, the County recirculated the Introduction, Biological Resources, Water Resources, and Alternatives Analysis sections of the Draft EIR again from July 10, 2013 to August 26, 2013. To aid navigation of the EIR, the Environmental Impacts and Mitigation section was reorganized in alphabetical order in both the Recirculated Draft EIR and the Final EIR.

Pursuant to CEQA Guidelines Section 15088.5, Recirculation of an EIR Prior to Certification, the Final EIR includes responses to written comments on the remainder of the Draft EIR (2008), and responses to comments on the second recirculated version of the Introduction, Biological Resources, Water Resources, and Alternatives Analysis sections of the Draft EIR (2013). The memorandum accompanying the 2013 Recirculated EIR included the following statement: "This Revised Recirculated Draft EIR replaces the Biological Resources, Water Resources, and Alternatives Analysis sections included in the Draft EIR (2008) and Recirculated Draft EIR (2012). If you submitted comments on these sections in response to the Draft EIR (2008) and/or the Recirculated Draft EIR (2012) please be advised that in order for our comments to be addressed in writing in the Final EIR you must either (1) resubmit your comments, as applicable, or (2) prepare and submit new comments in response to this Revised Recirculated Draft EIR (2013). Any comments submitted on sections that were not recirculated will also be addressed in writing in the Final EIR". Consistent with this statement, comments that were resubmitted in response to the 2013 Recirculated Draft EIR, and responses to those comments, are included in the Final EIR. In addition, the applicant's proposed modifications to the project, which were

addressed in the Recirculated Draft EIR (2013), are also incorporated into the Final EIR project description. Proposed changes included the use of new wells for potable water supply and elimination of the equestrian center.

During the October 29, 2015 Planning Commission hearing on the proposed project, following the Commission's review of the Final EIR and supportive documentation and evidence, and testimony by the public, the applicant and the applicant's technical experts, and Staff, and deliberation by the Planning Commissioners, the Planning Commission provided direction to Staff to bring forth findings and conditions of approval for a modified project alternative. Modifications include elimination of "Sub-cluster E" and associated access roads, and elimination of Well 11 from the proposed domestic water supply system.

The description of the Staff Recommended Alternative (Approved Project) presented below was prepared based on direction received by the County Planning Commission during ~~a~~ public hearings held on October 29, 2015 and January 14, 2016, and upon review and analysis of policies and standards identified in the County General Plan and Land Use Ordinance (Title 22 of the County Code), the Final EIR's analysis of the applicant's proposed project, the project alternatives, and supportive facts and information contained in the Final EIR and responses to comments on the Draft and Recirculated EIRs.

2.4 PROJECT OBJECTIVES

The CEQA Guidelines require a statement of objectives, including the underlying purpose of the project. The objectives help the lead agency develop a reasonable range of alternatives for evaluation in the EIR, and aid the decision-makers in preparing findings and a statement of over-riding considerations (if necessary). The applicant's stated objective is to use the incentives of the Agricultural Cluster Ordinance combined with estate planning to enable future generations of the landowner's families to continue to farm the project site as an economic unit, by creating an economically feasible and successful cluster project through a three-phased development that would include the following provisions:

- Preclude future residential development within designated agricultural/open space easements;
- Protect the existing rural character by placing 95 percent of the property within the Agricultural land use category and 90 percent of the property within the Rural Lands land use category in permanent agricultural/open space easements;
- Provide for the expansion of the existing winery operations and continuation of the vineyard operation;
- Create places to live and enjoy in a scenic rural setting;
- Create a financially feasible project; and,
- Enhance long-term agriculture viability.

2.5 PROJECT EVALUATED IN THE DRAFT EIR

The applicant's proposed project, analyzed in the EIR, consists of the subdivision of 21 parcels (approximately 1,910 acres) into 106 lots, including 102 residential lots and four open space lots. Approximately 103 acres of existing vineyard was proposed for removal to accommodate proposed development and associated applicant-proposed buffer zones between the vineyards

and proposed residential development. Approximately 140 acres of vineyard and orchards was proposed to be replanted onsite. Residential development, including residential access roads, would consist of approximately 127 acres. Open space lots would consist of approximately 1,787 acres. Development proposed within the open space lots includes a homeowner's association facility, and recreation center and community center ("ranch headquarters"). Within the open space lots, approximately 660 acres of the project site, including proposed re-plant areas, would remain in agricultural production, including vineyards and orchards.

The applicant's proposed project was proposed to be developed in three phases. Phase One includes 43 residential lots, Main Roads 1 and 2, internal access roads, the construction of a wastewater treatment plant, treated effluent storage ponds, sewage collection system, effluent disposal/irrigation system, domestic well system, construction of a water storage tank, construction of the ranch headquarters, installation of private water service lines, entry gates and features, public utility extensions, and landscaping. Phase Two includes 40 residential lots, internal access roads, gates, and landscaping. Phase Three includes 19 residential lots, internal access roads, and landscaping. Vineyard removal and replacement would occur within each phase. In addition to these three phases, the applicant proposes a 7.7-acre dude ranch within one of the open space lots. The applicant is not currently requesting a permit to construct the dude ranch; however, the dude ranch is included in the EIR as a future development proposal.

2.6 APPROVED PROJECT~~)~~

The Approved Project consists of a redesigned agricultural cluster subdivision, which would allow up to 83 residential lots and 5 open space lots. The approval includes: 1.0-acre residential lots (Lots 1-19, 22-42, 43-70, and 71-85); a community wastewater treatment facility (Lot 20); a homeowner's association facility, recreation center and community center (ranch headquarters) (Lot 21); ~~four~~ five open space lots totaling ~~1,441.26~~1,822 acres (Lots 86, 87, 88, ~~and~~ 89, and 90); internal access roads, water storage tank, and associated infrastructure and utilities. A proposed 7.7-acre dude ranch ~~and associated 380.79-acre open space parcel (Lot 90)~~ is not included in ~~this~~ the Conditional Use Permit approval, but is included in the FEIR as a future development proposal. The redesigned subdivision is similar to the Mitigated Project Applicant Proposed Alternative identified and analyzed in Final EIR, with the exception that the Approved Project includes 19 fewer residential lots than what was identified in the Mitigation Project Applicant Proposed Alternative. The Approved Project includes an approximately 18 percent residential density reduction compared to the applicant's originally proposed project. The Approved Project incorporates the following:

a. The maximum number of residential lots (83) is consistent with the Land Use Ordinance and County General Plan.

b. The proposed residential lots will be clustered in four phases in the locations shown in revised Vesting Tentative Tract Map 2606, The Reserve at Laetitia, dated December ~~18~~23, 2015.

c. The proposed phasing and lot numbers shown in revised Vesting Tentative Tract Map 2606, The Reserve at Laetitia, dated December ~~18~~23, 2015, have been modified by the applicant to reflect an alternative phasing schedule.

d. An open space parcel shall be a minimum of 95 percent of the gross site area for the Agriculture land use category and a minimum of 90 percent of the gross site area for the

Rural Lands land use category. The 90 and 95 percent calculations may not include areas in and around the residential lots.

e. Residential development would convert no more than 5 percent of the project site ~~to non-agricultural uses~~in the Agriculture land use category and no more than 10 percent of the project site in Rural Lands land use category to non-agricultural uses.

f. Each lot limited to one residence (no additional primary residence or secondary residences).

g. Minimum parcel sizes as feasible and clustered as close to existing development and roads as possible while avoiding environmental resources wherever feasible to reduce development footprint and area of disturbance.

h. Provides agricultural buffers on all perimeter properties that interface with existing or potential agricultural production areas. Residential parcels would need to be large enough to accommodate the buffer.

i. ~~Fencing that would preclude residents from accessing the non-residential portion of the site should be installed. In general, this would be along the perimeter of the properties that interface with existing or potential agricultural production areas.~~

2.6.1 Residential Lots

The Approved Project includes four residential sub-clusters totaling 83 lots for the development of 82 new residences (Lot 19 would contain an existing estate residence to remain). Phase One would be located within the Agriculture land use category, and would consist of 19 one-acre lots; each lot would include a 0.5-acre building envelope. Phase Two would be located within the Agriculture land use category, and would consist of 21 one-acre lots; each lot would include a 0.5-acre building envelope. Phase Three would be located within the Rural Lands land use category, and would consist of 28 one-acre lots; each lot would include a 0.5-acre building envelope. Phase Four would be located within the Rural Lands land use category, and would consist of 15 one-acre lots; each lot would include a 0.5-acre building envelope.

Each lot would be sold to and developed by individual landowners. Each residential lot would support one primary residence (secondary residences would not be permitted). Based on the County Land Use Ordinance (LUO), future structures would be two-story, 25-35 feet in height. Secondary uses may include grading for swimming pools, patios, gazebos, fencing, lawns and landscaping, and other similar types of accessory uses. The following uses would be excluded and prohibited within the residential lots: sheds, barns, and storage units.

2.6.2 Access and Road Improvements

The existing winery and tasting room are accessed via Laetitia Vineyard Drive, which intersects with Highway 101. The existing vineyard, lemon orchards, and undeveloped areas within the eastern portion of the project site are mainly accessed via the primary entrance on Highway 101 and two agricultural roads that intersect with Upper Los Berros Road. A network of connected paved and unpaved agricultural roads provides access throughout the project site. The 76 acres west of Highway 101 are accessed via Upper Los Berros/Thompson Road. Proposed residential and open space lot development would be accessed via Upper Los Berros Road only. The existing access location off Highway 101 would continue to serve the winery and tasting room.

The Approved Project would be served by an internal circulation system. Two main roads, Main Road 1 and Main Road 2, would connect the residential lots to the primary access location on Upper Los Berros Road. Main Road 1 would intersect with Upper Los Berros Road at the main entrance gate near the proposed ranch headquarters. Additional access roads, including the following, would provide access to each residential lot: Access Roads D, L, and P (Phase One); Access Roads B and C (Phase Two); Access Roads A and J (Phase Three); and Access Roads H and I (Phase Four).

Primary access to all of the proposed residential lots and ranch headquarters would be via Main Road 1 and Main Road 2. These paved roads would be constructed within or in the immediate vicinity of existing agricultural roads, and would have a 32-foot wide right-of-way, including two 12-foot wide travel lanes and four-foot wide shoulders. Access Roads A, B, C, D, H, I, J, L, and P would be constructed within a 28-foot right-of-way, including two ten-foot wide travel lanes and four-foot wide shoulders. Upper Los Berros Road would be improved within a 24-foot right-of-way, including two 10-foot wide travel lanes and two-foot wide shoulders.

Emergency access would consist of all-weather improvements to an existing agricultural road, extending from the paved terminus of Main Road 1 to Laetitia Vineyard Drive. The Project includes a guard gate on Main Road 1, which would be staffed at all times to prevent unauthorized use of Laetitia Vineyard Drive during non-emergency situations. Signage would be posted stating that westbound traffic shall only be permitted to use Laetitia Vineyard Drive to exit the subdivision during an emergency. A “KNOX” box would be installed on the gate to permit access into the subdivision by emergency vehicles.

2.6.3 Landscaping, Signage, and Gates

Improved open space areas and landscaping are proposed, including a mix of native and ornamental trees and shrubs. A main entry gate and signage would be constructed at the proposed intersection of Main Road 1 and Upper Los Berros Road. The main entry would include two gates supported by columns and an extended wall. The gates would be approximately 8.5 feet in height, and the adjacent columns would be approximately 10.5 feet in height. The adjacent wall would slope from 8.5 feet to five feet in height, and would connect to an adjacent shorter column (seven feet in height). An access gate would be installed on Upper Los Berros Road, and would include one 8.5-foot tall gate supported by one 10.5-foot tall column on each side. Entry monuments and signage would be installed throughout the development, and would include an eight-foot tall stone feature. Wooden rail fencing, approximately five feet in height, would be installed along the southern perimeter of the project site, adjacent to Upper Los Berros Road, for approximately 1.5 miles.

2.6.4 Exterior Lighting

The applicant is not proposing to install streetlights throughout the proposed development; however, exterior lighting would be installed on the main gate feature and throughout the ranch headquarters. Light sconces would be installed on the columns located on either side of the proposed entry gates. Internal lighting throughout the ranch headquarters would include step lights, sign lights, path lights, wall-mounted lights, and post lights. Sign lights would be mounted on the ground, and directed toward approximately four-foot tall stone signage features. Path lights would be mounted on the top of three-foot tall concrete or rock columns throughout the ranch headquarters. Wall mounted lights would be installed at a height of approximately seven feet above the ground.

Proposed post lighting would consist of 18-foot tall poles, with lights mounted approximately 17 feet above the ground. Within the ranch headquarters facility, post lighting would be installed near an existing barn, within the parking area, at the guard and mail stations, and at the intersection of Main Road 1 and Upper Los Berros Road.

2.6.5 Common Facility Lots

Two lots are proposed for supportive facilities, including the wastewater treatment facility (Lot 20) and Homeowners Association/Ranch Headquarters (Lot 21).

Ranch Headquarters

The proposed ranch headquarters would be located on approximately 1.4 acres within proposed Lot 21 near the intersection of Main Road 1 and Upper Los Berros Road. The ranch headquarters would be for private use by landowners, residents, and their guests, and would be operated and maintained by the homeowner's association.

The headquarters would include a private recreation facility, community center, and homeowner's association building. One existing barn and one existing bungalow within this area would be removed. Proposed recreation facilities include a gym and restrooms. A 2,000-square foot clubhouse is proposed, including a kitchen, restrooms, and changing rooms. The kitchen would be available for catering use. The clubhouse would be 38 feet in height, including a chimney feature.

The 3,000-square foot homeowner's association building would be located adjacent to the clubhouse, and would include an office, storage area, game room, meeting room, and an outdoor patio with a fire pit and barbeque. The building would be approximately 38 feet in height, including a chimney feature. One existing barn would be retained and refurbished as part of the homeowner's association facilities. Additional facilities would include the main entry gate and a 150-square foot guard station, 250-square foot mail gazebo, up to 26 parking spaces, three American Disability Act (ADA) parking spaces, patio areas, exterior lighting, drought-tolerant landscaping, and two overflow parking areas (one unimproved, the second improved with decomposed granite or gravel). The mail gazebo would be approximately 17 feet in height.

Domestic Wastewater Treatment and Disposal System

The applicant proposes to manage wastewater by constructing a sewage collection system, wastewater treatment and recycling facility, and an agricultural reclamation system. The proposed facility would consist of the following: 1) a 10,000-square foot building shell, which would house a 5,000-square foot domestic wastewater treatment facility; 2) six storage tanks for domestic sewage, which would be located within a 4,000-square foot underground structure adjacent to the 10,000-square foot building shell; 3) a domestic sewage collection system consisting of pipes, forcemains, and lift stations; 4) two ponds to store treated domestic wastewater and one pond to store treated winery wastewater; and, 5) a 20.8-acre disposal area for treated domestic wastewater. The 10,000-square foot building shell, 4,000-square foot underground storage tank structure, domestic wastewater treatment plant, and associated collection and disposal systems would be constructed during Phase One of the Approved Project.

The proposed 10,000-square foot building and 4,000-square foot underground storage structure would be located within the existing winery maintenance building area, within the western portion of the parcel, and south of the existing winery. Treated domestic effluent would be

stored in storage ponds located within the southwest portion of the project site, prior to use within designated disposal areas located within the vineyards. The treated domestic wastewater would be used to irrigate vineyards and common area landscaping. The proposed facility would manage wastewater only; stormwater would be managed by a separate drainage system.

The wastewater treatment and recycling facility would be managed by a mutual water company, which would be owned by the individual lot owners. Responsibilities of the mutual water company would include management of operations, stormwater management associated with the facility, odor control, inspections, and maintenance. The mutual water company would execute a contract with a licensed wastewater system operations company (e.g., a local civil engineering firm). Responsibilities of the company would include a daily two-hour site visit, seven days a week, including holidays. The company would also be responsible for response during emergency situations.

The proposed domestic wastewater treatment and recycling system would operate in the following manner:

1. Domestic wastewater would be collected from residences, the homeowner association facility, and dude ranch by an underground sewage collection system consisting of individual submersible grinder pumps, three community pump stations, and pipelines.

2. The collection system would pump domestic wastewater into underground storage tanks located adjacent to the main 10,000-square foot treatment building for primary settling.

3. Following primary settling, the wastewater would be pumped into the main 10,000-square foot building and pre-fabricated wastewater plant for tertiary-level treatment.

4. Liquid solids would be temporarily stored within the wastewater treatment building, and would be removed by a pumper truck and transported to a County-approved wastewater disposal facility (e.g., City of Santa Maria or City of Santa Clara).

5. Secondary or tertiary-treated wastewater effluent would be pumped into two outdoor, lined, storage ponds.

6. Secondary or tertiary-treated wastewater effluent would be piped and sprayed or drip-irrigated onto designated dispersal areas (vineyards and common areas).

A Waste Discharge Permit and Water Recycling Requirements from the Regional Water Quality Control Board would be required prior to operation of the system.

Domestic Wastewater Treatment and Disposal

Domestic Sewage Collection System

The proposed collection system would connect to each residence (83 lots) and the homeowner's association/ranch headquarters. Low pressure sewer forcemains (1.25 to four inches in diameter) and quad pump lift stations would be constructed throughout the project site. Pipelines would be installed within the existing and proposed road system. Submersible, two-horsepower grinder pumps would be installed on each proposed lot. Five to 15-horsepower, community, submersible pumps would be installed. All pumps would be installed within enclosed, underground tanks. Grinder pumps located on each lot would operate approximately 30 minutes per day, and community pump stations would operate three hours per day. The individual grinder pump station storage tanks would provide for continued wastewater service

for approximately two to three hours, in the event of a power outage. The community lift station storage tanks would provide a minimum of two hours of flow.

Domestic Wastewater Treatment Facility

Domestic Wastewater Underground Storage Tanks

Collected domestic sewage would be pumped into six underground storage tanks for initial settlement. These tanks would be located adjacent to the 10,000-square foot main treatment building within a 4,000-square foot underground facility with one foot-thick walls. The underground facility would be constructed with fiberglass and pre-cast concrete. Each tank would be 12 feet in diameter and 37 feet in length, with a capacity of 20,000 gallons. The facility would be constructed three feet below the ground surface to a depth of 17 feet. Compacted earth and decomposed granite would be located between the surface and the facility, and manholes would be constructed to provide access to the underground tanks.

Domestic Wastewater Treatment Plant

The applicant proposes to house the wastewater treatment plant within a 10,000-square foot shell building. The structure would be approximately 21 feet in height above average natural grade. Exterior design features of the main building would include corrugated metal roof panels, board and batten simulated wall siding, barn-style wood trim doors, and an overhead coiling door.

The 10,000-square foot main building would house a 5,000-square foot wastewater treatment plant. The plant would have a capacity of 50,000 gallons per day (gpd). The contents would include the pre-fabricated treatment plant, associated mechanical equipment, and a sludge-holding chamber. The pre-fabricated treatment plant would include a screening and grinding system to remove solids, an aeration chamber, scum removal system, clarifier chamber, chlorination system, and liquid sludge holding chamber. The proposed domestic wastewater treatment plant process would include the following elements:

- Flow metering and screening/grinding with automatic washing and removal of screened solids;
- Biological treatment in a pre-engineered system including either trickling filter or extended aeration processes;
- Filtration using microfiltration membranes or conventional sand filtration; and,
- Disinfection with sodium hypochlorite or ultraviolet light.

The treatment facilities would include automatic high liquid level alarms that would alert operations staff in the event of system failure. The wastewater treatment facility would be equipped with a permanent, standby, diesel generator and automatic power transfer switch, to be utilized in the event of a power outage. The generator would be located outside of the 10,000-square foot building shell within an integral, sound attenuating enclosure.

Liquid solids would be stored in the wastewater treatment plant building within enclosed tanks. Liquid solids would be collected onsite by a pumper truck service, and solids would be disposed at a County-approved wastewater facility. Pumper truck capacity would be 3,500 to 5,000 gallons each, and one trip per week would be required to transport solids offsite.

Domestic Wastewater Storage Ponds and Disposal

Two lined wet weather storage ponds are proposed to facilitate management of the treated domestic effluent. Proposed Ponds 1 and 2 will be used for domestic recycled water, and would store four acre-feet each.

All treated effluent generated would be recycled for agricultural re-use. The system will include an agricultural application area(s). All of the project's treated wastewater would be applied to the disposal area. Effluent generated during winter months would be stored in the ponds for use during the irrigation season. The applicant proposes to implement a minimum 100-foot setback between the treated wastewater application area and nearest well and outer perimeter of vineyards.

Rainfall would be allowed to collect within the ponds; however, stormwater that falls outside of the ponds would be directed away from the ponds. The applicant proposes to avoid pond overflow by providing a minimum of two feet of freeboard above the maximum anticipated water level within each pond. The ponds would be equipped with alarms to notify the mutual water company in the event of high waters.

Winery Wastewater Treatment and Disposal

The existing winery currently treats processed wastewater in an aerated pond, followed by irrigation storage and agricultural re-use. The system is currently regulated by the Regional Water Quality Control Board. The applicant is not currently proposing any modifications to the existing winery wastewater treatment and disposal facilities; however, the proposed 10,000-square foot treatment plant building will be constructed with space to accommodate a 5,000-square foot winery wastewater treatment plant in the future, adjacent to the proposed 5,000-square foot domestic wastewater treatment plant. Winery wastewater would be treated and stored separately from domestic wastewater. Proposed effluent storage Pond 3 would be constructed for approximately 12-acre feet of treated wastewater storage, and would store a blend of treated, recycled, winery process water and irrigation groundwater for use within the existing vineyard, similar to the existing reservoir irrigation system. Similar to Ponds 1 and 2, rainfall would be allowed to collect within the ponds; however, stormwater that falls outside of the ponds would be directed away from the ponds. The applicant proposes to avoid pond overflow by providing a minimum of two feet of freeboard above the maximum anticipated water level within the pond.

Domestic Wastewater Treatment Odor and Noise Control

The proposed 10,000-square foot building would be equipped with an odor control biofilter. The biofilter would consist of compost media and a forced air distribution system. The system will be equipped with a stand-by generator and automatic transfer switch, and redundant backup equipment will be provided for each critical process. Equipment that produces significant noise such as blowers and generators will be installed in sound-attenuating enclosures.

Domestic Wastewater Treatment Onsite Chemical Storage

Proposed treatment chemicals would include anhydrous ammonia for pH adjustment in the winery process wastewater system, and liquid sodium hypochlorite for disinfection of treated domestic wastewater. Up to 150 gallons of chlorine bleach would be stored onsite. The bleach would be stored in a double-containment system, and the second tank would be sized to accommodate 150 gallons of liquid. The applicant estimates that chemicals would need to be

re-stocked every two to four weeks. In addition, up to 200 gallons of diesel fuel would be stored within a tank adjacent to the main building generator unit.

2.6.6 Open Space Lots

~~Four~~ Five open space lots would go under Williamson Act contracts and County agricultural/open space easements. These ~~four~~ five lots would support existing agricultural uses, including the winery facility, tasting room, accessory structures, farm support housing, vineyards, orchards and grazing land. Natural resources outside of proposed buildable areas would be protected. New proposed uses within the open space lots would include re-located vineyards and orchards. These specific uses are described below.

Agricultural Uses

Existing vineyards are proposed for removal to accommodate building envelopes and proposed buffer zones to create space between the residential uses and agricultural uses and minimize potential conflicts between these uses. To replace the removed vineyards, the applicant is proposing approximately 103 acres of new cultivation areas be developed within the open space lots, including vineyards and lemon, olive, and/or avocado orchards. The remaining productive agricultural land would continue to be in agricultural uses, such as vineyards and orchards.

2.6.7 Water Infrastructure

There are 15 existing wells and two reservoirs onsite (with a capacity of 25 acre-feet each). Five of these wells are currently used for vineyard and orchard irrigation, and two are used for wine processing and domestic uses (tasting room facilities, residence, and farm support quarters). Two wells, currently unused, would serve the existing and proposed vineyard. Two wells originally proposed for domestic production (Well 12 and Well 13) are no longer included in the proposed domestic water supply system; these wells may be used for agricultural irrigation at the discretion of the agricultural operator. The northern agricultural reservoir would be removed and relocated to the southwest portion of the project site to accommodate residential development. The remaining ~~three~~ four wells (Wells 10, 11, 14, and 15) are proposed to serve the proposed development. Water pipelines and force mains would be installed within existing roadways to serve the proposed development. There is one existing water storage tank located approximately 1,000 feet northwest of Los Berros Creek, within the southeast portion of the project site. Two 2,000-gallon tanks are located near the existing estate residence, and one 2,000-gallon tank is located near the winery. The applicant proposes to construct a new 268,500-gallon water storage tank, which would store water for both domestic and fire-flow demands. The tank would be approximately 40 feet in diameter and 18 feet tall.

2.6.8 Mutual Water Company

The applicant proposes to establish a mutual water company to manage the water delivery system, domestic water storage, treatment, and supply, and wastewater treatment plant. Residential lot owners would own a mutual water company. The applicant is proposing each residential lot would be metered, and proposed water conservation measures would include:

- The use of low-flush and low-flow appliances;
- Insulation and circulation of hot water systems;
- Minimized use of water for outdoor cleaning;
- Use of drought-tolerant landscape plant species;
- A limit of 1,500 square feet of onsite landscaping per residential lot;

- A limit of 300 square feet of lawn turf landscaping per residential lot;
- Use of automatic irrigation systems;
- Use of water-conserving pumps and filters for swimming pools and spas; and,
- Maintenance of all appliances, systems, and facilities by homeowners and a mutual water company.

In the event of a water supply shortage, mandatory water conservation measures (listed in the applicant's proposed priority for implementation) would include: 1) increases in residential water rates and/or penalties to encourage water reductions; 2) a reduction or moratorium on irrigation for residential landscaping; 3) a reduction or moratorium on irrigation for common area and homeowners association facility landscaping (unless served by reclaimed water); 5) a prohibition on water use for swimming pools and spas; 6) mandatory water allocations for residential users; 7) potential purchase of water from an off-site party; and, 8) reduction or periodic cessation of agricultural irrigation.

2.6.9 Grading and Drainage Improvements

Site preparation and grading will be required to construct internal roads, water and sewer infrastructure, drainage improvements, utility installation, and construction of the ranch headquarters. Cut and fill would be balanced onsite, where feasible. Temporary stockpile locations may be established prior to use of excess fill onsite. In the event export of fill is necessary, the applicant proposes to use bottom dump or transfer trucks to export material to either an approved construction site, or a county disposal site (i.e., Santa Maria Regional Landfill).

Each residential lot would be graded and developed individually; however, it is anticipated for the purpose of the EIR that based on the topography of the project site and secondary outdoor uses, future grading activities would require up to one acre of disturbance per residential lot. Construction of the ranch headquarters is expected to result in the disturbance of 7,500 cubic yards of cut and fill.

The applicant's proposed drainage plan includes the use of over-side drains and low-point drainage inlets within proposed roadways to facilitate stormwater flow into existing natural drainages onsite. Culverts would be installed at each proposed drainage crossing. Stormwater runoff would be discharged into a series of existing natural ditches and swales prior to entering Los Berros Creek. Onsite stormwater detention or retention basins may be required to ensure off-site runoff does not exceed current rates.

2.6.10 Agricultural Management and Buffers Plan

The applicant has submitted a *Draft Laetitia Agricultural Cluster Management and Buffers Plan* (RRM Design Group; November 5, 2004). The plan is a guide for future landowners and agricultural production staff. The proposed plan outlines proposed operations, best management practices, and management of existing and proposed agricultural uses; communication procedures between the homeowners and the agricultural operator; management of water resources; management of wastewater collection, treatment, and disposal; fire protection and public safety guidelines; and, proposed setbacks and buffers.

Proposed Buffers Plan

The Approved Project includes buffers between each residential building envelope and adjacent agricultural use. Accessory development within the lot and outside of the building envelope

would be limited to non-habitable structures; outdoor use areas would be allowed. No buffers are proposed between the planned access roads and vineyards. The original Buffers Plan was designed by the applicant, and was created based on horizontal distance, vertical separation/topography, prevailing wind direction, existing open space and natural vegetation, proposed and created open space and natural vegetation, best management practices, and farming practices. The plan identifies areas where vineyards would be removed to accommodate residential development and identified buffer zones. Proposed buffer zones range from 150 to 1,000 feet in horizontal length. The applicant determined the length of the buffer zone based on the following criteria: horizontal distance; vertical separation/topography; prevailing wind direction; existing and/or installed buffer or open space vegetation; and, implementation of best management practices and specific farming practices.

Operations, Best Management Practices, and Management

This section of the proposed *Agriculture Management and Buffers Plan* (2004) was designed by the applicant to minimize potential conflicts between agricultural and residential uses. Daily operation of the vineyard includes the use of pesticides, sprayed fertilizers, weed abatement, irrigation, agricultural road maintenance, mowing, disking, ripping, plowing, seed sowing, and use of goats for weed control (where feasible). The vineyard manager uses scouting, weather stations, and computer models to determine when to spray insecticides and fertilizers. Plant tissue is tested to determine the quantity of fertilizer to apply.

Equipment used onsite includes tractors, all-terrain vehicles, and trucks. Tractors are outfitted with rubber wheels, and all agricultural equipment is equipped with noise mufflers. Typical operating hours are limited to 6:30 a.m. through 5:00 p.m., with the exception of sprayers. An air blast sprayer (30 gallons per acre) is utilized to disperse pesticides and fertilizers on wine grapes; this is applied between the hours of 9:00 p.m. and 7:00 a.m. During the peak spray season (March through August), two to four sprayers operate five nights a week. Mowing is conducted between the months of February through November, and other activities are completed throughout the year, as necessary. Weeds are controlled by sprayed herbicides, hand hoeing, livestock grazing, and mechanical removal.

A seven-foot tall deer fence surrounds the vineyard, and netting is installed around the grape vines for protection from birds. Rodents are trapped and/or caught by natural predators. Management practices currently implemented include the development of owl and raptor habitat for natural pest management and use of onsite weather stations and disease prediction models to time fungicide applications. The irrigation system includes two reservoirs and a system of waterlines. Dust is currently controlled by the use of water and enforcement of speed limits (15 miles per hour for tractors and vineyard equipment and 25 miles per hour for all-terrain and farm vehicles).

Upon implementation of the Approved Project, the applicant proposes to adjust farming practices within 500 feet of each residence, including the following:

- All vineyard work (pest control, vineyard floor maintenance, canopy management, and pruning with the exception of harvest) would be performed during daylight hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. Harvest would be limited to handpicking during daylight hours only.
- Permanent cover crops would be established and maintained to minimize dust.

- All pest control would incorporate organic farming practices. Class I restricted pesticides would not be used within the 500-foot buffer zone. Pesticides classified by the U.S. Environmental Protection Agency as potential carcinogens would not be used.
- Vineyards would be maintained to a neat and orderly appearance. All trash would be picked up, and all tools and equipment would be transported back to the vineyard shop at the end of the workday. All the farm labor and employees would assemble at the vineyard shop daily, and would be transported throughout the ranch via company vehicles.

Homeowners and Agricultural Operator Communications

The applicant proposes to establish a homeowner's association that would manage security issues, common area landscaping, agricultural buffers, residential roads, and gates. The current vineyard manager would be designated the Agricultural Operator (AO), and would manage all onsite agricultural uses, the agricultural water supply and irrigation ponds, agricultural roads, green waste composting, and agricultural fencing and improvements. The homeowner's association would maintain the common area landscaping and agricultural buffers. The *Agriculture Management and Buffers Plan* includes protocol for communications between the homeowner's association and the AO, including regularly scheduled meetings. Homeowner's association guidelines and conditions, covenants, and restrictions (CC&Rs) are proposed to include a copy of the County "Right-to-Farm Ordinance" and disclosure information regarding the surrounding agricultural operations, contact information, and mediation procedures.

Water and Wastewater Management

The applicant proposes to establish a mutual water company, owned by residential lot owners, to manage the water delivery system, domestic water treatment, storage, and supply, and wastewater treatment plant, sewage collection system, and effluent disposal. The mutual water company would work with the AO to establish water monitoring and testing schedules and procedures, meter reading, and semi-annual reporting. The mutual water company and the AO would have the authority to limit agricultural irrigation in the event of a drought.

Fire Protection and Public Safety

The proposed *Agriculture Management and Buffers Plan* includes a fire protection and public safety plan. Fire prevention planning measures listed in the document include installation of fire sprinklers on all residences and occupied structures, use of flame resistant/non-combustible roof materials, individual lot fire safety plans, and preparation and implementation of a fuel modification plan. Public safety measures include stop signs and gates on Upper Los Berros Road and posted speed limits. The plan also includes basic guidance regarding sharing roads with agricultural traffic and home security measures.

2.6.11 Future Development Proposal

In addition to the Approved Project components listed above, the applicant proposes to construct a dude ranch within the far-eastern open space lot. The applicant is not currently requesting a land use permit for the proposed dude ranch, and has not submitted grading or development plans. A 7.7-acre development area is noted on project plans (refer to Final EIR Figures III-4 and III-5 and revised Vesting Tentative Tract Map dated December ~~18~~23, 2015). For the purpose of the EIR, the dude ranch is assessed as a future development proposal, based on project details provided by the applicant and assumptions based on a reasonable worst-case scenario (i.e., building size and height, site disturbance, etc.). Proposed project details are described below.

Dude Ranch

The proposed location of the dude ranch is within an approximately 388.5-acre open space lot located in the far northeast corner of the project site (refer to Final EIR Figures III-4 and III-12). The dude ranch would include a 75-unit lodging facility, guest service and spa facility, eating facility, classrooms, outdoor fire pit, and barbeque. Dude ranch facilities would be available for guests and residents. Structural elements of the dude ranch would cover up to 7.7 acres. The approximately 380 acres remaining would be utilized for open space and trails. The applicant proposes to host groups at the dude ranch, and offer educational sessions and hands-on experience in grape harvesting, winemaking, wine tasting, and producing olive oil. Additional activities would include horseback riding, hiking, swimming, nature watching, picnicking, and photography. The dude ranch would be accessed via proposed internal access roads, which may connect to Main Road 1. Guests would enter the property at the main access gate located on Upper Los Berros Road. A secondary access road to the dude ranch would be located approximately 3,000 feet east of the main entrance gate (refer to Final EIR Figures III-5 and III-11).

2.6.12 Existing Uses

The project site currently supports agricultural production of wine grapes and lemon orchards, a wine production facility, a tasting room, single-family residences, farm support quarters, a telecommunications facility, agricultural roads, water supply storage and infrastructure, and public utility lines. Special events associated with the winery and tasting room include approximately six events per year, wine industry related, by invitation only, and limited to less than 200 guests. The applicant proposes to continue the use of these existing facilities. In addition, several barns and agricultural accessory uses are located throughout the site. One existing modular home and associated accessory buildings located near the eastern portion of the project site would be removed.

There are 18 recorded easements on the project site, for a variety of uses. A public easement granting access to Los Berros Creek is located parallel to Upper Los Berros Road. Seven easements for utility lines and poles are located throughout the project site. Two easements for the state water pipeline and incidental uses are located parallel to Highway 101. One easement for a neighboring property is located onsite, extending east from Highway 101, and two private easements for access onto the project site are located within the alignment of proposed Main Road 1. One easement for access to the existing wireless telecommunications facility onsite is located near the existing winery facility. The applicant is not proposing to amend these existing easements.

2.7 PERMIT REQUIREMENTS AND APPROVALS

Required approvals and permits for the Approved Project are summarized in Table 1.

Table 1. Permit Requirements and Approvals

Responsible Agency	Permit or Authorization	Timeframe
County of San Luis Obispo	Approval to subdivide the project site	Planning Commission hearing
	Approval of conditional use permit	Planning Commission hearing
	Recordation of final map	Upon applicant submittal of required documents and plans

Responsible Agency	Permit or Authorization	Timeframe
	Issuance of construction permits for tract improvements, and ranch headquarters	Following recordation of final map and applicant submittal of required documents and plans
	Issuance of construction permits for individual lot development	Following recordation of final map and applicant submittal of required documents and plans
	~~Approval of conditional use permit for dude ranch~~	~~Planning Commission hearing~~
California Department of Forestry and Fire Protection	Approval of Fire Safety Plans	Following recordation of final map and applicant submittal of required documents and plans
California Department of Transportation	Encroachment permits for improvements within state right-of-way	Following applicant submittal of required documents and plans
County of San Luis Obispo Air Pollution Control District	Operational Permits	Following applicant submittal of required documents and plans
Regional Water Quality Control Board	Section 401 Water Quality Certification	Following applicant submittal of required documents and plans
	Report of Waste Discharge permit for the wastewater treatment plant, storage ponds, and treated effluent disposal	Following applicant submittal of required documents and plans
State Water Resources Control Board	Stormwater Pollution Prevention Plan	Following applicant submittal of required documents and plans
California Department of Fish and Game	Streambed Alteration Agreement	Following applicant submittal of required documents and plans
U.S. Army Corps of Engineers	Nationwide or Individual permit	Following applicant submittal of required documents and plans

GENERAL FINDINGS

3.1 CEQA GENERAL FINDINGS

A. The County Planning Commission finds that changes or alterations have been incorporated into the project to eliminate or substantially lessen all significant impacts where feasible. These changes or alterations include mitigation measures and project modifications outlined herein and set forth in more detail in the Laetitia Agricultural Cluster Tract Map and CUP EIR. Any mitigation measures that have been altered or implemented in conditions of approval that differ from those published in the Final EIR are equally effective as the original mitigation measures, as supported by substantial evidence in the record. Any such alterations do not require recirculation of the EIR because the changes will not result in new significant impacts or increased severity of previously identified significant impacts.

B. The County Planning Commission finds that the project, as approved, includes an appropriate Mitigation Monitoring Program. This mitigation monitoring program ensures that measures that avoid or lessen the significant project impacts, as required by CEQA and the State CEQA Guidelines, will be implemented as described.

C. Per CEQA Guidelines §15126.4(a1)(B), the Approved Project includes performance-based conditions relating to environmental impacts and include requirements to prepare more detailed plans that will further define the mitigation based on the more detailed plans to be submitted as a part of the construction phase. Conditions and mitigation measures contain performance-based standards and therefore avoid the potential for these conditions or measures to be considered deferred mitigation under CEQA.

3.2 LEAD AGENCY AND RESPONSIBLE AGENCY USE OF THE FINAL EIR AND FINDINGS

The County, as the CEQA lead agency, is responsible for administering the preparation of the EIR and certifying the Final EIR. The County Planning Commission will use the Final EIR as an informational document to assist in the decision-making process for the Vesting Tentative Tract Map and Conditional Use Permit, ultimately resulting in the approval, denial, or assignment of conditions to the project.

The CEQA Guidelines authorizes lead agencies (public agencies that have principal responsibility for carrying out or approving a project and for implementing CEQA) to approve a project with significant effects if there is no feasible way to lessen or avoid the significant effects and the project's benefits outweigh these effects. Responsible agencies (public agencies other than the lead agency that have responsibility for carrying out or approving a project and for complying with CEQA) have a more limited authority to require changes in the project to lessen or avoid only the effects, either direct or indirect, of that part of the project which the agency will be called on to carry out or approve (PRC §21104(c), §21153(c); CEQA Guidelines §15041(b), §15042).

3.3 THE RECORD

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOP and all other public notices issued by the County in conjunction with the proposed project;

- The Final EIR for the proposed project which consists of the Draft EIR, the Recirculated Draft EIR, the technical appendices, and the Response to Comments;
- The Draft EIR;
- The Recirculated Draft EIR;
- All written comments submitted by agencies or members of the public during the public review comment periods on the Draft EIR and Recirculated Draft EIR;
- All responses to written comments submitted by agencies or members of the public during the public review and comment period on the Draft EIR and Recirculated Draft EIR;
- All written and verbal public testimony presented during noticed public hearings for the proposed project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program;
- The documents, reports, and technical memoranda included or referenced in the technical appendices of the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft, Recirculated Draft, and Final EIR;
- The Ordinances and Resolutions adopted by the County in connection with the proposed project, and all documents incorporated by reference therein;
- Matters of common knowledge to the County, including but not limited to federal, state, and local laws, regulations, and policy documents;
- Written correspondence submitted to the County in connection with the project;
- All documents, County Staff Reports, County studies, and all written or oral testimony provided to or by the County in connection with the project;
- The County's General Plan and related ordinances;
- All testimony and deliberations received or held in connection with the project; and,
- Any other relevant materials required to be in the record of proceedings by PRC §21167.6(e) (excluding privileged materials).

3.4 CERTIFICATION OF THE LAETITIA AGRICULTURAL CLUSTER TRACT MAP AND CUP EIR

The County Planning Commission makes the following findings with respect to the Laetitia Agricultural Cluster Tract Map and CUP EIR:

A. The County has reviewed and considered the documents and other information listed in Section 3.3 above.

B. The Final EIR has been completed in compliance with CEQA.

C. The County Planning Commission has considered the information contained in the Final EIR, the public comments and responses currently and previously submitted, and the public comments and information presented at the public hearings.

D. All information was considered by the County Planning Commission before taking an action on the project.

E. The County Planning Commission hereby finds and determines that:

1. All significant effects that can be feasibly avoided have been eliminated or substantially lessened as determined through the findings and supporting evidence set forth in Sections 5.0, 6.0, 7.0, and 8.0.

2. Based on the Final EIR and other documents in the record, specific environmental, economic, social, legal, and other considerations make infeasible other project alternatives identified in the Final EIR.

3. Should approval of the Laetitia Agricultural Cluster Tract Map and CUP have the potential to result in adverse environmental impacts that are not anticipated or addressed by the Final EIR, subsequent environmental review shall be required in accordance with CEQA Guidelines §15162(a).

4.0 IMPACT CLASSIFICATION

The Final EIR has identified and discussed significant effects that will occur as a result of the Approved Project. Impacts of the Approved Project and alternatives have been classified using the categories Class I, II, and III, as described below:

- **Class I:** Class I impacts are significant and unavoidable. To approve a project resulting in Class I impacts, the CEQA Guidelines require decision makers to make findings and a statement of overriding considerations that discusses as applicable the economic, legal, social, technical and other benefits of the proposed project against the unavoidable environmental risks.

- **Class II:** Class II impacts are significant but can be mitigated to a level of insignificance by measures identified in the Final EIR and the project description. When approving a project with Class II impacts, the decision-makers must make findings that:

    1. Changes or alternatives to the project have been incorporated that reduce the impacts to a less than significant level, or

    2. That such changes or alternatives are within the responsibility and jurisdiction of another governmental agency and not the Lead Agency making the finding, and that such other governmental agency can and should adopt the required project changes or alternatives.

- **Class III:** Class III impacts are adverse but not significant. Mitigation measures may still be required for these impacts as long as there is rough proportionality between the environmental impacts caused by the project and the mitigation measures imposed on the project.

5.0 FINDINGS FOR IMPACTS IDENTIFIED AS LESS THAN SIGNIFICANT

The findings below are for Class III impacts. Class III impacts are impacts that are adverse, but not significant. Pursuant to Section 15091(a)(1) of the State CEQA Guidelines, the County finds that each of the following effects have been avoided or will have a less than significant impact, as identified in the Final EIR. The less than significant effects (Impacts) are stated fully in the Final EIR. The following are brief explanations of the rationale for this finding for each impact:

5.1 AESTHETIC RESOURCES

AES Impact 7	
The inherent loss of rural character caused by changing the existing working ranch into an architecturally designed recreation facility ranch headquarters would result in less than significant adverse impacts.	
Mitigation	**AES/mm-19** Prior to approval of the subdivision improvement plans, the applicant shall modify the ranch headquarters landscape plan to show: a. Native trees and shrubs shall be planted and maintained along the north side of Upper Los Berros Road to screen views of the ranch headquarters. The screen planting shall run along the project frontage from the east end of the existing barn nearest the road to remain in place, to a point approximately 200 feet east of the proposed main entry road. The planting shall be designed to look like naturally occurring vegetation. Gaps in the screen planting may occur in order to achieve a natural appearance; however, the gaps shall not be greater than 20 feet in length and shall not occur at intervals closer than 100 feet. Tree species shall include primarily coast live oak and shall be planted from minimum 48-inch box containers.
Findings	With implementation of this mitigation, in conjunction with the other measures recommended in the Final EIR, residual impacts due to the visibility of the ranch headquarters would be considered *less than significant, Class III.*
Supportive Evidence	The ranch headquarters site occupies a relatively flat area at the base of a small ridge (refer to Final EIR Figure V.A.-33 for a photo of the site). The ranch headquarters would only be visible from Upper Los Berros Road and because of the road curvature, would only be seen from within the immediate vicinity. The ranch-style architecture and materials of the development are appropriate responses to the rural creek setting. Retention of the large trees and existing older buildings would help the headquarters somewhat integrate with the Upper Los Berros Road corridor. The proposed ranch headquarters is expected to be perceived as an attractive, well-designed development. Still, substantial visual changes would occur to the project site with construction of the proposed elements. Although the ranch vernacular would be employed, the site would appear neither as a ranch nor rural. The entry feature gate and guard station, recreation activities, mail station, maintained landscaping, vehicles, site users and other elements would be obvious visual clues that the site is part of an up-scale development of some sort. Because of this inherent loss of rural character and gentrification of the project site along this wooded creek corridor, a degree of visual impact would occur. By providing a partial screen planting of native plants along the ranch headquarters/Upper Los Berros Road frontage, the development would be somewhat less noticeable, and the suburban visual components would be less obvious.

5.2 GEOLOGY AND SOILS

1. **Geologic and Soils Hazards, Insignificant Hazards:** The potentials for impacts to the project related to subsidence, volcanic eruption, asbestos, and springs/seeps are considered insignificant (Class III) due to the absence of site conditions that would

create a significant potential for such occurrences. For the wastewater treatment facility and residential lots, the potential for springs/seeps is considered insignificant (Class III).

2. **Seismic Hazards, Insignificant Seismic Hazards:** The potentials for seismically-induced settlement, liquefaction, and flooding due to tsunamis or seiches are considered insignificant due to the absence of site conditions that would create a significant potential for such occurrences where the lots are proposed and in the areas of the community buildings, the dude ranch, and the wastewater treatment facility. Seiches could occur in the proposed ponds; however, there are no significant improvements planned immediately downslope of the ponds and overflow from the ponds would drain to nearby drainages or Los Berros Creek. As the site is not located in an Earthquake Fault Zone and no structures are planned within 300 feet of the postulated alignments of the Wilmar fault, the potential for fault rupture to affect the project is considered less than significant (Class III). The primary seismic hazards that could impact the project are ground shaking, and seismically-induced slope failure.

3. **Ground Shaking:** There is no evidence of active faulting on the project site, therefore the potential for ground rupture is considered to be less than significant (Class III).

5.3 NOISE

NS Impact 2	
Development of the proposed project would create significant amounts of new vehicle traffic traveling on North Thompson Road, which would exacerbate the current exceedance of the 60 dBA outdoor noise threshold as defined by the Noise Element. Project-generated vehicle traffic traveling on North Thompson Road would result in a direct long-term noise impact.	
Mitigation	Not applicable.
Findings	The projected noise increase would be approximately 1.2 decibels, which would be barely perceptible within outdoor use areas of residences located along the roadway, based on guidance provided through the Federal Highway Administration (FHWA). Therefore, impacts due to project-generated vehicle traffic would be considered *less than significant, Class III*.
Supportive Evidence	The proposed project would create new daily vehicle trips that would utilize the existing rural County roads surrounding the project site. Since there is a direct relationship between an increase in traffic volumes and an increase in noise levels, any project-generated traffic would be expected to increase noise levels on surrounding County roads. Using traffic volume predictions developed by Fehr & Peers, EIR transportation consultants, Final EIR Table V.I.-9 provides an estimate of the noise level increase associated with project-generated traffic. The project-generated p.m. peak-hour trip volume of 145 trips is the same for all surrounding roads because there is essentially one primary access route to the project site from Highway 101 or the community of Nipomo to the south. It is expected that noise levels on Upper Los Berros Road, Dana Foothill Road, and Sheehy Road would not exceed the 60 dBA outdoor noise threshold with the addition of project generated traffic. Since the outdoor noise threshold is 60 dBA, only North Thompson Road is currently above the allowable threshold as defined by the *Noise Element*. The fact that noise levels on North Thompson Road are predicted to increase by approximately one dBA or more with the addition of project-generated traffic indicates that a significant noise impact as defined by the *Noise Element* would occur due to development of the proposed project. However, based on further review of guidance from the FHWA, traffic noise increases of 3 dB or less are barely perceptible by the human ear (FHWA, 1995, 2010). Therefore, although the project would contribute to existing ambient noise levels that currently exceed identified thresholds, this

NS Impact 2	
	increase would not adversely affect sensitive land uses because the increase would be barely perceptible, and soft ground surfaces located between the outdoor use areas of sensitive receptors and the roadway would provide noise attenuation (6 dB per doubling of distance from the roadway).

5.4 TRANSPORTATION AND CIRCULATION

TR Impact 5	
The proposed project would generate pedestrian trips where sidewalks or pathways are not currently proposed.	
Mitigation	**TR/mm-6** Prior to approval of subdivision improvement plans, the project applicant shall submit a pedestrian circulation plan for review and approval by the County Department of Public Works and Department of Planning and Building. The applicant shall construct any pedestrian improvements called for in the plan. This plan should, to the maximum extent feasible, use existing ranch roads as pedestrian paths connecting the residential clusters with the ranch headquarters/homeowners association facilities and other residential clusters. Appropriate signage should be included on the plan to notify drivers of pedestrians sharing the roadway. Due to the rural character of the site and the expected low pedestrian volumes, sidewalks are not appropriate throughout the residential and agricultural portions of the site. **Secondary Impact** Implementation of this mitigation measure would result in secondary impacts to agricultural resources by introducing recreational uses (i.e., walking, running, bicycling, etc.) within productive agricultural areas. Please also refer to AG Impact 2. Implement AG/mm-1 ~~Implement **AG/mm-3**.~~
Findings	Residual impacts are considered *less than significant, Class III*.
Supportive Evidence	The proposed project is expected to generate pedestrian trips between the residential units and the ranch headquarters/homeowners association facilities. As proposed, the project would provide pedestrian facilities in the vicinity of the ranch headquarters/homeowners association facilities. These facilities would consist of decomposed granite walkways and accented pavement pedestrian crossings. Implementation of a pedestrian access plan and appropriate signage would provide internal, private, pedestrian access within the subdivision.

TR Impact 6	
The proposed project would generate bicycle trips where bicycle facilities are not provided.	
Mitigation	**TR/mm-7** Prior to the issuance of building permits, the project applicant shall submit a bicycle circulation plan for review and approval by the County Department of Public Works, Department of Planning and Building, and Parks Division. The applicant shall construct any bicycle improvements called for in the plan. This plan should, to the maximum extent feasible, use existing ranch roads as bicycle paths connecting the residential clusters with the ranch headquarters/homeowners association facilities and other residential clusters. The plan should provide clear connections to the proposed multi-use trails identified in the County Parks and Recreation Element and appropriate traffic control devices at street crossing locations. Due to the rural character of the site, hilly terrain, and the expected low bicycle volumes, on-street Class II bike lanes are not appropriate throughout the residential and

TR Impact 6	
	agricultural portions of the site. The project applicant shall provide a bicycle rack capable of storing a minimum of five bicycles at the ranch headquarters/homeowners association facility to encourage internal site trips via bicycle. **Secondary Impact** Implementation of this mitigation measure would result in secondary impacts to agricultural resources by introducing recreational uses (i.e., walking, running, bicycling, etc.) within productive agricultural areas. Please also refer to AG Impact 2. Implement AG/mm-1. ~~Implement **AG/mm-3**.~~
Findings	Residual impacts are considered *less than significant, Class III*.
Supportive Evidence	As proposed, the project does not provide bicycle facilities. The project would generate new bicycle trips between the residential clusters and the ranch headquarters/homeowners association facilities. It is expected that most, if not all of these trips will be recreational in nature (i.e., not commute trips), or to access internal components (ranch headquarters). Chapter 22.18.050 of the County's Development Code specifies that for parking lots with more than 20 parking spaces, bicycle racks should be provided at a rate of 1 per 10 parking spaces. The County Parks and Recreation Element (December 2006) shows existing and proposed parks and trail facilities in areas throughout the County. In the vicinity of the project site, it shows several proposed multi-use trails. Multi-use trails are proposed along North Thompson Road, Sheehy Road, North Dana Foothill Road, and along the Los Berros Creek from Upper Los Berros Road to Los Berros Road beyond Highway 101. These trails would connect to destinations both north and south of the project site.

6.0 FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT BUT MITIGABLE

Pursuant to §15091(a)(1) of the CEQA Guidelines, the County finds that, for each of the following significant effects as identified in the Final EIR, changes or alterations (mitigation measures) have been required in, or incorporated into, the project which avoid or substantially lessen each of the significant environmental effects as identified in the Final EIR. The significant effects (impacts) and mitigation measures are stated fully in the Final EIR. The following are brief explanations of the rationale for this finding for each impact:

6.1 AESTHETIC RESOURCES

AES Impact 1	
Earthwork required for the development of building pads, roads, and utilities would be visible throughout the project and would adversely affect rural visual character resulting in a direct long-term impact.	
Mitigation	**AES/mm-1** At the time of application for construction permits for individual residential lots, the applicant for each individual lot shall submit grading plans to the County Department of Planning and Building for review and approval. Project CC&Rs shall state that county review of grading plans is required. Site grading on all residential lots shall be minimized to the greatest extent possible. Stepped foundations and other methods shall be used to minimize visible grading and reduce hillside scarring. Structure floor elevations shall generally follow the natural landform. Unavoidable grading shall be contour-graded where possible to avoid engineered, angular landforms. Slope-rounding shall be used where grading meets the natural topography and where slope grades change. Graded slopes shall not exceed of 2:1 (horiz:vert) to allow for successful revegetation. **AES/mm-2** At the time of application for construction or grading permits, the applicant shall show on the project plans, the border of cut slopes and fills rounded off to a minimum radius of five feet. For any visible cuts from public roads, sufficient topsoil shall be stockpiled and reapplied or re-keyed over these visible cut areas to provide at least eight inches of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed and prior to final inspection, the cut and fill slopes shall be reestablished with non-invasive, fast growing vegetation. **AES/mm-3** Prior to approval of the subdivision improvement plans, the applicant shall provide long-term erosion control plans for all disturbed areas. Erosion control shall include a vegetative component. Prior to ~~recordation~~final acceptance of subdivision improvements, the applicant shall provide independent third-party verification to the County Department of Planning and Building that the vegetative erosion control has been successfully established. **AES/mm-4** At the time of application for construction permits for individual residential lots, the applicant for each individual lot shall submit long-term erosion control plans to the County Department of Planning and Building for review and approval. Plans shall include, but not be limited to, the use of revegetation efforts to restore disturbed cut and fill slopes visible from public roadways. Project CC&Rs shall state that county review of erosion control plans is required.
Findings	With implementation of these mitigations, in conjunction with the other measures recommended in this study, impacts due to the visual contrast of earthwork would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	Because of the undulating to steep topography of the site, in order to create suitable building pads and road cross-sections, the project would result in substantial amounts of grading and earthwork. Due to the extensive visual exposure the site has to the surrounding public roads and other areas, much of this earthwork would be visible. The visual contrast of disturbed earth combined with the angular appearance of engineered cut and fill slopes would be potentially seen from great distances. This degree of visibility would increase noticeability of

AES Impact 1	
	the project as a whole and would contribute to an alteration of existing rural character. Through successful vegetative erosion control, visibility of the earthwork would be reduced. These potential impacts would be considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures (refer to Final EIR Figures V.A.-3 through V.A.-32).

AES Impact 2	
Reflective colors and contrasting forms of the residences, accessory buildings, walls and fences would increase project noticeability and adversely affect rural visual character resulting in a direct long-term impact.	
Mitigation	**AES/mm-5** At the time of application for construction permits on individual residential lots, each individual lot applicant shall submit architectural elevations of all proposed structures, walls, and fences to the County Department of Planning and Building for review and approval. Project CC&Rs for residences shall state that county review of elevations and related plans is required and shall outline the parameters specified below. Review shall include any proposed retaining walls and fences. The elevations shall show forms, dimensions, exterior finish materials and colors, as follows: b. Roofs shall be articulated and follow the general shapes of the hills and avoid flat planes which project against the background in long straight lines or acute angles which may be considered intrusive to the existing natural character of the hills and vegetation. c. Building, retaining wall, and fence colors shall be similar to surrounding natural colors and no brighter than six in chroma and value on the Munsell Color Chart. d. Structure exterior wall colors, retaining wall and fence colors shall be limited to muted earth tones. White or off-white colors shall be prohibited. e. Roof colors shall be limited to deep earth tones, deep muted greens, browns, and grays and no brighter than six in chroma and value on the Munsell Color Scale Chart. Shiny metal roofs, bright orange red or blue roof colors shall be prohibited. f. Retaining walls shall include landscaping to reduce visibility. **AES/mm-6** At the time of application for construction permits for individual residential lots, the applicant for each individual lot shall submit landscape screening plans to the County Department of Planning and Building for review and approval. Project CC&Rs for residences shall state that county review of such plans is required and shall outline the parameters specified below. a. Screen planting shall be included along the western and southern sides of all residential structures. b. Evergreen trees and large shrubs shall be used that are compatible with the surrounding vineyards. South side plantings may include some deciduous trees where it is shown that solar benefits would exist and where the visual screening function would not be reduced. c. The landscape plan shall be prepared by a licensed landscape architect and shall provide a minimum 50 percent visual screening of the residential structure as viewed from the west and south within a period of 7 years of approval of the construction permit. d. Plant types shall be carefully selected to perform well in the existing soil conditions. e. All plants within the screen planting area shall be maintained and kept in a healthy condition. Plants that die shall be replaced. Replacement planting shall be based on an evaluation of the cause of the original plant's death and the appropriate

AES Impact 2	
	horticultural adjustment to ensure future plant success.
Findings	With implementation of this mitigation, in conjunction with the other measures recommended in this study, impacts due to the visual contrast and noticeability of the residential structures would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	The project would be visible from many viewpoints in the surrounding area and from important public roadways. The majority of the residences would be visible from at least one of the many viewpoints the project site affords. In spite of the visibility reduction measures identified in this section, most of the residential structures would remain within public view. As a result, structures with highly reflective or light colors and building forms that contrast with the natural landform would draw attention to the built character of the project as a whole and would adversely affect the existing rural character of the setting. Residential buildings that blend with the overall landscape setting in terms of form and color and would lessen the adverse effect on the visual environment. Landscape screening placed on the most visible sides of the residences would further reduce impacts. These potential impacts would be considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures (refer to Final EIR Figures V.A.-3 through V.A.-32).

AES Impact 3	
Visibility of light sources and glow from the hillside residences and roadways would degrade nighttime view quality and adversely affect rural visual character resulting in a direct long-term impact.	
Mitigation	**AES/mm-7** Prior to approval of the subdivision improvement plans, the applicant shall submit a final lighting plan that is consistent with the following measures: a. Post lighting shall only be used at the ranch headquarters, and shall be fully shielded from public roadways. b. All lighting required along roadways shall be shielded bollard lighting maximum four feet tall and only used to delineate intersections and critical driving decision points. c. Lighting shall be the minimum required by county ordinance for a private residential development. d. Lighting shall not shine light or glare upwards. **AES/mm-8** At the time of application submittal for construction permits on individual residential lots, each individual lot applicant shall submit an exterior lighting plan to the County Department of Planning and Building for review and approval. Project CC&Rs for residences shall state that county review of the lighting plans is required and shall outline the parameters specified below. a. The point-source of all exterior lighting shall be shielded from all views outside of the individual lot. b. Lighting shall not shine light or glare upwards.
Findings	With implementation of this mitigation, in conjunction with the other measures recommended in this study, impacts due to the visibility of nighttime lighting associated with the roadways and residences would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	The project would create a new source of night lighting visible from the Highway 101 corridor, Upper Los Berros Road, Dana Foothill Road, and residences in the area. The elevated locations of the lots and internal roadways relative to most viewpoints would position the

AES Impact 3	
	lights onto the hillside backdrops for the affected viewers. Thirty-three elevated post lights are proposed along roadways throughout the project. Visibility of lighting would increase noticeability of the development and would be the primary indicator of the project's existence at night. As a result of this increased project visibility and disruption of the existing darkened hillside backdrop, long-term visual impacts would occur. These potential impacts would be considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures.

AES Impact 4	
Visibility of development and associated earthwork related to ~~Main Road 2, residential development of Sub-cluster E (Lots 87 through 105), Roads A, B, E, and F, residential development on Lot 46~~, the water storage tank, associated cut slope and access road, would adversely affect the rural visual character and increase noticeability of the project as seen from Highway 101 resulting in a direct long-term impact.	
Mitigation	~~**AES/mm-9** Upon submittal of subdivision improvement plans, the applicant shall submit revised plans showing the realignment of Main Road 2 in the vicinity of Sub-cluster E to a location below the relocated residential lots of Sub-cluster E, below the 660-foot elevation line.~~ [*Note for reader: this mitigation measure identified in the Final EIR is satisfied by the applicant's submittal of the revised Vesting Tentative Tract Map, dated December ~~18~~23, 2015*]. ~~***Secondary Impact*** Realignment of Main Road 2 would result in the additional removal of approximately six acres of vineyards to accommodate the access road and residential parcels, resulting in significant secondary impacts to agricultural resources. As discussed in Section V.B. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.~~ ~~**AES/mm-10** Upon submittal of subdivision improvement plans, the applicant shall realign Road A to a location below the lots of Sub-cluster A.~~ [*Note for reader: this mitigation measure identified in the Final EIR is satisfied by the applicant's submittal of the revised Tract Map, dated December ~~18~~23, 2015*]. ~~***Secondary Impact*** Realignment of Road A would result in the removal of an additional approximately one acre of vineyards to accommodate the access road, resulting in significant secondary impacts to agricultural resources. As discussed in Section V.B. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.~~ **AES/mm-11** Upon submittal of subdivision improvement plans, the applicant shall provide plans showing the following modifications regarding the water storage tank facility: a. The water storage tank shall be placed below ground. b. The grading plan shall be modified such that no horizontal bench for the tank site, service, or parking is visible from Highway 101.

AES Impact 4	
	c. The access road to the water tank shall be realigned to approach the tank site from the eastern side of the ridge, and shall not be visible from Highway 101. ~~**AES/mm-12** Prior to approval of the subdivision improvement plan, the applicant shall modify Sub-cluster C as follows:~~ a. ~~Lot 46 shall be eliminated.~~ [*Note for reader: this mitigation measure identified in the Final EIR is satisfied by the applicant's submittal of the revised Vesting Tentative Tract Map, dated December ~~18~~23, 2015*]. ~~**AES/mm-13** Upon application submittal of subdivision improvement plans, the applicant shall realign Road B to a location below the relocated lots of Sub-cluster D.~~ [*Note for reader: this mitigation measure identified in the Final EIR is satisfied by the applicant's submittal of the revised Vesting Tentative Tract Map, dated December ~~18~~23, 2015*]. ~~***Secondary Impact*** Relocation of Road B would locate future residences closer to existing and proposed vineyards, resulting in significant and adverse secondary impacts to agricultural resources. As discussed in Section V.B. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.~~ ~~**AES/mm-14** Upon application submittal of subdivision improvement plans, the applicant shall modify Sub-cluster E submit plans as follows:~~ a. ~~All lots within Sub-cluster E (Lots 87 through 105) shall be relocated below the 660 foot elevation contour.~~ b. ~~All building envelopes shall be relocated to the lowest elevation possible within each lot.~~ [*Note for reader: this mitigation measure identified in the Final EIR is satisfied by the applicant's submittal of the revised Vesting Tentative Tract Map, dated December ~~18~~23, 2015, which eliminates Sub-cluster E*]. ~~***Secondary Impact*** Relocation of Lots 87 through 105 Locating residential lots below the 660-foot elevation would result in the removal of approximately six acres of additional vineyards to accommodate the access road (Main Road 2) and residential parcels (and an approximately 200 to 250 foot buffer), and would reduce buffers between residential development and agricultural production areas, resulting in significant and adverse secondary impacts to agricultural resources. As discussed in Section V.B. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.~~ ~~**AES/mm-15** Upon application submittal of subdivision improvement plans, the applicant shall realign Roads E and F and any access drives to locations below the residential lots they serve. Plans shall show that no earthwork associated with these roads shall extend above the 660-foot elevation contour.~~ [*Note for reader: this mitigation measure identified in the Final EIR is satisfied by the applicant's submittal of the revised Vesting Tentative Tract Map, dated December ~~18~~23, 2015, which eliminates Roads E and F*]. ~~***Secondary Impact*** The Relocation of Road E roads and residential parcels below the 660-foot elevation line would result in a further reduction in buffer distance between the residential and agricultural land uses, resulting in significant and adverse secondary impacts to agricultural resources. As discussed in Section V.B. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and inadequate buffers between~~

AES Impact 4	
	~~residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.~~
Findings	Implementation of these mitigation measures, in conjunction with the other measures recommended in this analysis and submittal of a revised tract map, would reduce significant aesthetics impacts to less than significant. Based on submittal of a revised tract map, this impact would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	During the preparation of the aesthetics resource analysis for the EIR, several components of the proposed project were determined to be highly visible as seen from the Highway 101 travel corridor. Implementation of these project elements would result in significant changes to the existing rural character, and would increase the overall noticeability of the project as a whole. The applicant's submitted revised Vesting Tentative Tract Map (dated December ~~18~~23, 2015) incorporates mitigation measures identified in the Final EIR, and as directed by the Planning Commission on October 29, 2015. The Final EIR includes recommendations for design standards, to be incorporated into a re-submitted tentative tract map for the County's approval. Compliance with these recommendations and mitigation measures would address and mitigate potential adverse impacts.

~~**AES Impact 5**~~	
~~Visibility of the residential development of Sub-cluster A (Lots 1 through 23) would adversely affect the rural visual character of the area and would be in conflict with SRA goals and the Highway 101 Corridor Design Standards, resulting in a direct long term impact.~~ [*Note for reader: this impact identified in the Final EIR would be avoided by the applicant's submittal of the revised Vesting Tentative Tract Map, dated December ~~18~~23, 2015. Mitigation measures that address this impact are incorporated into the revised Vesting Tentative Tract Map, dated December ~~18~~23, 2015*].	
~~***Mitigation***~~	~~**AES/mm-16** Prior to approval of the subdivision improvement plan, the applicant shall modify Sub-cluster A as follows:~~ ~~a. Lots 11 and 12 shall be relocated across from Lots 13 and 14, along Road K.~~ ~~b. All building envelopes for Lots 1 through 23 shall be relocated to the lowest elevation possible within each lot.~~ ~~**AES/mm-17** At the time of application submittal for construction permits on individual residential lots, plans shall show that all accessory structures shall be located with the building envelope for each lot.~~ ~~***Secondary Impact*** Relocation of proposed envelopes for Lots 1 through 23 would place residential structures in closer proximity to productive vineyard areas, and would further reduce the buffer between the residential and agricultural land uses by approximately 150 feet, resulting in significant secondary impacts to agricultural resources. As discussed in Section V.B. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and land use conflicts due to inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.~~

~~**AES Impact 5**~~	
~~***Findings***~~	~~Mitigation measures include recommendations to modify the proposed project design, including relocation of Lots 11 and 12. Implementation of these measures would mitigate potentially significant adverse visual impacts; however, the County cannot include design changes to a tentative map as conditions of approval. Therefore, this impact is considered *significant and unavoidable, Class I.*~~
~~***Supportive Evidence***~~	~~Lots 1 through 12 and 16 through 23 of Sub cluster A are located with the SRA. Residential development on these lots is subject to the Highway Corridor Design Standards including the following provisions:~~ ~~a. **Ridgetop Development.** Structures within the corridor boundaries shall be located so they are not silhouetted against the sky.~~ ~~b. **Building Height and Color.** Maximum building height is 25 feet above natural grade. Building color other than trim shall be similar to surrounding colors and no brighter than six in chroma and value on the Munsell Color Scale on file in the Department of Planning and Building.~~ ~~c. **Landscaping.** A landscaping plan per the Land Use Ordinance is required that will insure at least 50 percent screening of structures at plant maturity.~~ ~~Even with these design requirements as well as the other measures identified in this section, the majority of these lots would remain visible from numerous points along Highway 101 (refer to Figures V.A. 16 and V.A. 22). Sub cluster A occupies a prominent intermediate slope and ridge as seen from the Highway 101 corridor. From the highway, views of Sub-cluster A range from as far as four miles away to closer viewpoints adjacent to the project site. The proposed placement of the building envelopes at the upper portions of these lots increases this visibility and causes the project to have a greater visual presence in the landscape. The visibility of the residences and associated development within Sub cluster A would contribute to a degradation of rural visual character as seen from the Highway 101 corridor. Development on Sub cluster A would be inconsistent with the Highway Corridor Design Standards guideline to retain land in open space in new land divisions that will preserve existing views. These potential impacts would be considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures (refer to Figures V.A.-17 and V.A.-23).~~

AES Impact 6	
Visibility of the residential development ~~of Sub cluster B (Lots 24 through 43)~~ Lots 66 through 85 would adversely affect the natural and rural visual character of the Upper Los Berros Road corridor resulting in a direct long-term impact.	
Mitigation	**AES/mm-18** ~~Upon submittal of~~ At the time of application for subdivision improvement plans, the applicant shall ~~modify Sub cluster B as follows~~ submit plans for Phase Four demonstrating compliance with the following measures: a. ~~Lots 27, 28, and 29 shall be relocated north of Lot 24, west of Road J.~~ [*Note for reader: this mitigation measure identified in the Final EIR is satisfied by the applicant's submittal of the revised Vesting Tentative Tract Map, dated December 23~~18~~, 2015*]. b. Building envelopes within Lots ~~36, 37, 38, 41, 42, and 43~~ Lots 78, 79, 80, 81, and 82 shall be ~~re~~located immediately adjacent to Road I. c. Site grading on Lots ~~36, 37, 38, and 39~~ 78 through 85 shall be minimized to the greatest extent possible. Stepped foundations and other methods shall be used to minimize visible grading and reduce hillside scarring. Structure floor elevations shall generally follow the natural landform. Unavoidable grading shall be contour-graded

AES Impact 6	
	where possible to avoid engineered, angular landforms. d. Native trees and shrubs shall be planted and maintained along the north side of Upper Los Berros Road to screen views of the residences. The screen planting shall run along the entire project frontage from the existing secondary access road to a point east of Lot 83~~-40~~. The planting shall be designed to look like naturally occurring vegetation to the greatest extent possible. Gaps in the screen planting may occur in order to achieve a natural appearance; however, the gaps shall not be greater than 30 feet in length and shall not occur at intervals closer than 200 feet. Tree species shall include primarily coast live oak. A minimum of 70 percent of the total screen tree planting shall be planted from 48-inch box containers. The remaining 30 percent of the screen planting shall be from one-gallon containers.
Findings	Implementation of this mitigation, in conjunction with the other measures recommended in this analysis and the applicant's submittal of a revised tract map, would minimize impacts due to the visibility of the residences as seen from Upper Los Berros Road. Therefore, this impact would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	The development would add noticeable suburban type elements to the existing Upper Los Berros Road setting, including visibility, silhouetting, and scarring due to substantial grading. These potential impacts would be considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures.
AES Impact 8	
Visibility and silhouetting of ~~Lots 66 through 85~~ Phase Two residential lots would adversely affect visual quality and character of the Highway 101 corridor resulting in a direct long-term impact.	
Mitigation	**AES/mm-20** ~~Upon~~ At the time of application ~~submittal of~~ for subdivision improvement plans, the applicant shall show that building heights for Lots 22 through 42 of Phase Two shall be a maximum 25 feet in height as measured by County ordinance. ~~modify Lots 66 through 85 of Sub-cluster D as follows:~~ a. ~~All structures shall be a maximum 25 feet in height as measured by County ordinance.~~ b. ~~All building envelopes within Lots 66 through 85 shall be relocated to the lowest elevation possible within each lot.~~ ~~***Secondary Impact*** Relocation of building envelopes for Lots 66 through 69 would result in direct and adverse impacts to a significant archaeological site. As discussed in Section V.E. (Archaeological Resources), elimination of Lots 68 and 69 is recommended to avoid this impact. Implementation of this measure would avoid potentially significant and adverse project-specific and secondary impacts resulting from the proposed project and the mitigation measure identified above. However, the County cannot include design changes to a tentative map as conditions of approval; therefore, the secondary impact would contribute to the previously identified significant and unavoidable impact to archaeological resources.~~ ***Secondary Impact*** Relocation of building envelopes ~~for Lots 67 through 70 and 74 through 85~~ would locate future residences immediately adjacent to existing and proposed vineyards, resulting in significant and adverse secondary impacts to agricultural resources. As discussed in Final EIR Section V.B. (Agricultural Resources), significant and adverse impacts to agricultural resources would occur as a result of this project, including conversion of Farmland to a non-agricultural use and inadequate buffers between residential and agricultural land uses. Implementation of this mitigation measure would contribute to this significant adverse impact. The applicant proposes to plant undeveloped areas with vineyards and orchard crops to replace vineyards removed to accommodate the project; however, no mitigation measures, aside from substantial revision of the project are available to fully mitigate the impacts to agricultural resources.

AES Impact 6	
	AES/mm-21 At the time of application submittal for construction permits on individual residential lots, plans shall show that all accessory structures shall be located within the building envelope.
Findings	With implementation of this mitigation, in conjunction with the other measures recommended in this study, impacts due to the silhouetting and general visibility of the residences would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	Proposed residential lots would be located on a knoll that is highly visible from both the northbound and southbound lanes of Highway 101 (refer to Final EIR Figures V.A.-10, V.A.-13, and V.A.-16). As seen from the northbound direction these lots occupy an intermediate ridge in the overall landscape. The western extent of the development would be seen from the southbound Highway 101 lanes, and where visible would contribute the overall character change introduced by the project. These potential impacts would be considered significant, but would be minimized or avoided through implementation of appropriate mitigation measures. The placement of the building envelopes at a lower elevation (as incorporated into the revised Vesting Tentative Tract Map dated December 23~~18~~, 2015), and implementation of a 25-foot height limitation minimizes this visibility and the potential for silhouetting, as seen from Highway 101.

AES Impact 9	
Reflective roofing materials and colors of the wastewater recycling facility building, would increase project noticeability and adversely affect rural visual character resulting in a direct long-term impact.	
Mitigation	**AES/mm-22** Prior to issuance of a construction permit for the wastewater treatment facility, the applicant shall provide wastewater recycling facility building plans showing: a. Roof and exterior wall colors shall be limited to deep earth tones, browns, and grays and no brighter than six in chroma and value on the Munsell Color Scale Chart. Shiny metal, bright orange red or blue roofs shall be prohibited. **AES/mm-23** Prior to issuance of a construction permit for the wastewater treatment facility, the applicant shall provide wastewater recycling facility building landscape plans showing: a. Screen planting shall be included along the western and southern sides of the wastewater recycling building. b. The landscape plan shall provide 100 percent visual screening of the wastewater recycling building structure as viewed from the west and south within a period of seven years of approval of the construction permit. c. All plants within the screen planting area shall be maintained and kept in a healthy condition. Plants that die shall be replaced. Replacement planting shall be based on an evaluation of the cause of the original plant's death and the appropriate horticultural adjustment to ensure future plant success.
Findings	With implementation of this mitigation, in conjunction with the other measures recommended in this study, impacts due to the visual contrast and noticeability of the wastewater recycling building would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Although the ponds associated with the wastewater treatment facilities would not be noticeable from public roadways, a portion of the proposed building would be visible from a section of Highway 101 (refer to Final EIR Figure V.A.-10). When seen in conjunction with the other visible elements of the project, the wastewater recycling facility building would contribute to an increase in the developed visual character of the area. In coordination with

AES Impact 9	
	the other required mitigation measures, using darkened earth tones and material finishes for the building exterior and landscape screening would make the wastewater recycling facility less noticeable in the landscape. The result would be a more visually intact agricultural setting and reduced impact on the existing rural character (refer to Final EIR Figure V.A.-11).
AES Impact 10	
Visibility of the built components of the dude ranch, in combination with the other project elements would cause the Upper Los Berros Road corridor to appear substantially more developed and would adversely affect the rural visual character resulting in a direct long-term impact.	
Mitigation	**AES/mm-24** Upon application for a Conditional Use Permit (CUP) for the dude ranch, the applicant shall provide development plans and reports that meet the following standards: a. Visibility of the built portion of the dude ranch from Upper Los Berros Road shall be avoided or minimized to the greatest extent feasible through setbacks from Upper Los Berros Road, site design and retention of existing vegetation. The development shall not rely solely on architectural design and/or new landscaping to reduce visibility. b. Access roads and entry points to the dude ranch shall be designed and aligned to reduce their visibility from Upper Los Berros Road including required grading, and minimize views to the interior developed portion of the dude ranch. c. A visual impact report shall be prepared for the dude ranch that assesses the project's adherence to the above standards, identifies potential impacts, and develops appropriate avoidance, minimization, and mitigation measures.
Findings	With implementation of this mitigation, in combination with mitigation measures identified in the subsequent visual analysis of the CUP, impacts due to the visibility of the dude ranch would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The area proposed for the dude ranch currently appears as natural and natural landscape along Los Berros Creek and the lower portions of slopes riding to the north (refer to Final EIR Figure V.A.-35 for a photo of the site). The area is well vegetated with native oak woodland and riparian plant communities. A few scattered residences are in the area, although they are mostly set back from the roadway or partially hidden by existing vegetation. Views to the proposed dude ranch site are generally limited to Upper Los Berros Road and the immediate vicinity. Only a detailed review of the future site development plans will determine the specific visual effects of the proposal. However, based on knowledge of the site and surroundings, certain planning and design criteria can be identified. For example, the natural visual character of the Upper Los Berros Road corridor must be maintained. The dude ranch would be one of three developed areas built by the project along Upper Los Berros Road, including the ranch headquarters and residential development. The extent and type of visual presence the dude ranch conveys would have a substantial effect on the cumulative impression of the project. If the dude ranch is visible and perceived as yet another upscale faux-ranch project element strung out along Upper Los Berros Road, the existing rural and natural character would be significantly compromised. To minimize this potential visual impact, the visibility of the dude ranch should be minimized or eliminated through generous setbacks from Upper Los Berros Road, site design, structure scale, form, color and materials, retention of existing vegetation, screen planting, placement and alignment of access roads and entry points and other creative measures.

6.2 AGRICULTURAL RESOURCES

AG Impact 3	
Operation of the proposed treated effluent disposal area may result in soil saturation and subsequent crop failure.	
Mitigation	**AG/mm-4** At the time of application for subdivision improvement plans, the applicant shall identify additional areas for treated effluent disposal, pursuant to Regional Water Quality Control Board review and approval. Alternative areas may include, but not be limited to: vineyards, orchards, and grazing land; and, common landscape areas. .The applicant shall provide evidence that the owners of open space lots where effluent disposal will occur have authorized this use. **Secondary Impact** As discussed in Final EIR Section V.D., Archaeological Resources, the use of the proposed effluent area may adversely affect significant archaeological resources, and mitigation measures include relocation of the proposed disposal site. Relocation of the effluent site shall include consideration of known archaeological resources, in addition to ensuring compliance with the Basin Plan and Regional Water Quality Control Board requirements. Implement **AR/mm-8**.
Findings	With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Water shortages in California have resulted in development of alternative reuse strategies. The SWRCB encourages reclamation and reuse of treated wastewater where feasible and beneficial. The Central Coast Basin Plan states: *"Where practicable, land disposal by spray irrigation shall be accomplished by proper reclamation techniques rather than by over-irrigation. This will aid water shortages and maximize nutrient removal. Treatment process selection for reclamation of wastewater is dependent upon the intended reuse. Where irrigation reuse or ground water recharge is intended, treatment requirements will depend on conditions described under land disposal. Clearly, the nature of the crop to be irrigated, soil percolation, and water characteristics are important considerations."* Factors that affect siting of land disposal areas for treated wastewater include soils, groundwater location, and the type of crops when irrigation is involved. The Basin Plan includes standards and thresholds for concentrations of salts, nitrates, boron, pathogenic organisms, and toxic chemicals in recycled water. Operation of the proposed effluent disposal area would result in the disposal of treated wastewater, which would be applied year-round, including during the rainy season. Soil saturation, particularly during the rainy season, may affect crop viability. Based on consultation with the Regional Water Quality Control Board, the applicant would be required to identify a margin of safety and develop a contingency plan in the event the recycled wastewater cannot be used for irrigation due to wet weather conditions or soil saturation (Sorrel Marks, 2007). The applicant currently proposes to use the storage ponds during wet weather conditions; however, additional measures for disposal may be necessary during high rainfall years to avoid over-saturation and subsequent crop failure. Alternative methods of disposal may include, but not be limited to: supplemental holding capacity; disposal of recycled water within alternative areas of the vineyard (provided the location meets standard regulatory criteria); disposal within common areas or landscaping; and, percolation into underlying soils.

6.3 AIR QUALITY

AQ Impact 1	
Construction of the proposed project would result in direct short-term air quality impacts associated with ROG and NO_X emissions, and would exceed SLOAPCD daily and quarterly Tier 2 thresholds.	
Mitigation	**AQ/mm-1** Prior to approval of subdivision improvement plans or grading permits, and subsequent individual lot construction permits, applicable plans shall show the following measures. During construction of all phases of development, and individual lot development, the applicants shall: a. Maintain records showing that all construction equipment is in proper tune according to manufacturer's specifications. b. Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road). c. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation. d. Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation. e. Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance. f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit. g. Diesel idling within 1,000 feet of sensitive receptors is not permitted or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies. h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors, or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies. i. Electrify equipment when feasible; j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible. k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel. **AQ/mm-2** Prior to approval of subdivision improvement plans or grading permits, and subsequent individual lot construction permits, applicable plans shall show the following measures. If the estimated ozone precursor emissions from the actual fleet for a given construction phase are expected to exceed the SLOAPCD threshold of significance after the standard mitigation measures are factored into the estimation, then Best Available Control Technologies (BACT) shall be implemented to further reduce these impacts. The BACT measures shall be approved by the County Planning and Building Department and SLOAPCD, and can include: a. Further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines; b. Repowering equipment with the cleanest engines available; and c. Installing California Verified Diesel Emission Control Strategies. These strategies are listed at http://www.arb.gov/diesel/verdev/vt/cvt.htm. **AQ/mm-3** Prior to approval of subdivision improvement plans or issuance of grading

AQ Impact 1	
	permits, and subsequent individual lot construction permits, the applicant or individual lot developer shall submit a SLOAPCD-approved Construction Activity Management Plan (CAMP), which shall include, but not be limited to the following elements: a. A Dust Control Management Plan that encompasses all, but is not limited to, measures identified in AQ/mm-11 and AQ/mm-13; b. Tabulation of on- and off-road construction equipment information (e.g., make, model, type, engine tier, DPM Level 3 filter age, horse-power, and miles or hours of operation); c. Construction truck trips scheduled during non-peak hours to reduce peak-hour emissions; d. Limited construction work-day period, if necessary; and e. Phase construction activities, if appropriate. **AQ/mm-4** Prior to approval of subdivision improvement plans or issuance of grading permits, if total emissions (including subdivision improvements and estimates of individual lot development) of ROG+NOx with the above mitigations still exceed SLOAPCD quarterly Tier 2 thresholds (6.3 tons/quarter ROG+NOx) and/or 0.32 tons/quarter DPM), the applicant shall secure SLOAPCD-approved off-site reductions in ROG+NOx emissions to ensure that ROG+NOx emissions do not exceed the SLOAPCD quarterly thresholds. Coordination with the SLOAPCD should begin at least 6 months prior to issuance of grading permits for the project to allow time for refining calculations and for the SLOAPCD to review and approve the CAMP and off-site mitigation approach. The CAMP and off-site mitigation measures shall be approved prior to approval of the Final Tract Map. The current off-site mitigation rate is $16,000 per ton of ozone precursor emission (NOx + ROG) over the SLOAPCD threshold calculated over the length of the expected exceedance. The applicant may use these funds to implement SLOAPCD approved emission reduction projects near the project site or may pay that funding level plus an administration fee (2012 rate is 15%) to the APCD to administer emission reduction projects in close proximity to the project. The applicant shall provide this funding at least two (2) months prior to the start of construction to help facilitate emission offsets that are as real-time as possible. Examples off-site mitigation strategies include, but are not limited to, the following: a. Fund a program to buy and scrap older heavy-duty diesel vehicles or equipment; b. Replace/repower transit buses; c. Replace/repower heavy-duty diesel school vehicles (i.e. bus, passenger or maintenance vehicles); d. Retrofit or repower heavy-duty construction equipment, or on-road vehicles; e. Repower or contribute to funding clean diesel locomotive main or auxiliary engines; f. Purchase VDECs for local school buses, transit buses or construction fleets; g. Install or contribute to funding alternative fueling infrastructure (i.e. fueling stations for CNG, LPG, conductive and inductive electric vehicle charging, etc.); h. Fund expansion of existing transit services; and, i. Replace/repower marine diesel engines. **AQ/mm-5** Prior to issuance of grading permits for tract improvements and individual lot development, the applicant shall ensure that all grading and construction equipment greater than 100 bhp be equipped with CARB Level 3 diesel particulate filters (DPF), or equivalent, to achieve an 85% reduction in diesel particulate emissions. If CARB verified Level 3 DPFs cannot be secured for all of the equipment greater than 100 hp then the applicant shall work to offset the added DPM with measures including but not limited to schedule modifications, implementation of no idling requirement, and expanded implementation of AQ/mm-1 measures (e.g., use of alternative fueled generators). **AQ/mm-6** Prior to issuance of grading permits for tract improvements and individual lot

AQ Impact 1	
	development, the applicant shall implement the following idle-restricting measures for both on- and off-road equipment during the project grading and construction phase near sensitive receptors: a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies; b. Diesel idling within 1,000 feet of sensitive receptors is not permitted or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies; c. Use alternative fueled equipment whenever possible; and d. Signs identifying the no idling requirements must be posted and enforced at the construction site. **AQ/mm-7** Prior to issuance of grading permits for tract improvements and individual lot development, the applicant shall implement the following idle-restricting measures for on-road vehicles during the grading and construction phases of the project: a. Section 2485 of CCR Title 13 limits diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of these vehicles: - Shall not idle the vehicle's primary diesel engine for more than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and, - Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation. b. Signs shall be posted in the designated queuing areas and job sites to remind on-road equipment operators of the 5-minute idling limit. **AQ/mm-8** Prior to issuance of grading permits for tract improvements and individual lot development, the applicant shall implement the following idle restricting measures for off-road vehicles during the construction phase of the project: a. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in §2449(d)(3) of the CARB In-Use off-Road Diesel regulation: www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf. b. Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the 5-minute idling limit. **AQ/mm-9** Prior to issuance of grading permits for tract improvements and individual lot development, the applicant shall submit a schedule detailing the phasing of activities and ensuring that the emissions of diesel particulates in any quarter falls below the applicable SLOAPCD thresholds. As an alternative approach, if scheduling is not feasible, the applicant shall provide SLOAPCD-approved off-site reductions in DPM emissions to ensure that DPM emissions do not exceed the SLOAPCD thresholds (refer to AQ/mm-4). **AQ/mm-10** Prior to approval of subdivision improvement plans or grading permits, and subsequent individual lot construction permits, if it is determined that portable engines and portable equipment will be utilized, the contractor shall contact the SLOAPCD and obtain a Permit to Operate. This equipment shall be registered in the statewide portable equipment registration program. Contact SLOAPCD Engineering Department at 781-5912.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.

AQ Impact 1	
Supportive Evidence	Application of mitigation measures is contingent on air emissions modeling conducting using CalEEMod and compliance with the SLOAPCD CEQA Handbook. Mitigation measures identified above were developed by the SLOAPCD to specifically mitigate emissions generated during construction of a project, including all phases of grading, site preparation, and construction. In the event standard mitigation measures would not result in emissions below SLOAPCD thresholds of significance, off-site mitigation would be implemented as identified above.

AQ Impact 2	
PM10 emissions from construction activities would create short and long-term impacts on air quality, further exacerbating the County non-attainment status for PM10.	
Mitigation	**AQ/mm-11** Prior to approval of subdivision improvement plans or issuance of grading permits, and subsequent individual lot construction permits, a Dust Control Plan shall be prepared and submitted to the SLOAPCD for approval prior to commencement of construction activities. The Dust Control Plan shall: a. Use SLOAPCD approved Best Management Practices (BMPs) and dust mitigation measures; b. Provide provisions for monitoring dust and construction debris during construction; c. Designate a person or persons to monitor the dust control program and to order increased watering or other measures as necessary to prevent transport of dust off-site. Duties should include holiday and weekend periods when work may not be in progress; d. Provide the name and telephone number of such persons to the SLOAPCD prior to construction commencement. e. Identify compliant handling procedures. f. Fill out a daily dust observation log. **AQ/mm-12** Prior to approval of subdivision improvement plans or issuance of grading permits, and subsequent individual lot construction permits, the applicant shall: a. Obtain a compliance review with the SLOAPCD prior to the initiation of any construction activities; b. Provide a list of all heavy-duty construction equipment operating at the site to the SLOAPCD. The list shall include the make, model, engine size, and year of each piece of equipment. This compliance review will identify all equipment and operations requiring permits and will assist in the identification of suitable equipment for the catalyzed diesel particulate filter; c. Apply for an Authority to Construct from the SLOAPCD. **AQ/mm-13** Prior to approval of subdivision improvement plans or issuance of grading permits, and subsequent individual lot construction permits, the following mitigation measures shall be shown on all project plans, included in the Dust Control Plan, and implemented during the appropriate grading and construction phases. a. Reduce the amount of the disturbed area where possible. b. Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible.

AQ Impact 2	
	c. All dirt stockpile areas shall be sprayed daily as needed. d. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast-germinating native grass seed and watered until vegetation is established, unless other dust and erosion control measures are specified in the agency-approved Dust Control Plan. e. All disturbed soil areas not subject to re-vegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD. f. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible after initial site grading. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. g. Construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site. h. All trucks hauling dirt, sand, or other loose materials are to be covered or shall maintain at least two feet of free board (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114. i. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. j. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used when feasible. k. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities. l. Apply water every 3 hours to disturbed areas within the construction site (61% reduction in particulate emissions). m. Application of soil binders to dirt roads shall be applied to achieve at least an 80% reduction in fugitive dust emissions. All soil binders used shall be 'environmentally friendly' and shall be either lignosulfonate- or calcium lignosulfonate-based approved by the SLOAPCD. All dust control methods, including soil binders, shall be demonstrated in the fugitive dust control plan to ensure compliance with SLOAPCD Rule 401. n. All roadway, driveway, and sidewalk paving should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. o. The contractor or builder shall designate a person to monitor the fugitive dust emissions and oversee mitigation measure implementation as per SLOACPD approval to minimize dust complaints, reduce visible emissions to less than 20% opacity, and to prevent transport of dust off-site. The designated monitor shall carry out these duties on regular workdays, as well as holidays and weekends when work may not be in progress. The name and telephone number of the designated monitor shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition. **AQ/mm-14** During construction of subdivision improvement plans and individual lot grading, the applicant shall maintain monthly compliance checks throughout the construction phase. This includes verifying that all equipment and operations continue to comply with the SLOAPCD requirements. Prior to final inspection monitoring reports shall be provided to the SLOAPCD and County Planning and Building Department for approval. **AQ/mm-15** The following measure shall be included on all grading and construction plans, and included in the CC&Rs for the project: No developmental burning shall be allowed.

AQ Impact 2	
Findings	Implementation of the above mitigation measures will result in PM_{10} related air quality impacts considered *less than significant with mitigation, Class II.*
Supportive Evidence	Heavy equipment used for earth-moving operations during project construction and vineyard development would generate fugitive dust. This could have substantial temporary impacts on local air quality. Fugitive dust emissions would result from land clearing, demolition, ground excavation, cut and fill operations, and equipment traffic over temporary dirt roads at construction sites. Impacts from fugitive dust emissions would be significant because they could cause a public nuisance or would exacerbate the existing high PM_{10} levels found in the Nipomo Mesa Area. Since the County is classified non-attainment for PM_{10}, the SLOAPCD requires Best Management Practices (BMPs) for all projects involving earthmoving activities regardless of the project size or duration. All standard SLOAPCD dust control mitigation measures shall be incorporated into the construction phases of each of the proposed project components to reduce the potential to generate nuisance dust problems and maintain PM_{10} emissions below the SLOAPCD's mitigation threshold.

AQ Impact 3	
Demolition activities for the Homeowner's Association facilities development may potentially lead to adverse air quality impacts during removal or remodeling of existing structures. This could occur from the presence of hazardous air pollutants resulting in a short-term impact.	
Mitigation	**AQ/mm-16** Prior to approval of subdivision improvement plans or grading permit issuance, the following measures shall be included as conditions of approval. Prior to commencement of demolition activities, the applicant shall: a. Notify the SLOAPCD at least ten working days prior to commencement of any demolition activities; b. Conduct an Asbestos survey by a Certified Asbestos Inspector; c. Use applicable disposal and removal requirements for any identified asbestos containing material. d. Contact the SLOAPCD Enforcement Division prior to final approval of any demolition activity.
Findings	Implementation of the above mitigation measure will result in demolition related air quality impacts considered *less than significant with mitigation*, *Class II.*
Supportive Evidence	Demolition and/or remodeling activities have the potential to negatively impact air quality. Any future development of the Homeowners Association/Ranch Headquarters may involve the demolition of several pre-existing older buildings. These include an older residence with the possibility of asbestos or other hazardous building materials. Demolition and remodeling activities are subject to the National Emission Standard for Hazardous Air Pollutants. These emissions standards regulate how asbestos containing building materials are removed and subsequently disposed of at landfills. The applicant would be required to comply with these standards.

AQ Impact 4
Backyard burning of greenwaste material may result in a nuisance and negative health effects, resulting in a direct, short-term impact.

AQ Impact 4	
Mitigation	**AQ/mm-17** Prior to application for a final map, CC&Rs shall include the following measure: Residential greenwaste burning shall be prohibited.
Findings	Implementation of the above mitigation measure will result in open-burning and smoke related air quality impacts considered *less than significant with mitigation*, *Class II.*
Supportive Evidence	Greenwaste burning within or around clustered developments may result in a nuisance and negative health impacts to residents. SLOAPCD Rule 501 allows for agricultural burning of agricultural green waste with agricultural burn permits. The SLOAPCD notes that agricultural burning can result in incompatibility with the proposed residential development, including nuisance and negative health impacts to residents. The SLOAPCD recommends that agricultural burning be prohibited in areas upwind of residential areas (such that the smoke blows towards the residences), and prohibited within 1,000 feet of areas downwind of residential areas. At this time, the continued legal operation of the vineyard and orchards is not within the discretion of the County. Potential impacts related to potentially inadequate land use buffers are captured in AG Impact 2 (refer to Final EIR Section V.B Agricultural Resources).

AQ Impact 5	
Earth moving activities for development of the proposed project components may expose naturally occurring asbestos, resulting in a short-term impact.	
Mitigation	**AQ/mm-18** At the time of application for subdivision improvement plans or grading permits, and subsequent individual lot construction permits, the applicants shall: a. Conduct a geologic analysis to determine the presence or absence of ultramafic and/or serpentine rock onsite. The geologic analysis shall identify if asbestos is contained within the these rocks onsite; and, b. If naturally-occurring asbestos is found at the project site, the applicant must comply with all requirements outlined in SLOAPCD Rule 412, which incorporates state regulations at 17 CCR, SS 93104, and federal regulations at 40 CFR Part 63. In addition, the applicants shall work with the SLOAPCD to prepare an Asbestos Health and Safety Program and an Asbestos Dust Control Plan prior to development plan approval. These plans may include, but are not limited to, the following: 1. Equipment operator safety requirements: protective clothing, breathing apparatuses to prevent inhalation of airborne asbestos fibers, 2. Dust mitigation measures: continually water site to prevent airborne dust migration, cover all vehicle that haul materials from the site, all other legally required mitigation requirements, and 3. Identification of SLOAPCD-approved disposal areas for all excavated materials. c. If naturally-occurring asbestos is not present, an exemption request must be filed with the SLOAPCD.
Findings	Implementation of the above mitigation measure will result in asbestos-related air quality impacts considered *less than significant with mitigation, Class II.*
Supportive Evidence	The project site has been identified by the SLOAPCD as an area that has the potential to contain naturally occurring asbestos. Construction and development of the project could result in an exposure of naturally occurring asbestos due to earthwork and the excavation of

AQ Impact 5	
	serpentine and ultramafic rock. Implementation of mitigation identified above, which requires compliance with existing regulations specific to naturally occurring asbestos, would address and minimize this effect to less than significant.

AQ Impact 6	
ROG, NO_x, DPM, and greenhouse gas long-term operation emissions would exceed the SLOAPCD's Thresholds. Development of the project would result in a direct long-term impact on air quality.	
Mitigation	**AQ/mm-19** At the time of application for subdivision improvement plans or grading permits, and subsequent individual lot construction permits, the applicant shall submit plans demonstrating compliance with the following measures where applicable: a. Increase the building energy efficiency rating by 20 percent above Title 24 requirements (i.e., increase attic, wall, or floor insulation, install double pane windows, use efficient interior lighting, etc.). b. Use electric lawnmowers for common area landscaping. c. Use drought-resistant native trees, trees with low emissions (e.g., terpenes), and high carbon sequestration potential. Evergreen trees on the north and west sides afford the best protection from the setting summer sun and cold winter winds. Additional considerations include the use of deciduous trees on the south side of the house that will provide shade in summer but allow sunlight in winter. d. ~~Trusses~~ Roof framing for south-facing portions of roof shall be designed to handle dead weight loads of standard solar-heated water and photovoltaic panels. Roof design shall include sufficient south-facing roof surface, based on structures size and use, to accommodate ~~adequate~~ solar panels. For south facing roof pitches, the closest standard roof pitch to the ideal average solar exposure shall be used. e. Building positioning and engineering that eliminate or minimize the development's active heating and cooling needs (e.g., solar orientation). f. Have two to three neighborhood electric vehicles available onsite for residents to use to travel between homes and project amenities (i.e., pool, spa, community center). g. Provide front and back yard outdoor electrical outlets to encourage the use of electric appliances and tools. h. Build new homes with internal wiring/cabling that allows Internet use simultaneously in at least three locations in each home. i. Native, drought tolerant shade tree planting along southern exposures of buildings to reduce summer cooling needs. j. Use roof material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs. k. Use high efficiency, gas, or solar water heaters. l. Use energy efficient built-in appliances. m. Use low energy street and common area lights (i.e. sodium). n. Use energy efficient interior lighting. o. Use low energy traffic signals (i.e. light emitting diode). p. Install door sweeps and weather stripping if more efficient doors and windows are not available.

AQ Impact 6	
	q. Install high efficiency or gas space heating and cooling systems. r. Provide shade tree planting in parking lots to reduce evaporative emissions from parked vehicles. Design should provide 50% tree coverage within ten years of construction using low ROG emitting, low maintenance native drought resistant trees. s. No residential wood burning devices shall be allowed. t. Incorporate traffic calming modifications to project roads, such as narrower streets (minimum County and CAL FIRE standards), speed platforms, bulb-outs and intersection designs that reduce vehicle speeds and encourage pedestrian and bicycle travel. ~~u. Increase the number of connected bicycle routes/lanes in the vicinity of the project.~~ ~~v.~~u. Provide easements or land dedications and construct bikeways and pedestrian walkways. ~~w.~~v. Utilize green building materials (materials that are resource efficient, recycled, and sustainable) available locally if possible. ~~x.~~w. Design building to include roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south facing windows (passive solar design). ~~y.~~x. Utilize double-paned windows. ~~z.~~y. Install energy-reducing programmable thermostats. ~~aa.~~z. Participate in and implement available energy-efficient rebate programs including air conditioning, gas heating, refrigeration, and lighting programs. ~~bb.~~aa. Eliminate high water consumption landscape (e.g. plants and lawns) in residential design. Use native plants that do not require watering and are low ROG emitting. ~~cc.~~bb. Provide storage space in garage for bicycles~~ and bicycle trailers, or covered racks/lockers to service the residential units~~. ~~dd.~~cc. Apply low volatile organic compound (VOC) paint (interior and exterior) (71 grams/liter or less). ~~ee.~~dd. Institute recycling and composting services (as feasible). ~~ff.~~ee. Incorporate a water efficient irrigation system. **AQ/mm-20** Prior to approval of subdivision improvement plans or issuance of grading permits, if total emissions (including subdivision improvements and estimates of individual lot development) of ROG+NOx, DPM, and GHG with the above mitigations still exceed the thresholds (25 tons/year ROG+NOx and/or PM_{10}; 25 pounds/day ROG+NOx and/or PM_{10}; 1.25 pounds/day DPM; 1,150 MT/year CO_2e), the applicant shall secure SLOAPCD approved off-site reductions in ROG+NOx, DPM, and GHG emissions from the SLOAPCD to ensure that these emissions do not exceed the SLOAPCD daily and annual thresholds. Off-site emission reduction measures may include, but would not be limited to: OR Alternatively, the applicant may satisfy this condition, if, prior to annual emissions exceeding SLOAPCD thresholds (i.e. prior to occupancy of approximately 50% of the proposed 83 homes), the applicant shall accurately estimate the annual exceedance (above 25 tons/year ROG+NOx and/or PM10; 25 pounds/day ROG+NOx and/or PM10; 1.25 pounds/day DPM) over the life of the project (assuming a 50-year life for each home). Using the methodology identified in the 2012 SLOAPACD CEQA Air Quality Handbook (i.e. converting pounds per day to tons per year and dividing by the daily to annual equity ratio value of 5.5 to obtain the tons per year value) and either the current Carl Moyer Program cost effectiveness value

AQ Impact 6	
	($18,030 per ton as of April 2015) or the value applicable at the time the calculations are made whichever is less, the applicant shall calculate and pay this one-time in-lieu fee to the SLOAPCD. (Note that residential wood burning is not allowed by measure AQ/mm-19 and should not be assumed in detailed calculations of project emissions.) a. Developing or improving park-and-ride lots; b. Retrofitting existing homes in the project area with SLOAPCD-approved wood combustion devices; c. Retrofitting existing homes in the project area with energy-efficient devices; d. Constructing satellite worksites; e. Funding a program to buy and scrap older, higher emission passenger and heavy-duty vehicles; f. Replacing/re-powering transit buses; g. Replacing/re-powering heavy-duty diesel school vehicles (i.e., bus, passenger, or maintenance vehicles); h. Funding an electric lawn and garden equipment exchange program; i. Retrofitting or re-powering heavy-duty construction equipment, or on-road vehicles; j. Re-powering marine vessels; k. Re-powering or contributing to funding clean diesel locomotive main or auxiliary engines; l. Installing bicycle racks on transit buses; m. Purchasing particulate filters or oxidation catalysts for local school buses, transit buses or construction fleets; n. Installing or contributing to funding alternative fueling infrastructure (i.e., fueling stations for CNG, LPG, conductive and inductive electric vehicle charging, etc.); o. Funding expansion of existing transit services; p. Funding public transit bus shelters; q. Subsidizing vanpool programs; r. Subsidizing transportation alternative incentive programs; s. Contributing to funding of new bike lanes; t. Installing bicycle storage facilities; and, u. Providing assistance in the implementation of projects that are identified in city or county bicycle master plans.
Findings	Implementation of the above mitigation measures would offset long-term operational related air quality impacts, and would reduce emissions below SLOAPCD thresholds. This impact is considered less than significant with mitigation, Class II.
Supportive Evidence	Application of mitigation measures is contingent on air emissions modeling conducting using CalEEMod and compliance with the SLOAPCD CEQA Handbook. Mitigation measures identified above were developed by the SLOAPCD to specifically mitigate emissions generated during operation of a project. In the event standard mitigation measures would not result in emissions below SLOAPCD thresholds of significance, off-site mitigation would be implemented as identified above.

AQ Impact 7	
The proposed wastewater treatment plant has the potential to generate odors that could be a nuisance to nearby residents.	
Mitigation	**AQ/mm-21** At the time of application for subdivision improvement plans or grading permits for the proposed wastewater treatment facility and effluent storage ponds, the applicant shall develop and implement an odor abatement plan (OAP) to be implemented by the mutual water company for the wastewater treatment plant operator. The plan shall be submitted to the County Planning and Building Department and SLOAPCD for review and approval prior to issuance of grading permits. The plan(s) shall include the following, or similar measures: a. Name and telephone number of contact person responsible for logging and responding to odor complaints b. Policy and procedure to be taken when an odor complaint is received c. Description of the potential odor sources at onsite facilities. d. Description of methods for reducing odors at the facility. e. Activated carbon filters/carbon adsorption in primary clarifiers, headworks building, aeration basin influent channel, and/or all waste gas exhaust systems; f. Biofiltration/bio trickling filters for waste gas exhaust systems; g. Fine bubble aerators to wastewater treatment tanks or ponds to increase treatment efficiency and dissolved oxygen to prevent odor-generating anaerobic activity; h. Hooded enclosures on grit dumpsters and belt filter presses, primary clarifier weir covers, and/or channel seals; i. Wet and dry scrubbers on waste gas exhaust systems from treatment tanks; j. Caustic and hypochlorite chemical scrubbers on waste gas exhaust systems from treatment tanks; k. Ammonia scrubber on waste gas exhaust from treatment tanks; l. Energy-efficient blower system to increase treatment efficiency and dissolved oxygen levels; m. Thermal oxidizer to oxidize all waste gas exhaust; n. Caps or covers on storage basins and anaerobic ponds to avoid release of odorous compounds. **AQ/mm-22** Prior to issuance of building permits for construction of the wastewater treatment facility, the applicant shall obtain an Authority to Construction from the SLOAPCD.
Findings	Implementation of the above measure will result in odor related air quality impacts that are *less than significant with mitigation, Class II*.
Supportive Evidence	Wastewater treatment plants have the potential to generate nuisance odors that impact nearby sensitive receptors (i.e., residents). Odors can be associated with the processing and storage of sludge and the effluent storage ponds. The proposed project would produce domestic wastewater from the residences and developments, and agricultural wastewater from the vineyard operations. Domestic wastewater would be stored in underground tanks and pumped into the wastewater treatment plant for processing. Once separated, sludge would be held until it could be hauled to a permitted disposal facility. Treated residential liquid effluent would be stored in two, open air ponds (Pond 1 and Pond 2) located near the southern boundary of the property (refer to Final EIR Figures III-21 and III-22). Agricultural wastewater would be treated in a plant adjacent to the domestic wastewater treatment plant. Treated agricultural effluent would be stored in Pond 3, also located south of the proposed residential developments. Effluent from both processes would be held in the

AQ Impact 7	
	ponds until it could be used for agricultural irrigation. The proposed wastewater processing facility would be completely enclosed and include a biofilter odor control system. Biofilters utilize microorganisms in media such as mulch or soil to convert odorous emissions into by-products such as carbon dioxide and water (Webster, 2004). The SLOAPCD was aware of only one other biofilter currently being used in the county, at the City of Pismo Beach wastewater treatment plant. In their opinion, odors can potentially be effectively controlled through the use of a biofilter, if the filter is properly constructed and maintained (Guise, 2007).

6.4 ARCHAEOLOGICAL RESOURCES

AR Impact 1	
Implementation of the proposed project would directly impact known, significant archaeological site~~s~~ SLO 2526 ~~and SLO-2528~~. Grading and trenching activities associated with the implementation of proposed vineyard replacement areas may result in the disturbance of known, significant, subsurface archaeological materials within sites SLO-1317 and SLO-2522. [*Note for reader: archaeological site SLO 2528 would be entirely avoided, based on the applicant's submittal of the revised Vesting Tentative Tract Map, dated December ~~18~~23, 2015*].	
Mitigation	**AR/mm-1** At the time of application for subdivision improvement plans or grading permits, the applicant shall ~~submit a revised plan showing elimination of lots 13, 14, 68, and 69. The applicant shall~~ delineate archaeological sites SLO-1317, SLO-2522, SLO-2526, and SLO-2528 as Environmentally Sensitive Areas (ESAs) on the project plans. ESAs shall be specified in the open space easement as applicable, to ensure full protection, and shall not include a reference to archaeological resources. All new development including proposed replacement vineyards shall be located outside the designated ESAs. ESAs that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and the limits of the sensitive area shall be fenced prior to any grading.
Findings	Based on avoidance of documented archaeological sites through project design including submittal of a revised Vesting Tentative Tract Map dated December ~~18~~23, 2015, and implementation of recommended mitigation measures, the resulting impact would be less than significant with mitigation, Class II.
Supportive Evidence	The Final EIR documents that grading and trenching activities associated with the construction of residences and access roads within Phase One of the originally proposed project would directly affect known significant archaeological resources (SLO-2526 and SLO-2528). Avoidance of these archaeological sites would be achieved by the applicant's re-design and re-submittal of the tract map (dated December ~~18~~23, 2015), and implementation of protection measures to avoid inadvertent disturbance of the delineated ESAs.

AR Impact 2	
Implementation of the proposed project would directly impact known, significant archaeological sites SLO-2523, ~~SLO 2524,~~ SLO-2525, and SLO-2527. [*Note for reader: archaeological site SLO 2524 would be entirely avoided, based on the applicant's submittal of the revised Vesting Tentative Tract Map, dated December ~~18~~23, 2015].*	
Mitigation	**AR/mm-2** At the time of application for subdivision improvement plans or grading permits, the applicant shall delineate the archaeological sites SLO-2523 and SLO-2527 as Environmentally Sensitive Areas (ESAs) on the project plans, and shall show clean, sterile fill placed over the central shell loci of the ESA. A layer of other conspicuous material (e.g., fill of

AR Impact 2	
	a noticeable different color and texture than native soil) shall be placed over the native soil prior to placement of the fill material. Only sufficient fill shall be placed over the site so as to allow native soils to remain undisturbed (e.g., 18 inches for footings, 6-8 inches for driveway, parking areas, and road construction). **AR/mm-3** At the time of application for subdivision improvement plans or grading permits, the applicant shall submit to the Environmental Coordinator (and possibly subject to peer review) for the review and approval, a detailed research design for a Phase III (data recovery) archaeological investigation for SLO-2523, ~~SLO 2524,~~ SLO-2525, and SLO-2527. The Phase III program shall be prepared by a subsurface qualified archaeologist approved by the Environmental Coordinator. The consulting archaeologist responsible for the Phase III program shall be provided with a copy of the archaeological investigations prepared as part of the Laetitia Agricultural Cluster Tract Map and Conditional Use Permit EIR (Gibson, November 2006; Gibson, April 2007; Gibson, June 2007). The Phase III program shall include, but not be limited to, the following: a. Standard archaeological data recovery practices; b. Recommendation of sample size adequate to mitigate for impacts to archaeological site, including basis and justification of the recommended sample size. Sample size should be ten percent of the volume of disturbed area. If a lesser sample size is recommended, supporting information shall be presented that justifies the smaller sample size. c. Identification of location of sample sites/test units; d. Detailed description of sampling techniques and material recovery procedures (e.g. how sample is to be excavated, how the material will be screened, screen size, how material will be collected); e. Disposition of collected materials; f. Proposed analysis of results of data recovery and collected materials, including timeline of final analysis results; g. List of personnel involved in sampling and analysis. Once approved, these measures shall be shown on all applicable plans and implemented during construction. **AR/mm-4** Prior to approval of subdivision public improvement plans or grading permit issuance, the applicant shall submit to the Environmental Coordinator, a letter from the consulting archaeologist indicating that all necessary field work as identified in the Phase III program for SLO-2523, ~~SLO 2524,~~ and SLO-2525 has been completed. **AR/mm-5** At the time of application for subdivision improvement plans or grading permits for subdivision improvement plans and individual lot development, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall be applicable to all phases of development, and shall include at a minimum: a. List of personnel involved in the monitoring activities; b. Description of how the monitoring shall occur; c. Description of frequency of monitoring (e.g. full-time, part time, spot checking); d. Description of what resources are expected to be encountered; e. Description of circumstances that would result in the halting of work at the project site (e.g., clear definition of what is considered “significant” archaeological resources?); f. Description of procedures for halting work on the site and notification procedures; and, g. Description of monitoring reporting procedures.

AR Impact 2	
	AR/mm-6 During all ground disturbing construction activities for subdivision improvements and individual lot development, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within an area to be determined by the County-qualified archaeologist until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement any follow-up mitigation as required by the Environmental Coordinator. **AR/mm-7** Upon completion of all monitoring/mitigation activities under the purview of the County-qualified archaeologist, and prior to final inspection of subdivision improvements for each phase, and individual lot development, per the approved monitoring plan, the County-qualified archaeologist shall submit a Final Archaeological Monitoring Report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been implemented. If the analysis included in the Phase III program is not complete by the time of final inspection of each phase of tract improvements, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis and submit with the Final Archaeological Monitoring Report.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The Final EIR documents that grading and trenching activities associated with the construction of residences and access roads within Phase One of the originally proposed project would directly affect known significant archaeological resources (SLO-2523, SLO-2524, SLO-2525, and SLO-2527). Avoidance of these archaeological sites would be achieved by the applicant's re-design and re-submittal of the tract map (revised Vesting Tentative Tract Map dated December 23~~18~~, 2015), and implementation of protection measures to avoid inadvertent disturbance of the delineated ESAs. Proposed Phase Two residential lots would be located proximate to SLO-2527, which is classified as a permanent or seasonal habitation site, and potentially contains human burials. Based on subsurface testing, the central density of deposits is located outside of areas proposed for development; development of an access road and residential lots may directly affect the edge of the site. Due to the proximity to residential development, indirect impacts including illegal collection of artifacts may occur. Capping of the central locus of SLO-2527 and implementation of a Phase III data recovery program are recommended prior to development of adjacent access and lot improvements to mitigate impacts to less than significant.

AR Impact 3	
Implementation of proposed effluent disposal methods would likely result in adverse and irreversible effects to known significant archaeological deposits and Native American remains within SLO-1699.	
Mitigation	**AR/mm-8** Prior to approval of subdivision public improvement plans, the applicant shall show on applicable construction plans the relocation of the proposed effluent disposal area outside of known archaeological sites.
Findings	With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II*.
Supportive	Implementation of proposed effluent disposal methods may significantly affect known site SLO-1699, including known human burials. This area is currently disturbed on the surface by

AR Impact 3	
Evidence	existing vineyards and irrigation facilities. Weathered shell, carbon, animal bone, and human remains are all subject to possible contamination and decay from the effluent. Prehistoric soil chemistry is an important element of archaeological deposits. The build-up of salts from treated wastewater effluent resulting from the use of this area as an effluent disposal site may have significant, irreversible effects on important archaeological resources and human remains. Avoidance of SLO-1699, and all identified archaeological sites, would ensure preservation of significant resources.

AR Impact 4	
Implementation of the proposed project would result in indirect impacts to known, significant archaeological sites due to looting or illegal collection of artifacts.	
Mitigation	**AR/mm-9** Prior to commencement of subdivision public improvements or site grading for subdivision improvements and individual lot development, the construction foreman, project manager(s), and all construction workers associated with the proposed project shall participate in an archaeological resources training to be conducted by the County-qualified archaeological monitor. The training shall focus on the significance of cultural resources and the legal consequences of looting, disturbing, or destroying these resources. A declaration confirming the training's occurrence shall be prepared by the monitor and signed by all persons in attendance. This signed declaration shall be submitted as part of the Final Archaeological Monitoring Report for each phase of subdivision improvements, and upon completion of applicable individual lot development, per the approved monitoring plan. **AR/mm-10** During construction activities and for the life of the project, in the event of discovered looting or disturbance of resources, all responsible parties shall be reported to the appropriate jurisdiction and local authorities for legal action pursuant to the approved archaeological resources monitoring plan. **AR/mm-11** For the life of the project, unauthorized collecting of artifacts, and other activities that could destroy or damage archaeological or cultural sites shall be prohibited. Notice shall be provided to all occupants and employees to discourage these types of activities and warn of violations and imposed fines. This measure shall be listed in the Conditions, Covenants, and Restrictions (CC&Rs) and Agriculture Management Plan for the project.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	During construction of tract improvements, project amenities, individual lot development, installation of replacement vineyards, and operation of the vineyard, there is a potential for looting or illegal collection of artifacts by construction and agricultural workers. In addition, based on the proximity of proposed residential and recreational development to known significant archaeological resources, there is a potential for looting or illegal collection of archaeological deposits by residents and associated guests. Such actions would disturb and degrade archaeological sites, resulting in a potentially significant impact. Mitigation is identified, including training, education, and notices to preserve archaeological sites and resources.

AR Impact 5	
Installation of proposed replacement vineyards would result in indirect impacts to known, significant archaeological sites.	
Mitigation	Implement **AR/mm-9 through AR/mm-11**.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Based on the proximity of proposed agricultural development to known significant archaeological resources, there is a potential for looting or illegal collection of archaeological deposits. Such actions would disturb and degrade archaeological sites, resulting in a potentially significant impact. Mitigation is identified, including training, education, and notices to preserve archaeological sites and resources.

AR Impact 6	
Implementation of the proposed project may result in the displacement and destruction of unknown, subsurface, archaeological resources.	
Mitigation	Implement **AR/mm-5 through AR/mm-7**.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Testing results of isolate locations did not yield evidence of new archaeological sites; however, unknown, significant, subsurface resources may be present within a 200-foot radius of isolate artifact findings. Disturbance and destruction of archaeological deposits within this area would result in significant impacts. Construction monitoring conducted within potentially sensitive areas would ensure that unknown resources would be documented and managed pursuant to a County-approved monitoring plan. In addition, in the event of archaeological discovery, the County Land Use Ordinance (LUO) requires that ground disturbance cease until the resource can be evaluated, and appropriate mitigation measures are determined.

AR Impact 7	
Grading and trenching activities associated with the construction of Ponds 2 and 3, and associated utility installation may result in the disturbance of unknown, significant, subsurface archaeological materials.	
Mitigation	Implement **AR/mm-5 through AR/mm-7**.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Proposed treated wastewater storage Ponds 2 and 3 are located outside of archaeological site SLO-1699; however, monitoring within 200 feet of the site boundaries is recommended to avoid and mitigate impacts to unknown subsurface resources during grading and trenching activities, pursuant to the County-approved monitoring plan.

AR Impact 8	
Implementation of the proposed project would result in indirect impacts to known, significant archaeological sites including looting and illegal collection of resources.	
Mitigation	Implement **AR/mm-9 through AR/mm-11**.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Based on the proximity of proposed replacement vineyards to known significant archaeological resources, there is a potential for looting or illegal collection of archaeological deposits. Such actions would disturb and degrade archaeological sites, resulting in a potentially significant impact. Mitigation is identified, including training, education, and notices to preserve archaeological sites and resources.

6.5 BIOLOGICAL RESOURCES

BIO Impact 1	
Construction of road crossings and other structures within jurisdictional drainages would directly impact riparian and wetland habitat quality within the site and downstream from the site.	
Mitigation	**BIO/mm-1** ~~At the time of application for~~ Prior to approval of subdivision public improvement plans or grading permits, the applicant shall obtain all necessary permits, approvals, and authorizations from jurisdictional agencies. These may include, but may not be limited to: (1) ACOE Section 404 Nationwide Permit or Individual Permit for impacts to ACOE jurisdictional wetlands or other waters; (2) RWQCB Section 401 Water Quality Certification for discharges in to “Waters of the U.S.” and/or “Waters of the State”; and (3) CDFW Section 1602 Streambed Alteration Agreement for activities within the tops of banks or outer edges of riparian canopies (whichever extends furthest from the streambeds) of drainages. **BIO/mm-2** Prior to approval of subdivision public improvement plans or grading permit issuance, the applicant shall provide funding for an environmental monitor for all measures requiring environmental mitigation to ensure compliance with County Conditions of Approval and EIR mitigation measures. The applicant shall obtain from a county-approved monitor a cost estimate, based on a county-approved work scope. The environmental monitor shall be under contract to the County of San Luis Obispo. Costs of the monitor and any county administrative fees shall be paid for by the applicant. The monitor shall be responsible for (1) ensuring that procedures for verifying compliance with environmental mitigations are followed; (2) lines of communication and reporting methods; (3) daily and weekly reporting of compliance; (4) construction crew training regarding environmentally sensitive areas; (5) authority to stop work; and (6) action to be taken in the event of non-compliance. Monitoring shall be at a frequency and duration determined by the affected natural resource agencies (e.g., ACOE, RWQCB, CDFW, USFWS, and the County of San Luis Obispo). **BIO/mm-3** At the time of application for subdivision improvement plans or grading permits, all riparian and wetland areas shall be shown on all construction plans. The riparian/wetland areas shown on grading plans shall be based on the field data collected as part of the EIR analysis. All riparian vegetation planned for removal shall be specified on construction plans. Except for activities requiring removal of riparian trees and associated understory vegetation that are specified on construction plans, all ground disturbances and vegetation removal shall be prohibited within a 20-foot setback from the outer edge of the riparian canopy of any drainage onsite. The construction plans shall clearly show the location of sturdy construction fence that delineates allowable site access and disturbance areas. The number of access routes, size of staging areas, and the total area of the activity shall be

BIO Impact 1	
	limited to the minimum necessary to achieve the project goal. **BIO/mm-4** At the time of application for subdivision improvement plans or grading permits, the following measure shall be shown on plans: During construction, to avoid erosion and downstream sedimentation, and to reduce impacts to aquatic species, no work shall occur during the rainy season (October 15 through April 15) within 20-feet of the onsite drainages. **BIO/mm-5** At the time of application for subdivision improvement plans or grading permits, the following measure shall be shown on plans for all work conducted within creeks and drainages: During construction, equipment access and construction shall be conducted from the banks rather than from within drainages. No equipment or fill material shall be staged in or adjacent to any of the site drainages. **BIO/mm-6** At the time of application for subdivision improvement plans or grading permits, the applicant shall submit a Habitat Revegetation and Restoration Plan for implementation within the project site. The plan shall be prepared by a qualified individual familiar with riparian vegetation and be reviewed and approved by the County. The applicant shall coordinate with resource agencies during development of the Plan, including the United States Fish and Wildlife Service, United States Army Corps of Engineers, and California Department of Fish and Wildlife. The plan shall include but not be limited to the following elements, and shall be modified as applicable to incorporate regulatory agency requirements associated with the permitting process: a. Identification of locations selected for revegetation and restoration, including justification for site selection. Compensatory mitigation shall occur within the affected drainage to the maximum extent feasible. b. Itemized list of quantity, size and types of plants to be replanted, as well as any other necessary components (e.g., temporary irrigation, amendments, etc.), and methodologies to insure successful reestablishment. Native riparian and wetland species from locally collected stock shall be used. c. Final quantification of impact areas and any required mitigation ratios for the impacted areas, including removal or damage of vegetation. The plan shall incorporate a minimum 2:1 ratio for permanently impacted riparian understory and wetland vegetation and minimum 1:1 ratio for temporary impacts to riparian understory and wetland habitat. d. Provide for the in-kind replacement and restoration of any native riparian trees that are removed or damaged on a 3:1 ratio; with the exception of oak trees (4:1 for oaks removed and 2:1 for oaks impacted). e. Detailed maintenance plan, including irrigation, use of natural rain cycles, and removal of invasive vegetation. f. A schedule and success criteria for a five-year monitoring and reporting program that is structured to ensure the success of the restoration plan, including defined attainable and measureable goals and objectives. The reporting program shall include methods and analysis of results, identification of plan successes and failures, adaptive management plans, and recommendations for failed restoration efforts. g. Incorporate all additional measures recommended by jurisdictional agencies. Planting according to the approved revegetation plan shall be completed prior to final inspection. **BIO/mm-7** Prior to final acceptance of subdivision improvements or construction permit completion, the applicant must retain a qualified biologist to conduct the five year revegetation monitoring program. The biologist shall supervise site preparation, timing, species utilized, planting installation, maintenance, monitoring, and reporting of the revegetation/ restoration efforts. The applicant shall file a performance security with the County Department of Planning and Building to complete and maintain revegetation and

BIO Impact 1	
	restoration activities for the five-year period. **BIO/mm-8** If onsite mitigation for permanent loss of riparian habitat is not feasible, an offsite riparian mitigation component shall be incorporated into the Revegetation and Restoration Plan, subject to review and approval by jurisdictional agencies. Plans for offsite mitigation shall include a monitoring schedule and success criteria to ensure that any offsite restoration/enhancement efforts are successful.
Findings	Construction of the project would result in permanent and temporary adverse effects to riparian and wetland habitat; however, with implementation of the above mitigation measures, potential impacts associated with degradation of onsite and downstream riparian and wetland areas would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Construction and future uses of the proposed project have the potential to cause direct and indirect impacts to riparian and wetland habitats associated with the onsite drainages and Los Berros Creek. Direct impacts would occur as a result of road, bridge, and culvert construction and use within or adjacent to existing drainages. Drainages D, E, and G would be affected by the Approved Project, primarily limited to road crossings and indirect effects due to ground disturbance and down-gradient discharge of pollutants. Mitigation identified above includes habitat restoration and implementation of a 20-foot minimum riparian setback (excluding necessary road crossings) would mitigate adverse effects to a less than significant level. In addition, the applicant is required to obtain all permits, approvals, and authorizations for work within state and federal jurisdictional areas.

BIO Impact 2	
Construction and future uses of the project could indirectly impact riparian and wetland habitat quality within the site and downstream from the site.	
Mitigation	Implement WAT/mm-11 through WAT/mm-14, and WW/mm-1. **BIO/mm-9** At the time of application for subdivision improvement plans or grading permits, the applicant shall submit a final drainage plan to the County Public Works Department for review and approval. The drainage plan shall ensure that water discharges into riparian and wetland areas shall be done in a non-erosive manner. Erosion control measures shall incorporate the use of natural-fiber, biodegradable meshes for use in erosion blankets and straw waddles to avoid unanticipated harm to terrestrial and aquatic species. All approved drainage measures shall be installed prior to final acceptance of subdivision improvements. **BIO/mm-10** At the time of application for subdivision improvement plans or grading permits, and subsequent individual lot construction permits, all applicable plans shall clearly show stockpile and staging areas. Short-term stockpiling or long-term placement of fill shall comply with the following wherever possible or applicable during and after all earthmoving activities. The following measures shall be shown on applicable drawings: a. Be located outside of any drainage ways; b. Be located outside of any sensitive native vegetation areas (e.g., riparian, wetlands, oak woodlands) and vineyards to remain; c. Be located outside any habitat containing rare or endangered plant or wildlife species; d. Be located a minimum distance of 100 feet from any stream, creek, and drainage swale, if located on slopes less than 10%. If located on steeper slopes (greater than 10%), the setback distance shall be increased to ~~500~~ 200 feet minimum. No material shall be placed on slopes greater than 20%;

BIO Impact 2	
	e. Be located outside of a 100-year floodplain designation; f. If left permanently, soil shall be compacted to comply with the fill standards of the County Grading Ordinance and/or Uniform Building Code. All project-related spills of hazardous materials within or adjacent to project sites shall be cleaned up immediately. Spill prevention and cleanup materials shall be onsite at all times during construction. Cleaning and refueling of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to standard BMPs applicable to attaining zero discharge of storm water runoff. No maintenance, cleaning or fueling of equipment shall occur within wetland or riparian areas, or within 100 feet of such areas. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills. **BIO/mm-11** Permanent installation of filtration devices designed to remove oil, grease, and other potential pollutants from storm water runoff shall be installed within thirty days after completion of grading for all project runoff directed to drainages within or adjacent to the project site. **BIO/mm-12** If surfactants or herbicides are used for restoration or residential purposes following construction, application of surfactants or herbicides shall not occur within 20 feet of riparian or wetland areas. Application of herbicides and pesticides shall be conducted in accordance to the product label and performed by an individual in possession of a valid Qualified Applicator License. This measure shall be included on an additional map sheet prior to recordation of the final map and incorporated in the Covenants, Conditions, and Restrictions.
Findings	With implementation of the above mitigation measures, indirect impacts associated with degradation of onsite and downstream aquatic areas due to sedimentation or storm water runoff would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Indirect impacts consisting of sedimentation and water pollution would result from conversion of natural areas to agricultural or residential uses, increased use of chemical fertilizers and pesticides, and drainage from paved roadways. Use, maintenance, or staging of construction equipment in areas adjacent to drainages could also increase the risk of fuel spills or leaks into sensitive habitats during construction. Mitigation identified in above includes drainage and erosion control plans, spill prevention and clean-up measures, use of pollutant filtration devices, and prohibition of surfactants or herbicides within 20 feet of riparian and wetland areas. These measures, in addition to compliance with the County LUO and state water quality regulations, would mitigate potential adverse impacts to less than significant.

BIO Impact 3	
Development of the proposed project would result in the removal of and/or impacts to up to approximately 63 ~~an estimated 169~~ coast live oak trees that are greater than five inches DBH, as well as associated impacts to ~~approximately 14.35 acres of~~ native oak woodland habitat. In accordance with Kuehl Bill mitigation techniques, half of the estimated oak trees that are removed or impacts can be replaced, and the remaining half would be protected under an open space or conservation easement, but due to the long time period required for the planted trees to develop equivalent oak woodland habitat values, and the fact there is no assurance that oak trees within lot boundaries would be protected in the future, impacts to oak trees and oak woodlands are significant and unavoidable.	
Mitigation	**BIO/mm-13** At the time of application for subdivision improvement plans or grading permits, the applicant shall prepare an Oak Tree Inventory, Avoidance, and Protection Plan as outlined herein. The plan shall be reviewed by a County-approved arborist prior to approval of grading permits, and shall include the following items:

BIO Impact 3	
	a. ***Comprehensive Oak Tree Inventory.*** This shall include the following information: 1. An inventory of all oak trees at least five inches in diameter at breast height within 50 feet of all proposed impact areas. All inventoried trees shall be shown on maps. The species, diameter at breast height, location, and condition of these trees shall be documented in data tables. 2. Identification of trees that will be retained, removed, or impacted. This information shall be shown on maps and cross-referenced to data tables described in item a. 3. The location of proposed structures, utilities, driveways, grading, retaining walls, outbuildings, community water and wastewater facilities, and impervious surfaces shall be shown on maps. The applicant shall clearly delineate the building sites/building control lines containing these features on the project plans. In addition, the plans shall include any fenced areas for livestock or pets and fuel reduction areas prescribed by CAL FIRE. 4. A landscaping plan that describes the size and species of all trees, shrubs, and lawns proposed to be planted in the project common areas, including the limits of irrigated areas and areas proposed for treated effluent disposal. 5. Revised drainage patterns that are within 100 feet upslope of any existing oak trees to remain. All reasonable efforts shall be made to maintain the historic drainage patterns and flow volumes in the vicinity of these oak trees. If not feasible, the drainage plan shall clearly show which trees would be receiving more or less drainage. b. ***Oak Tree Avoidance Measures.*** Grading and development within proposed lots shall avoid the removal of oak trees to the maximum extent possible. Such activities shall minimize potential disturbance to oaks and their associated root zones to the maximum extent possible, within final sits plans requiring concurrence from county staff to ensure compliance with this provision. c. ***Oak Tree Protection Guidelines.*** Tree protection guidelines and a root protection zone shall be established and implemented for each tree to be retained that occurs within 50 feet of impact areas. The following guidelines shall be included: 1. A qualified arborist shall determine the critical root zone for each retained tree on a case-by-case basis, based upon tree species, age, and size. This area is generally defined as 1.0 to 1.5 times its diameter at breast height. At a minimum, the critical root zone shall be the distance from the trunk to the drip line of the tree. 2. All trees to remain within 50 feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface. The project arborist shall approve any work within the root protection zone. 3. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless “establishing” new tree or native compatible plants for up to three years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling). 4. The applicant shall minimize trimming of oak trees to remain onsite.

BIO Impact 3	
	Removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to “blow-overs”, 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain wildlife habitat values associated with the lower branches, 4) retain shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. The amount of trimming (roots or canopy) done in any one season shall be limited as much as possible to reduce tree stress/shock (ten percent or less is best, 25 percent maximum). If trimming is necessary, the applicant shall use a certified arborist when removing limbs. Unless a hazardous or unsafe situation exists, major trimming shall be done only during the summer months. **BIO/mm-14** At the time of application for subdivision improvement plans or grading permits, the applicant shall submit an Oak Tree Replacement, Monitoring, and Conservation Plan. Of those trees identified in the Oak Tree Inventory, Avoidance, and Protection Plan as being removed or impacted, up to 50 percent may be replaced per county and Kuehl Bill standards. A conservation easement or monetary contribution to the Oak Woodlands Conservation Fund shall be used for the remaining mitigation. a. The county-approved arborist shall provide or submit approval of an oak tree replacement plan at a minimum 4:1 ratio for oak trees removed and a minimum replacement ration of 2:1 ratio for oak trees impacted (i.e., disturbance within the root zone area). 1. Replacement oak trees shall be from regionally or locally collected seed stock grown in vertical tubes or deep one-gallon tree pots. Four-foot diameter shelters shall be placed over each oak tree to protect it from deer and other herbivores, and shall consist of 54-inch tall welded wire cattle panels (or equivalent material) and be staked using T-posts. Wire mesh baskets, at least two feet in diameter and two feet deep, shall be use below ground. Planting during the warmest, driest months (June through September) shall be avoided. The plan shall provide a species-specific planting schedule. If planting occurs outside this time period, a landscape and irrigation plan shall be submitted prior to permit issuance and implemented upon approval by the county. 2. Replacement oak trees shall be planted no closer than 20 feet on center and shall average no more than four planted per 2,000 square feet. Trees shall be planted in random and clustered patterns to create a natural appearance. Replacement trees shall be planted in natural appearance. As feasible, replacement trees shall be planted in a natural setting on the north side of and at the canopy/dripline edge of existing mature native oak trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g., lawns, irrigated areas, etc). Replanting areas shall be either in native topsoil or areas where native topsoil has been reapplied. A seasonally timed maintenance program, which includes regular weeding (hand removal at a minimum of once early fall and once early spring within at least a three-foot radius from the tree or installation of a staked “weed mat” or weed-free mulch) and a temporary watering program, shall be developed for all oak tree planting areas. A qualified arborist/botanist shall be retained to monitor the acquisition, installation, and maintenance of all oak trees to be replaced. Replacement trees shall be monitored and maintained by a qualified arborist/botanist for at least seven years or until the trees have successfully established as determined by the County Environmental Coordinator. Annual monitoring reports will be prepared by a qualified arborist/botanist and submitted to the County by October 15 each year. Annual monitoring reports will include specifics discussed below.

BIO Impact 3	
	3. The restored area shall be at a minimum equal in size to the area of oak woodlands lost or disturbed. **BIO/mm-15** The applicant can mitigate the remaining 50 percent of the oak woodland impacts by one of the following ways: 1) provide for the protection of oak woodland habitat in perpetuity through acquisition or donation of a conservation easement that includes 2000 square feet per tree removed; 2) provide for funding to the California Wildlife Conservation Board to be used for the purchase of Oak Woodland Conservation Easements. a. Prior to approval of subdivision public improvement plans or grading permit issuance, the applicant shall record an open space or conservation easement that protects 2000 square feet of oak woodland habitat for each tree removed in perpetuity. If an open space conservation easement is provided off-site, the easement should be located in equivalent habitat area in the south portion of San Luis Obispo County (e.g., Nipomo, Arroyo Grande, Pismo Beach, Huasna). The conservation easement shall be controlled by a qualified conservation organization. Potential conservation organizations include but are not limited to: The Nature Conservancy or San Luis Obispo Land Conservancy. If the applicant is not able to establish an open space or conservation easement, the applicant shall provide funding to the California Wildlife Conservation Board to be used for the purchase of Oak Woodland Conservation Easements. The final funding amount shall include $970.00 for each tree removed.
Findings	The applicant's submittal of a revised tract map would primarily identify land development outside of native oak woodland habitats, and implementation of mitigation measures would be required including protection of oak trees to remain and revegetation of oak woodland would mitigate impacts. Therefore, potential impacts specific to the development of the subdivision would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Construction and future uses of the proposed project elements (not including offsite road improvements) would disturb approximately individual oak trees that are greater than five inches diameter at breast height (DBH). In addition to the development of proposed residential lots, fuel modification would occur within the understory of oak woodland areas. The quantity of disturbed oak trees was determined by applying a reasonable case scenario to each project element. An individual tree was considered "removed" if it was reasonable to assume that project activities would physically remove the individual or otherwise result in unsuitable growing conditions. Individual oak trees were counted as removed if they fell within the following parameters: the individuals were located within any proposed road, utility, or structural building envelope. An individual tree was considered impacted but not removed if it was reasonable to assume that project activities would physically alter the tree (e.g., trimming) or the trees immediate surroundings (e.g., changes in topography or understory). Individual oak trees were counted as "impacted but not removed" if they fell outside of the building envelope or development footprint, and within 30 feet of any proposed road, utility, or structural building envelope. Based on subsequent consultation with the California Department of Forestry and Fire Protection (CAL FIRE, 2011), including onsite field inspections to determine the required level of vegetative fuel management, CAL FIRE determined that trimming of oak trees would occur within 30 feet of the structure, and vegetation clearance is required 10 feet from the edge of every access road and driveway. In lieu of actual construction plans for residential lot development, this assessment assumes the structure boundaries would be the delineated building envelope for the residential lots. Upon review of proposed lots within or in the vicinity of oak woodland, CAL FIRE recommended that fuel management within 30 to 100 feet of the structure would not likely require trimming of live limbs, and would be limited to dead matter and understory. Assuming a worst-case-scenario, it is likely that up to 25 percent of oak trees within the 30- to 100-foot zone surrounding each structure would be impacted by fuel modification actions. In addition, based on information provided by the applicant (RRM, 2008), all oak trees within proposed vineyard replacement areas would remain; these trees are considered impacted due to ground disturbance and other activities within the root zone of each tree. The assessment parameters assume that disturbances would occur during the grading of the proposed

BIO Impact 3	
	residential lots, roads, and utilities; or, during subsequent vegetation management (required by CAL FIRE) that would occur after construction is complete. Under a reasonable worst case scenario, impacts resulting from subsequent vegetation management include trimming, understory removal, landscaping, watering, grazing, and fire protection buffers. Pursuant to SB 1334, the County requires significant impacts to oak trees and oak woodlands to be mitigated. Significant impacts are defined as cutting or removing ten percent or more of the oak woodland canopy or removing more than ten oak trees. County guidelines encourage project modifications to avoid or reduce impacts to oak woodland. If project modifications are not feasible and conversion of oak woodland is unavoidable, the County allows mitigation for oak woodland impacts to be implemented via oak tree replanting and implementation of a conservation easement, development of other acceptable conservation program, or payment of a fee to the Wildlife Conservation Board. Tree replanting can constitute up to 50 percent of the required mitigation; and all planted trees must be monitored for seven years. Potential replant areas are located near Drainage D, across from Residential Sub-cluster B, or in the annual grassland above the proposed water tank (refer to Final EIR Figures V.E.-1.1 through V.E.-1.3). The remaining 50 percent of the mitigation can be implemented via the following procedures: 1) development of a third party Conservation Easement. The Conservation Easement must include 2,000 square feet for each tree removed and be controlled by a land trust; or, 2) payment of a fee up to $970 for each tree removed. Payment would be issued the California Wildlife Conservation Board.

BIO Impact 4	
Implementation of the proposed project would directly impact natural communities that provide habitat for special-status plant and wildlife species.	
Mitigation	**BIO/mm-16** At the time of application for subdivision improvement plans or grading permits, the applicant shall submit a Special-status Plant Mitigation Plan that provides for the propagation, planting, and monitoring of Jones' mallow and club-haired mariposa lily at a 5:1 replacement ratio. The mitigation plan shall detail methods for transplanting, propagating, planting, and maintaining the special-status plant species that would be impacted. The plan shall include the following minimum standards: a. Identification of replant location(s), including justification for the suitability of the site(s). The replant area shall not be subject to vegetation management (i.e., agricultural areas or fire buffer zones) and shall not displace any sensitive native habitat. b. Specific habitat management and protection measures to ensure long-term maintenance and protection of Jones' mallow and club-haired mariposa lily, such as cattle exclusion, fencing, and signage, and a seasonally-timed invasive plant removal program. c. To ensure the success of any planted or transplanted individuals, the mitigation program will include monitoring and reporting guidelines, such as annual population inventories and habitat assessments, establishment of monitoring reference sites, success criteria based on identified and measureable goals, an adaptive management program to address both foreseen and unanticipated circumstances, and remedial measures to address negative impacts to Jones' mallow and club-haired mariposa lily that may occur during and following construction, and reporting requirements to track successes and failures and ensure consistent documentation methods. **BIO/mm-17** During the initial disturbance of any natural communities or aquatic areas a qualified biological monitor shall be onsite to capture and relocate any native wildlife species (including California red-legged frog and southwestern pond turtle) that may be harmed by construction activities. The applicant is responsible to ensure that the biological monitor is

BIO Impact 4	
	approved by the appropriate agency to capture and release protected species.
Findings	With implementation of the above mitigation measures, including habitat restoration, impacts associated with potential loss of special-status species would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Construction of the project would result in permanent impacts to natural communities, which provide habitat for special-status plant and animal species. Affected habitats would include annual grassland, riparian scrub, and coast live oak woodland. Impacts associated with vegetation management as mandated by CAL FIRE, including understory management, would include mowing and trimming of vegetation. Construction activities including grading, paving, building, and replacement agriculture within these communities would impact special-status species. As discussed in Final EIR Section V.E.1.(2)a) Survey Methods and Results, survey efforts were sufficient to verify that these natural communities provide habitat for special-status species including approximately Jones' mallow, three club-haired mariposa lily, white-tailed kite, cooper's hawk, pond turtles, and California red-legged frog. Mitigation is identified to ensure restoration would be implemented in order to continue providing habitat for natural communities and special-status species within the project site.

BIO Impact 5	
Implementation of project activities in or adjacent to natural plant communities has potential to impact birds by disturbing their nesting behavior.	
Mitigation	**BIO/mm-18** Prior to commencement of subdivision public improvements or site grading, and subsequent individual lot construction permits, if construction activities are scheduled to occur during the typical bird nesting season (from March 1 to August 31) a qualified biologist shall be retained to conduct a pre-construction survey (approximately one week prior to construction) to determine presence/absence for tree and ground nesting birds. If no nesting activities are detected within the proposed work area, noise-producing construction activities may proceed and no further mitigation is required. If nesting activity is confirmed during pre-construction nesting surveys or at any time during the monitoring of construction activities, work activities shall be delayed within 300 feet (500 feet if raptors) of active nests until the young birds have fledged and left the nest. In addition, the results of the surveys shall be passed immediately to the CDFW and the County, possibly with recommendations for buffer zone changes, as needed, around individual nests. Tree removal in riparian zones shall be monitored and documented by the biological monitor regardless of time of year.
Findings	With implementation of mitigation, including preconstruction surveys and avoidance measures, impacts associated with potential impacts to nesting birds would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The riparian corridors, oak woodlands, individual oak trees, coastal scrub, and grasslands on the project site provide suitable roosting, nesting, and foraging habitat for a variety of bird species, including several that are considered sensitive by resource agencies. Nesting birds could be directly and/or indirectly impacted by construction activities occurring any time during the typical nesting season. Tree-nesting birds could have nests directly damaged or destroyed during tree-removal activities, or their nesting and foraging behaviors could be indirectly affected by noise and other sources of construction related disturbance. Ground nesting birds such as western meadow lark could have nests directly impacted and behaviors indirectly impacted during any construction activities in grasslands onsite. Conducting construction activities outside the nesting season, or implementation of pre-construction surveys during the nesting season, would ensure avoidance of active nests and nesting birds.

BIO Impact 6	
Construction of the project has potential to impact breeding and dispersal habitat for California red-legged frog.	
Mitigation	Implement WAT/mm-11 through WAT/mm-14, and BIO/mm-6 through BIO/mm-10. **BIO/mm-19** Prior to approval of subdivision public improvements or grading permit issuance, the applicant shall coordinate with USFWS to determine the potential for take of California red-legged frog during the proposed activities. Such coordination may result in a Section 10 Consultation (no federal nexus) or Section 7 Consultation (federal nexus) pursuant to the FESA. Formal consultation may result in issuance of a Habitat Conservation Plan or Biological Opinion both of which would provide subsequent mitigation measures that would minimize the potential for take of California red-legged frog during project activities. Subsequent mitigation measures may include but will not be limited to the following: a. Only USFWS-approved biologists will participate in activities associated with the capture, handling, and monitoring of California red-legged frog. b. Ground disturbance will not begin until written approval is received from the USFWS that the biologist is qualified to conduct the work. c. An USFWS-approved biologist will survey the project area 48 hours before the onset of construction activities. If any life stage of the California red-legged frog is found and these individuals are likely to be killed or injured by work activities, the approved biologist will be allowed sufficient time to move them from the site before work activities begin. The USFWS-approved biologist will relocate the California red-legged frog the shortest distance possible to a location that contains suitable habitat and will not be affected by the activities associated with the proposed project. The USFWS-approved biologist will maintain detailed records of any individuals that are moved (e.g., size, coloration, any distinguishing features, photographs [digital preferred]) to assist him or her in determining if trans-located animals are returning to the point of capture. d. Before any construction activities begin on the project, an USFWS-approved biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of the California red-legged frog and its habitat, the specific measures that are being implemented to conserve the species for the current project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions. e. An USFWS-approved biologist will be present at the construction site until all California red-legged frogs have been removed, workers have been instructed, and disturbance of the habitat has been completed. After this time, the state or local sponsoring agency will designate a person to monitor onsite compliance with all minimization measures. The USFWS-approved biologist will ensure that this monitor receives the outlined training and in the identification of California red-legged frog. If the monitor or the USFWS-approved biologist recommends that work be stopped because California red-legged frog would be affected to a degree that exceeds the levels anticipated by the USFWS during the review of the proposed action, they will notify the project superintendent immediately. The superintendent will either resolve the situation by eliminating the effect immediately or require that all actions that are causing these effects be halted. If work is stopped, the USFWS will be notified as soon as is reasonably possible. f. During construction activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas. g. Habitat contours will be returned to their original configuration at the end of the project activities. This measure will be implemented in all areas disturbed by activities associated with the project, unless the USFWS determine that it is not

BIO Impact 6	
	feasible or modification of original contours would not benefit the California red-legged frog. h. The number of access routes, size of staging areas, and the total area of activity will be limited to the minimum necessary to achieve the project goal. Environmentally Sensitive Areas will be established to confine access routes and construction areas to the minimum area necessary to complete construction, and minimize the impact to California red-legged frog habitat; this goal includes locating access routes and construction areas outside of wetlands and riparian areas to the maximum extent practicable. i. The applicant will coordinate with the environmental monitor in an effort to schedule work activities for times of the year when impacts to the California red-legged frog would be minimal. For example, work that would affect large pools that may support breeding would be avoided, to the maximum degree practicable, during the breeding season (November through May). Isolated pools that are important to maintain California red-legged frog through the driest portions of the year would be avoided, to the maximum degree practicable, during the late summer and early fall. Habitat assessments, surveys, and informal consultation between the USFWS during project planning shall be used to assist in scheduling work activities to avoid sensitive habitats during key times of year. j. To control sedimentation during and after project implementation, the applicant will implement best management practices (BMPs) outlined in any authorizations or permits, issued under the authorities of the Clean Water Act that it receives for the project. If BMPs are ineffective, the applicant will attempt to remedy the situation immediately, in consultation with the USFWS. k. If a work site is to be temporarily dewatered by pumping, intakes will be completely screened with wire mesh not larger than 0.2 inch to prevent California red-legged frogs from entering the pump system. Water will be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. The methods and materials used in any dewatering will be determined by the USFWS on a site-specific basis. Upon completion of construction activities, any diversions or barriers to flow will be removed in a manner that would allow flow to resume with the least disturbance to the substrate. Alteration of the streambed will be minimized to the maximum extent possible; any imported material will be removed from the streambed upon completion of the project. l. During construction, water will not be impounded in a manner that may attract California red-legged frogs to the project area. m. An USFWS-approved biologist will permanently remove any individuals of exotic species, such as bullfrogs (*Rana catesbeiana*), crayfish, and centrarchid fishes from the project area, to the maximum extent possible. The USFWS-approved biologist will be responsible for ensuring his or her activities are in compliance with the California Fish and Wildlife Code.
Findings	With implementation of the above mitigation measures, direct impacts to California red-legged frog associated with project activities would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	Los Berros Creek, the various drainages, and existing agricultural ponds located throughout the project area provide suitable habitat for California red-legged frog. Rincon Consultants conducted protocol level surveys for California red-legged frog in October and November of 2000. The surveys identified nine California red-legged frogs centrally located in the project site. These individuals were observed in the freshwater marsh and in-stream stock pond that are associated with Drainage G. The proposed project includes installation of road crossings, removal of an existing pond, grading, and lot development within California red-legged frog breeding and dispersal habitat. These activities have potential to impact or result in “take” of California red-legged frog. It is anticipated that these impacts would occur during

BIO Impact 6	
	implementation of the subdivision improvements. Mitigation is identified to address these adverse effects, consistent with standard measures typically required by the U.S. Fish and Wildlife Service, to ensure education of the construction manager and crew, construction monitoring, habitat restoration, protection of water quality, avoidance and protection of California red-legged frog present within the project area, and removal of predators. In addition to these measures, the applicant is required to obtain all required permits, approvals, and authorizations from state and federal agencies prior to ground disturbance.

BIO Impact 7	
The proposed project would result in a decrease in water quality within Los Berros Creek and steelhead critical habitat.	
Mitigation	Implement **BIO/mm-1 through BIO/mm-12, and WAT/mm-1 through WAT/mm-14**.
Findings	Implementation of the above mitigation measures will minimize the proposed project's effects on aquatic habitats by ensuring protection of baseflow within Los Berros Creek, reducing increased runoff, and minimizing discharge of sediments and other pollutants; therefore, potential impacts associated with the decrease in water quality and quantity in steelhead critical habitat would be considered *less than significant (Class II)*.
Supportive Evidence	As discussed in Final EIR Section V.P. (Water Resources), surface water quantity with in Los Berros Creek has decreased over the last two decades. Such declines are a result of increased demands on alluvial waters during times of drought. As noted, the applicant eliminated the use of wells (for domestic use) that demonstrated influence on Los Berros Creek. Additional analysis showed that use of Wells 10 and 11, in addition to the use of agricultural wells (i.e., Well 9) may influence the creek. In addition to the preparation, implementation, and enforcement of a Water Master Plan, production limitations, and limiting use of Well 11 to the rainy season (when well production would not reduce stream flow), ~~or eliminating use of Well 11 entirely,~~ and monitoring within Los Berros Creek are recommended and included as mitigation (refer to Final EIR Section V.P., Water Resources). Development of the proposed project would result in decreased water quality in Los Berros Creek, which is designated steelhead critical habitat. The project includes installation of road crossings within tributaries to Los Berros Creek; and, would convert agricultural land and natural plant communities to impervious surfaces in the Los Berros Creek watershed. The applicant proposes to maintain existing drainage patterns by allowing stormwater to discharge into existing natural swales, which direct runoff into Los Berros Creek. The increased runoff would include pollutants such as petroleum products, herbicides, pesticides, and urban debris, which would contribute to the general decrease of water quality within the creek. As discussed in Final EIR Section V.P., incorporation of Best Management Practices (BMPs) and Low Impact Development (LID) measures are recommended to ensure compliance with federal, state, and local water quality regulations related to water quality and stormwater runoff. Implementation of these measures would protect water quality within Los Berros Creek, and associated aquatic habitat.

BIO Impact 8
Installation of the replacement vineyards could permanently impact natural plant communities, coast live oak trees, and freshwater marsh, including special-status species and nesting birds.

BIO Impact 8	
Mitigation	Implement **BIO/mm-13 through BIO/mm-20**.
Findings	With implementation of the above mitigation measures, potential impacts to special-status species and oak trees, resulting from the replacement vineyards (including habitat loss and changes in the understory) would be *less than significant with mitigation, Class II*.
Supportive Evidence	The applicant proposes to replant vineyards as mitigation for the vineyards that would be removed by project activities. Some of the areas that are proposed for the replacement vineyards currently support natural plant communities and are located adjacent to waters of the U.S. Installation of the proposed agriculture replacement areas would impact coast live oak trees, natural plant communities, and any special-status species or nesting birds that may exist in these habitats. In addition, the replacement vineyards that are located adjacent to waters of the U.S. would increase erosion and siltation into the drainage system. Identified mitigation to address these adverse effects include species-specific habitat restoration and monitoring to ensure establishment, construction monitoring, avoidance of special-status species, and establishment of a 35-foot buffer between vineyards and aquatic and riparian habitats.

BIO Impact 9	
Installation and future uses of the replacement vineyards directly adjacent to waters of the U.S. would increase erosion and silt deposition into the drainage system.	
Mitigation	**BIO/mm-20** At the time of application for subdivision improvement plans or grading permits, the applicant shall show on all applicable plans a 35-foot vegetated buffer between replacement vineyard areas and mapped jurisdictional areas (i.e., wetlands, waters of the U.S.). All agricultural practices including but not limited to road construction, vegetation removal, mowing, and storage~~, and spraying~~ shall be prohibited within the 35-foot buffer area. The applicant shall maintain and promote the growth of riparian species such as willows, coyote brush, blackberry, and grasses within the buffer areas.
Findings	With implementation of the above mitigation measures, impacts to waters of the U.S. resulting from the replacement vineyards would be *less than significant with mitigation, Class II*.
Supportive Evidence	As documented in the Final EIR, sediment from cultivated agricultural fields can be trapped by riparian buffer areas prior to discharging into surface waters. A 35-foot buffer is identified to minimize potential sedimentation and adverse water quality impacts as a result of the installation of new wine grape vines.

BIO Impact 10	
Construction and future uses of the dude ranch would directly impact natural communities that may support special-status species.	
Mitigation	**BIO/mm-21** Prior to issuance of grading or construction permits, the applicant shall retain a qualified biologist to conduct biological and botanical surveys of all areas proposed for structural, ~~or~~ trail, or roadway improvements. The botanical surveys shall be conducted in accordance with the *California Department of Fish and Wildlife Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural*

BIO Impact 10	
	Communities. **BIO/mm-22** If special-status plant species or sensitive habitats are identified during the botanical surveys, the applicant shall show on the project plans that all improvements would avoid the rare plant occurrences. If avoidance is not feasible, the applicant shall receive authorization from the appropriate agencies to impact the individuals observed; and, in coordination with the agency prepare any required mitigation plans.
Findings	Due to the lack of specific information and details about the dude ranch and associated open space and trail use, subsequent surveys and quantification of affected habitat types will be necessary, and will be conducted as part of the land use application review upon submittal. Based on the general boundaries of the proposed development as identified by the applicant, preliminary reconnaissance surveys of the area, and implementation of the above mitigation measures, direct and indirect impacts to sensitive species and other wildlife would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The proposed dude ranch is located in an area that supports relatively undisturbed annual grassland, perennial grassland, coastal scrub, and oak woodland communities. These communities may support special-status plant or animal species, especially within the northern portions of the potential dude ranch parcel. This area would be utilized for recreational activities including horseback riding, hiking, and other trail based activities. These activities tend to cause limited disturbance; however, initial construction of the trail system would result in direct impacts to special-status species. In addition, construction and future uses of the dude ranch structural elements would directly impact the natural communities mentioned above and any special-status species that may exist there, including aquatic species and nesting birds (refer to Final EIR and BIO Impacts 4 through 7). Such impacts would result from the initial construction of the structures and future vegetation management for fire protection buffers. The applicant has not requested action or approval of the dude ranch at this time, and will be required to submit supplemental documentation in compliance with identified mitigation measures.

6.6 GEOLOGY AND SOILS

~~**GEO Impact 1**~~	
~~Portions of the project site lie within areas that could be affected by landslides.~~ [*Note for reader: the identified landslide hazard area would be avoided, based on the applicant's submittal of the revised Vesting Tentative Tract Map, dated December 23~~18~~, 2015].*	
Mitigation	~~**GEO/mm-1** Prior to issuance of grading or building permits for Lots 94 through 97, 100, and 101 (as shown on Tentative Tract Map 2606, refer to Figure III-4) the applicant shall submit a final report prepared by a Certified Engineering Geologist that contains specific recommendations for stabilization of the landslide materials, consistent with the recommendations of the *Engineering Geology Investigation and Preliminary Soil Engineering Report* (GeoSolutions, Inc.; December 10, 2004). The report shall be based upon downhole logging of borings to assess the depth and character of the landslide materials. A numerical slope stability analysis may be necessary to verify slope stability.~~
Findings	~~With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II.*~~
Supportive Evidence	~~A landslide is defined as downslope movement, under gravitational influence, of soil and rock materials en masse. Rockfall is precipitous movement of rocks or newly detached segments of bedrock down the face of a steep slope or cliff. Landslide deposits have been identified in or above proposed lots in the applicant's original proposed Phase Three, within and adjacent~~

~~GEO Impact 1~~	
	~~to Lots 94 through 97, 100, and 101 (refer to Final EIR).~~

GEO Impact 2	
Grading activities would result in potentially unstable cut and fill slopes throughout the project, potentially creating a significant hazard. Stability of the natural descending slope in the vicinity of Ponds 2 and 3 could also be compromised if seepage from the ponds occurred.	
Mitigation	**GEO/mm-2** Prior to issuance of grading or construction ~~building~~ permits for tract improvements, the applicant shall submit plans showing that the design and construction of the tract improvements conform to the recommendations presented in the *Engineering Geology Investigation and Preliminary Soil Engineering Report* (GeoSolutions, Inc.; December 10, 2004). Excavation, fill, and construction activities shall conform to Title 19 of the County of San Luis Obispo Building and Construction Ordinance, and the California Building Code. **GEO/mm-3** Prior to issuance of grading or construction permits, the project Engineering Geologist and Soils Engineer shall review the final grading plan. During construction, the project Engineering Geologist and Soils Engineer shall observe grading operations to document conformance with the recommendations of the *Engineering Geology Investigation and Preliminary Soil Engineering Report* (GeoSolutions, Inc.; December 10, 2004). Any unusual subsurface conditions encountered during grading should be brought to the attention of the project Engineering Geologist and Soils Engineer. **GEO/mm-4** Upon application for grading or building permits for individual lot development, individual soils engineering reports, prepared by a Soils Engineer, shall be submitted. The report shall conform to the California Building Code. **GEO/mm-5** Prior to issuance of grading or construction ~~building~~ permits for the ranch headquarters structures, the dude ranch, the wastewater treatment facility, and the ponds, the applicant shall submit soils engineering reports prepared by a Soils Engineer, and conforming to Sections 1804.2 through 1804.5 and 3309.5 (or other applicable sections) of the California Building Code. As part of the soils engineering report for the ponds, the natural and proposed slopes surrounding the ponds shall be analyzed for stability under static and seismic conditions, and under the conditions that would be present if seepage from the ponds occurred. The recommendations of the individual soils engineering reports shall be implemented during construction, including but not limited to recommendations specific to building pad preparation, roadway grading and construction, foundation preparation and construction, underground facilities construction, retaining wall preparation and construction, and surface and subsurface drainage management.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Due to the sloping topography of the site, grading would require significant cut and fill slopes. It is anticipated that the entirety of each residential lot would be disturbed by future grading activities. Such grading activities can result in slope instability if slope support is compromised (such as when material is removed from the base of slopes) if slopes are over steepened, or if drainage is allowed to flow in an uncontrolled manner over the faces of slopes. Drainage patterns can be disturbed, and concentration of runoff can occur if grading is performed in an improper manner. Slope stability could be compromised in the event of seepage from the ponds into the natural and graded slopes surrounding the ponds. Implementation of mitigation measures specific to geologic hazards would be required. In addition, individual soils engineering reports would be required upon application for construction permits for individual lot development. Potential impacts would be mitigated to less than significant through implementation of identified mitigation measures, including

GEO Impact 2	
	compliance with the County Code, Building Code, and engineering reports specific to the grading and construction plans for the tract map and individual lot development.

GEO Impact 3	
The surficial soils at the site where development is proposed have the potential to be expansive.	
Mitigation	**GEO/mm-6** Prior to issuance of grading or construction ~~building~~ permits, the project Engineering Geologist and Soils Engineer shall review the final foundation plans for all proposed structures. **GEO/mm-7** Prior to issuance of grading or construction ~~building~~ permits for individual lot development, the ranch headquarters, the dude ranch, the wastewater treatment facility, and treated effluent storage ponds, the applicant shall submit individual soils engineering reports prepared by a Soils Engineer. The reports shall conform to Sections 1804.2 through 1804.5 and 3309.5 (or other applicable sections) of the California Building Code. The soils reports shall address expansion potential and provide appropriate recommendations, which shall include, but not be limited to: the replacement of expansive native soils with non-expansive engineered fill, conventional continuous and spread footings connected with grade beams, drilled cast-in-place concrete caissons connected with grade beams, post-tensioned foundations, or mat foundations. The recommendations of the soils engineering reports shall be implemented during construction.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The project site is mantled with colluvium, which exhibits varying degrees of expansiveness. In the area of the wastewater treatment facility and the ponds, Paso Robles formation materials are present, some of which may also be expansive. Expansive soils tend to swell, or expand, with seasonal increases in soil moisture, and shrink, or contract, as the soils become drier during the summer months. The expansion-contraction cycle can create a substantial risk to property, and can contribute to downslope creep of soils on slopes. Potential impacts would be mitigated to less than significant through implementation of identified mitigation measures, including compliance with the County Code, Building Code, and engineering reports specific to the grading and construction plans for the tract map and individual lot development.

GEO Impact 4	
Buildings sited over Monterey formation materials may be subjected to radon gas.	
Mitigation	**GEO/mm-8** Prior to issuance of grading or construction ~~building~~ permits for development that overlies Monterey formation as determined by individual soils engineering reports (anticipated to be Lots 80 through 82 in Phase Four ~~37 and 38 in Phase 1, Lots 87, 88, and 89 in Phase Three,~~ and the dude ranch) radon gas testing shall be conducted, and the results shall be submitted to the County Planning and Building Department. In the event that radon gas is determined to be present, buildings shall be designed and constructed in accordance with Environmental Protection Agency (EPA) guidelines for minimizing impacts associated with radon gas exposure.
Findings	With implementation of the above measure, this impact would be considered *less than*

GEO Impact 4	
	significant with mitigation, Class II.
Supportive Evidence	Radon is a colorless, odorless gas that occurs naturally in some soil and rock formations. When buildings are constructed above radon-bearing soil or rock, the gas can seep upward and gain entrance to the structure via cracks in concrete floors or walls, through floor drains, joints, bricks, or other conduits. Accumulation of radon gas within a structure can create significant health risks. The Monterey formation, which is known to be a potential source of radon, underlies portions of the project site. Implementation of radon gas testing and compliance with existing regulations specific to grading and construction would address and mitigate potential adverse effects.

GEO Impact 5	
Structures may be subjected to strong ground shaking and associated damage due to seismic activity.	
Mitigation	Implement GEO/mm-4. **GEO/mm-9** Prior to issuance of grading or construction ~~building~~ permits, the applicant shall submit plans for structures that shall be designed in accordance with the seismic parameters presented in the *Engineering Geology Investigation and Preliminary Soil Engineering Report* (GeoSolutions, Inc.; December 10, 2004) and the applicable sections of the California Building Code. The project Engineering Geologist and Soils Engineer shall review the final foundation plans. If any inhabitable structures are planned within 300 feet of either of the postulated alignments of the Wilmar fault, a fault investigation by a Certified Engineering Geologist should be performed to determine the absence or presence of faulting.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The site is located in a region traditionally characterized by moderate to high seismic activity, which could result in damage to structures and other improvements. There is a moderate to high potential for seismically induced slope failure in the areas of existing landslides. Potential impacts would be mitigated to less than significant through implementation of identified mitigation measures, including compliance with the County Code, Building Code, and engineering reports specific to the grading and construction plans for the tract map and individual lot development.

GEO Impact 6	
Seismically-induced slope failure could occur in areas of existing landslides or in the slopes surrounding the ponds.	
Mitigation	**GEO/mm-10** Prior to issuance of a construction permits for ~~development within Phase Three, including individual lot development,~~ water tank construction and tract road improvements, the applicant shall submit individual soil engineering reports prepared by a Certified Engineering Geologist. The recommendations of the report shall be implemented during construction. The report shall include, but not be limited to, the following: a. Specific recommendations for stabilization of the landslide materials, including but not limited to removal of landslide debris and replacement with engineered fill.

GEO Impact 6	
	b. A numerical slope stability analysis under seismic conditions may be necessary to verify slope stability. c. Analysis of the stability of the slopes surrounding the ponds under seismic conditions, and under the conditions that would be present in the event of seepage from the ponds.
Findings	With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The site is located in a region traditionally characterized by moderate to high seismic activity, which could result in damage to structures and other improvements. There is a moderate to high potential for seismically induced slope failure in the areas of existing landslides. Potential impacts would be mitigated to less than significant through implementation of identified mitigation measures, including compliance with the County Code, Building Code, and engineering reports specific to the grading and construction plans for the tract map and individual lot development.

6.7 HAZARDS AND HAZARDOUS MATERIALS

HM Impact 1	
Release of hazardous or flammable materials during operation of the wastewater treatment facility could pose risks of fire or site contamination.	
Mitigation	**HM/mm-1** Prior to ~~approval of subdivision public improvement plans~~issuance of construction permit or grading permit issuance, the applicant shall complete and submit a Hazardous Materials Business Plan, or a Business Plan Exemption form, to the County of San Luis Obispo Department of Public Health, Environmental Health Division. As a component of the Hazardous Materials Business Plan, detailed procedures for handling and storage of hazardous materials used on site, and response to emergency or accidental releases of hazardous materials used on site shall be included.
Findings	With the submittal of a Hazardous Materials Business Plan, potential impacts would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	Proposed treatment chemicals would include anhydrous ammonia for pH adjustment in the winery process wastewater system, and liquid sodium hypochlorite for disinfection of treated domestic wastewater. Up to three 150 pound cylinders of ammonia and 150 gallons of chlorine bleach would be stored onsite. The bleach would be stored in a double-containment system, and the second tank would be sized to accommodate 150 gallons of liquid. The applicant estimates that chemicals would need to be re-stocked every two to four weeks. In addition, up to 200 gallons of diesel fuel would be stored within a tank adjacent to the main building generator unit. Accidental releases of hazardous materials used on-site during operation of the wastewater treatment plant (i.e., fuels, lubricants, and disinfecting compounds such as chlorine) would have the potential to adversely affect onsite workers, public health, and/or the environment. Spillage of fuels or chemicals could result in a threat of fire or explosion or other situations that may pose a threat to human health and/or the environment. Releases could occur as a result of vehicular accidents, equipment malfunction, or improper storage. The Environmental Health Services Division of the County of San Luis Obispo Public Health Department requires a Hazardous Materials Business Plan for operation of the wastewater treatment plant. Implementation of this standard requirement would minimize the potential for adverse

HM Impact 1	
	effects resulting from the storage and use of hazardous materials.

HM Impact 3	
The future development of the dude ranch would increase the potential for and exposure of guests to wildland fires, resulting in a potentially significant impact.	
Mitigation	**HM/mm-4** Upon application for a land use permit for the dude ranch, the applicant shall submit plans demonstrating compliance with the Uniform Fire Code and CAL FIRE requirements, including, but not limited to vegetative fuel management, water storage for fire suppression, and use of non-flammable building materials.
Findings	Based on compliance with standard construction and operational standards required by CAL FIRE, potential wildfire impacts associated with the future development of the dude ranch would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The proposed future development of the dude ranch may include a 75-unit lodging facility, guest service and spa facility, eating facility, classrooms, outdoor fire pit, and barbeque. Due to the increased presence of humans within a high wildfire severity area, and given the activities to occur within the 7.7 acre-dude ranch, there would be a significant increased potential for wildland fires. Constraints related to this use include access, emergency response time, and proximity to wildlands and densely vegetated canyons. Proposed access to the dude ranch is inconsistent with CAL FIRE requirements for maximum road lengths (5,280 feet for parcels over 20 acres in size), which may result in a significant fire hazard (refer to HM Impact 2). Upon submittal of a land use application for the dude ranch, the applicant is required to demonstrate compliance with CAL FIRE/PRC regulations.

6.8 HISTORIC RESOURCES

HR Impact 1	
Demolition and removal of three historically significant buildings and four contributing features within the Campodonico Ranch complex would result in a significant adverse impact to this historical resource, and would result in a substantial adverse change in the significance of this historical resource.	
Mitigation	**HR/mm-1** Prior to issuance of construction permits for the proposed ranch headquarters, a Historic American Buildings Survey (HABS) Level II comparable recordation shall be prepared and submitted to the County Environmental Coordinator for review and approval. The HABS report shall be completed by an architectural historian or historic preservation consultant that meets the Secretary of the Interior's Professional Qualification Standards for History, Architectural History, or Historic Preservation. The report shall incorporate data provided in the *Laetitia Agricultural Cluster Tract Map and Conditional Use Permit Project Historical Resources Evaluation Report* (Greenwood and Associates; October 2006), and shall include the following: a. Documentation of historical and architectural significance in the context of its relationship to the surrounding environment; b. Documentation of historic and current conditions through site plans, historic maps and photographs, published accounts, descriptive text, and large format photographs in accordance with the Secretary of Interiors Standards and Guidelines for Architectural and Engineering Documentation. c. Archival copies of the report shall be submitted to the California Office of Historic

HR Impact 1	
	Preservation and the San Luis Obispo County Historical Society. Non-archival copies shall be submitted to the South County Historical Society and the San Luis Obispo City-County Library. **HR/mm-2** Prior to issuance of construction permits for the ranch headquarters, the applicant shall submit a revised site plan consistent with the following: a. Preservation of House 1, the Implement Shed and Shop, Stock Barn, cistern, and mature trees (as currently proposed); b. Preservation of one additional building of historical significance, and one additional historical structure; c. The hillsides surrounding the ranch complex shall be maintained in their natural state, and all mature trees on site (with the exception of the walnut orchard) shall be retained; d. The landscape plan shall incorporate tree species currently present onsite including English and/or black walnut trees that would replace in kind trees removed for the project; and, e. Relocation of historical resources, if moved within close proximity to their original location, can retain their integrity and relevance provided the new location maintains the physical context of a historic district. **HR/mm-3** Prior to issuance of construction permits for the ranch headquarters and removal of historic structures and features, pursuant to the approved revised site plan, a qualified historic preservation consultant shall inventory significant architectural elements. Items shall be itemized and photographed. Items shall be salvaged and incorporated into the design of the proposed ranch headquarters to the maximum extent feasible. Salvaged items not used in the ranch headquarters shall be offered for curation to local and county historical societies or disposed of in accordance with County surplus procedures. **HR/mm-4** Prior to issuance of construction permits for the ranch headquarters, the applicant shall submit a Preservation Plan prepared by a qualified historic preservation consultant, which includes all remaining elements of the Campodonico Ranch Complex. All remaining structures shall be secured against weather and deterioration-related to neglect. In addition, all buildings, structures, mature trees, and landscape features to remain that contribute to the potential Campodonico Ranch Historic District shall be maintained, repaired, and/or modified in accordance with The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation Historic Buildings.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The historic resources, located at 550 Upper Los Berros Road meet the criteria for inclusion in the CRHR as a historic district, therefore deeming the elements of the Campodonico Ranch collectively a historic resource pursuant to the CEQA Guidelines. Construction of the proposed ranch headquarters and associated facilities would result in direct, significant impacts to historic resources. The applicant proposes to remove three historic buildings (House 2, Dairy Barn, and Milkhouse). Additional features proposed for removal include the corral complex, cattle squeeze chute, the octagonal watering trough, earthen berm, walnut orchard, and house trailer. Four of these features are considered historically significant (corral complex, squeeze chute, watering trough, and earthen berm). A pool house and recreation center would be placed in the historic central farmyard area that currently houses the corral complex and house trailer. Extensive landscaping and hardscape including a pool, tennis court, paved parking areas, access roads, and pedestrian walkways are proposed to extend into the area currently occupied by House 2 and the Milkhouse. Demolition or removal of these structures and features would result in a potentially significant impact, and the loss or substantial alteration of physical characteristics that collectively convey the ranch complex's historical significance would substantially compromise its viability as a historic resource. Preservation of the majority of the character defining resources, and preparation of

HR Impact 1	
	additional documentation including an inventory of resources to be relocated or removed is identified to mitigate for potentially significant impacts.

HR Impact 2	
Implementation of the proposed ranch headquarters would compromise the intact setting of the Campodonico Ranch complex, resulting in a potentially significant impact.	
Mitigation	Implement **HR/mm-1 through HR/mm-4**.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Implementation of the proposed ranch headquarters plan would remove or alter four ranch structures and landscape features, and would alter the existing spatial relationships and setting by placing new construction within the central farmyard area of the existing ranch complex, in close proximity to the remaining character defining historic elements. As proposed, the site plan for the ranch headquarters does not conform with the *Secretary's Standards for Rehabilitation* as they apply to additions to historic districts. Implementation of the proposed project would result in significant, adverse impacts to a rare historical resource. Preservation of the majority of the character defining resources, and preparation of additional documentation including an inventory of resources to be relocated or removed is identified to mitigate for potentially significant impacts.

HR Impact 3	
Retained buildings may be impacted by neglect or inappropriate renovation activities causing a loss of characteristics for which they are historically significant, resulting in a potentially significant impact.	
Mitigation	Implement **HR/mm-1 through HR/mm-4**.
Findings	With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The applicant proposes to retain House 1, the Implement Shed and Shop, Stock Barn, and Cistern. The Stock Barn would be refurbished as part of the ranch headquarters, and used for storage. Potential impacts to these structures include neglect or inappropriate renovation activities, which may result in the loss of historically significant characteristics. Implementation of a Preservation Plan, in accordance with The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation Historic Building, is identified to mitigate for potentially significant impacts.

6.9 NOISE

NS Impact 1	
Development of the proposed project would expose existing and newly constructed sensitive residential receptors to temporary construction-related noise impacts, resulting in a direct short-term impact.	
Mitigation	**NS/mm-1** At the time of application for subdivision improvement plans or grading permits, the applicant shall submit a Noise Reduction Plan prepared by a qualified acoustical consultant for review and approval by the County Planning Department. The Noise Reduction Plan shall include but is not limited to: a. Limit all phases of construction to the hours of 7:00 a.m. to 10:00 p.m. Monday through Friday as required by County ordinance; b. Regular notification of all existing and future residences within 1,000 feet of the site boundary concerning the construction schedule; c. Shield especially loud pieces of stationary construction equipment; d. Locate portable generators, air compressors, etc. away from sensitive noise receptors; e. Limit grouping major pieces of equipment operating in one area to the greatest extent feasible; f. Place heavily trafficked areas such as the maintenance yard, equipment, tool, and other construction oriented operations in locations that would be the least disruptive to surrounding sensitive noise receptors; g. Use newer equipment that is quieter and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine vibration isolators intact and operational. Internal combustion engines used for any purpose on or related to the job shall be equipped with a muffler or baffle of a type recommended by the manufacturer; h. Conduct worker-training meetings to educate and encourage noise awareness and sensitivity. This training should focus on worker conduct while in the vicinity of sensitive receptors (i.e. minimizing and locating the use of circular saws in areas adjacent to sensitive receptors and being mindful of shouting and the loud use of attention drawing language); and, i. Notify surrounding residences in advance of the construction schedule when unavoidable construction noise and upcoming construction activities likely to produce an adverse noise environment are expected. Noticing shall provide phone number of project monitor, County inspector, construction foreman etc. This notice shall be given one week in advance, and at a minimum of one day in advance of anticipated activities have changed. Project representative shall verbally notify all surrounding residential owners.
Findings	Temporary construction noise impacts would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	Development of the proposed project would create temporary increases in the ambient noise level during construction; however, there are few existing residential sensitive receptors surrounding the project site that would be impacted by construction noise. The types of construction noise would differ among the various phases as the development progresses, depending on the particular activities and equipment used. During the initial phases of construction, it is estimated that most of the construction noise would be limited to grading and earthwork operations, which would only impact the few rural residences located along the boundaries of the project site. However, during subsequent phases of development, residences constructed and occupied in the early phases prior to completion of the project would become additional sensitive receptors, which would be impacted by later phases of construction. The newly constructed residences would be

NS Impact 1	
	located in proximity to various construction activities, which could result in potentially significant construction related noise impacts. These noise sources could potentially interfere with normal daytime activities. Nighttime construction noise impacts would not occur because County ordinances limit construction to the hours of 7:00 a.m. to 10:00 p.m. Implementation of identified mitigation would reduce construction noise levels, and notification and educational materials would reduce potential land use conflicts resulting from the generation of construction noise by maintaining communication between the residents and the construction crew and minimizing inadvertent and unnecessary noise generation.

NS Impact 4	
Development of the proposed project could potentially expose existing and proposed residential parcels to stationary noise levels resulting from amplified events estimated to exceed the hourly nighttime Leq threshold of 45 dBA and the hourly daytime 50 dBA Leq thresholds, resulting in a direct long-term noise impact.	
Mitigation	**NS/mm-3** Prior to approval of subdivision improvement plans ~~final plan submittal,~~ the applicant shall include provisions in the CC&R's prohibiting outdoor amplified events at the ranch headquarters.
Findings	With implementation of mitigation, impacts due to amplified events would be avoided; therefore, this impact is considered *significant but mitigable, Class II*.
Supportive Evidence	The Final EIR identifies noise related issues associated with the ranch headquarters. While use of these facilities would include activities that would temporarily raise ambient noise levels in the immediate vicinity of the localized activity, use of the headquarters facilities is not expected to exceed stationary noise thresholds of 50 dBA Leq daytime or 45 dBA Leq nighttime during normal operating activities at the nearest existing or proposed residential receiver. However, due to the rural nature of the project site, if the ranch headquarters facility were to include regularly scheduled private outdoor events that are amplified (e.g. use of microphone and loudspeakers), the 50 dBA Leq daytime or 45 dBA Leq nighttime stationary noise threshold could easily be exceeded. Prohibiting outdoor amplified events at the ranch headquarters would eliminate the impact.

6.10 PALEONTOLOGICAL RESOURCES

PR Impact 1	
Earthwork and other ground-disturbing activities associated with all proposed and future phases of development have the potential to impact moderately-sensitive geological formations and significant paleontological resources.	
Mitigation	**PR/mm-1** Prior to issuance of construction permits, the applicant shall submit for the review and approval of the Environmental Coordinator, a detailed research design for a Paleontological Monitoring & Recovery Plan (PMRP). The PMRP shall be consistent with the *Paleontological Assessment and Mitigation Plan for the Laetitia Agricultural Cluster San Luis Obispo County, California* (Cogstone Resource Management, Inc.; October 2006) and shall be prepared by a qualified paleontologist approved by the Environmental Coordinator. The PMRP program shall include the following at minimum: a. List of personnel involved in the monitoring activities; b. Clear identification of what portions of the project (e.g. phases, areas of the site, types of activities);

PR Impact 1	
	c. Description of how the monitoring shall occur; d. Description of frequency of monitoring (e.g. full-time, part time, spot checking); e. Description of what resources are expected to be encountered; f. Description of circumstances that would result in the "work diversion" at the project site; g. Description of procedures for diverting work on the site and notification procedures; h. Description of monitoring reporting procedures. i. Disposition of collected materials; j. Proposed analysis of results of data recovery and collected materials, including timeline of final analysis results. **PR/mm-2** During ground disturbing construction activities, the applicant shall implement the PMRP measures as delineated in the PMRP. **PR/mm-3** Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection, whichever occurs first, the consulting paleontologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries per the PMRP. If the analysis included in the PMRP program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of obligation to complete the required analysis.
Findings	Implementation of the measures recommended above will ensure that any significant fossils encountered in the identified section of the excavations will be properly considered for their scientific value. Therefore, this impact is considered *less than significant with mitigation, Class II*.
Supportive Evidence	The Miocene Monterey formation (diatomaceous portion) and the Miocene Obispo formation have a moderate potential to produce fossil resources. Fine-grained sediments of the Obispo and Paso Robles formations also have a moderate potential to produce fossil resources. These formations are located throughout the project site, and depth to bedrock is generally shallow. Implementation of the proposed project would require cuts up to approximately 30 feet in depth. Grading and trenching activities for the construction of roads and structures, and installation of infrastructure and utilities during all phases of development within these geological formations have the potential to result in the destruction of fossils. In addition, these activities may expose fossils, resulting in the illegal possession of significant paleontological resources. Fossils are an important, nonrenewable scientific resource. The destruction or illegal possession of these fossils would represent a significant adverse impact. Implementation of proper mitigation measures can reduce the impacts to the paleontological resources. The mitigation measures identified above and in the Final EIR have been developed to reduce the adverse impacts of project construction on paleontological resources to a less than significant level. The measures are derived from the guidelines of the Society of Vertebrate Paleontologists and the requirements of CEQA, and have been demonstrated to be successful in protecting paleontological resources while allowing timely completion of construction.

6.11 PUBLIC SERVICES AND UTILITIES

PSU Impact 1	
The proposed project currently lacks defensible space features that could result in relative decreases in public safety to future residents, resulting in potentially significant impacts.	
Mitigation	**PSU/mm-1** Prior to approval of subdivision improvement plans, the applicant shall incorporate defensible space design concepts (i.e., security lighting in common areas) into the improvement plans, consistent with County Ordinance standards for exterior lighting, and mitigation measures applicable to exterior lighting, for review and approval by the County Sheriff's Department. **PSU/mm-2** Upon application for construction ~~building~~ permits for individual lot development, the applicant shall submit building plans that incorporate structure defense features, including burglary-resistant hardware, for review and approval by the County Sheriff's Department. Features shall be installed prior to occupancy clearance. ~~The Sheriff's Department shall ensure compliance prior to occupancy clearance.~~
Findings	Impacts associated with the defensible space features would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	The County Sheriff recommends that new developments employ defensible space concepts into site design and building specifications (e.g., appropriate setbacks, adequate lighting of walkways and parking areas, and the use of burglary-resistant hardware and fixtures in buildings). The applicant is proposing a private, gated community, including a guard at the main entrance. Implementation of these inherent features would likely reduce the potential for public safety hazards, and this impact is considered less than significant. Implementation of defensible space design standards within common areas, including the ranch headquarters and on individual residential lots would further minimize the potential for public safety issues, and the subsequent demand for Sheriff's Department response to service calls.

PSU Impact 2	
The project would generate an estimated total of 36 ~~43.9~~ elementary, middle and high school students, which would contribute to existing overcrowded conditions at the Paulding Middle School and Arroyo Grande High School.	
Mitigation	**PSU/mm-3** Prior to recordation of the final map, the applicant shall notify Lucia Mar Unified School District of the expected build-out date of each phase of the project to allow the District time to plan in advance for new students. A copy of the notice shall be sent to the Planning Department prior to issuance of construction permits. **PSU/mm-4** Prior to issuance of construction permits for individual lot development, the applicant shall contribute to public facility and school fee programs, pursuant to State Government Code 65995 et seq.
Findings	Impacts associated with the school would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	Based on current LMUSD loading standards (refer to the Final EIR), to accommodate students generated by the proposed project, one additional classroom would be needed at Paulding Middle School, and one additional classroom would be needed at Arroyo Grande High School, to accommodate students generated by the project. If needed, new classrooms would likely be portable classroom units placed on the grounds of a school. Development of new classrooms is a significant impact due to the physical effects

PSU Impact 2	
	associated with locating additional classrooms or portables on school grounds. Such physical impacts include construction of new classrooms and loss of playground facilities. The applicant would be required to pay public facility fees to mitigate the project's effect on school services and facilities.

PSU Impact 3	
At build-out, the proposed project would generate approximately 76 ~~94~~ tons of solid waste per year. The solid waste disposal services and landfill that would serve the project site would have adequate capacity to accommodate the waste generated by the project. However the project would result in the use of part of the limited remaining capacity of the landfill.	
Mitigation	**PSU/mm-5** Prior to commencement of any construction, the applicant, and all successors-in-interest, shall provide to all contractors (e.g., for tract improvements, grading, home construction, etc.) a list of companies that offer recycling services or drop box service (Construction and Demolition Recycling Providers). All efforts shall be made by the applicant and contractor to recycle 50 percent of waste generated by the project.
Findings	Within implementation of the required measures, impacts associated with solid waste would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	Based on a factor of 2.49 persons per dwelling unit, the proposed project is expected to generate approximately 204 residents. Therefore, prior to implementation of any recycling programs, at build-out the proposed project would generate approximately 76 tons of waste per year of waste. This amount of solid waste generated represents a small percentage (i.e., 0.1 percent) of the permitted daily waste acceptance (i.e., 750 tons per day) and remaining capacity (i.e., 2,800,000 cubic yards) at the landfill, but would nevertheless hasten the utilization of the remaining capacity at the landfill. Implementation of the proposed project would not result in any change to service in the area or any significant changes to the disposal operations. The proposed project would also not create the need for any special solid waste disposal handling and would therefore comply with all statutes and regulations related to solid waste. However, construction and occupancy would hasten the utilization of the remaining Cold Canyon Landfill capacity which would be a potentially significant impact. Compliance with identified mitigation would reduce solid waste disposal by diverting acceptable materials to recycling facilities for re-use, which would address this potential impact.

6.12 RECREATION

REC Impact 1	
Development of the proposed project would increase the demand for existing neighborhood and community parks or other recreational facilities.	
Mitigation	**REC/mm-1** At the time of application for subdivision improvement plans, the applicant shall provide a multi-use trail corridor easement along Los Berros Road and/or Los Berros Creek consistent with the County's A-1a detached trail standard to the extent feasible. Trail construction is not required. The intent of this condition is to locate a trail west of Highway 101 and north ~~south~~ of Los Berros Creek along Los Berros Road. If the proposed trail corridor cannot be accommodated within the Los Berros Road right-of-way, the applicant shall dedicate a trail easement on the project site to the extent land is available between Los

REC Impact 1	
	Berros Road and Los Berros Creek. County Parks acknowledges that the location of the creek and the road right-of-way may result in less than a ten-foot trail corridor in certain locations. The location of the trail easement shall be reviewed and approved by the County Parks Division prior to final map recordation or approval of the project's improvement plans, whichever occurs first. **Secondary Impact** Biological habitats within potential trail corridor locations include riparian habitat and oak woodland. Future construction of a trail may result in significant secondary impacts to these resources. Mitigation would be required to minimize the project's effect on these resources, including standard oak tree replacement and revegetation measures, protection and restoration of riparian habitat, and further consultation with applicable resource agencies (i.e., CDFG and RWQCB). *Mitigation* The trail easement shall be located to avoid removal and impacts to riparian habitat and oak trees to the maximum extent feasible. **Secondary Impact** Significant archaeological resources have been identified in the immediate vicinity of Los Berros Road and Los Berros Creek. Direct and indirect impacts to these resources as a result of future trail construction would result in a significant secondary impact. *Mitigation* The trail easement shall be located to avoid direct impacts to known archaeological sites to the maximum extent feasible. **Secondary Impact** The recommended trail easement would likely be located adjacent to existing vineyards, resulting in significant secondary impacts to agricultural resources. Potential direct impacts include potential trespass, vandalism, and interference with agricultural practices. Trail users may be exposed to legal pesticide and fertilizer use, noise, and dust. *Mitigation* Development plans for the trail shall include installation of fencing between the trail corridor and agricultural areas, and installation of educational signage to minimize potential land use conflicts.
Findings	Impacts associated with the deterioration of existing recreational facilities would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	As proposed, the Project would include 83 single-family residences, including one existing estate residence. Based on the average San Luis Obispo County household size of 2.49 persons (U.S. Census Bureau; 2000), the direct population growth associated with these additional 82 new residential dwelling units would be approximately 204 people (82 residential dwelling units x 2.49 persons per unit). The creation of additional residents in the project area would increase the demand for parks or other recreational opportunities in the area. The proposed project includes a 1.4-acre ranch headquarters that would provide private recreational facilities. The proposed project also includes plans for a dude ranch in the eastern portion of the project site, with recreational opportunities for paying guests (please note this is not currently included in the project's CUP request). Based on review of the County *Parks and Recreation Master Plan*, a trail corridor is proposed along Los Berros Road, west of Highway 101. During project review by the County Parks Division, dedication of a ten-foot wide trail corridor is recommended along Los Berros Creek, either within the road right-of-way or on the project site (Jan DiLeo, 2004 and Sean Cooper 2015). Dedication of this trail easement for future development by the County Parks Division would off-set the project-specific demands for recreational resources in the area.

REC Impact 2	
Development of the proposed project, in addition to other development within the South County area, would increase the use of existing neighborhood and community parks or other recreational facilities.	
Mitigation	**REC/mm-2** Prior to recordation of the final map, the applicant shall pay Quimby fees and applicable Building Division Fees.
Findings	Impacts associated with the deterioration of existing recreational facilities would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	Although the proposed project includes private recreational facilities, it is expected that future residents would also use county and city parks in the region. The increase in population generated by the project would incrementally increase the use of existing neighborhood and community parks in the South County area. Prior to recordation of the final map, the County Ordinance requires the payment of a fee for the improvement or development of neighborhood or community parks. These "Quimby" fees will adequately mitigate the project's impact on recreational facilities. The "Quimby" fees would not apply to recreational resources within the City of Arroyo Grande; however, since County facilities are used by City residents, payment of the fee mutually benefits citizens in both jurisdictions.

6.13 TRANSPORTATION AND CIRCULATION

TR Impact 1	
The proposed project would cause operations at the intersection of Highway 101 Southbound Ramps/ Los Berros Road to degrade from LOS D to LOS F during the p.m. peak hour. The intersection meets the peak hour signal warrant during the p.m. peak hour. The proposed project would cause operations at the intersection of Highway 101 Northbound Ramps/North Thompson Road to degrade from LOS D to LOS E during the a.m. peak hour. The intersection meets the peak hour signal warrant during the a.m. peak hour.	
Mitigation	**TR/mm-1** Upon submittal of subdivision improvement plans, the applicant shall submit plans to the County Department of Public Works and Caltrans for a traffic signal and westbound left-turn pocket, or roundabout, at the intersection of Highway 101 Southbound Ramps/Los Berros Road. The applicant shall construct and implement the alternative improvements under a Caltrans encroachment permit or Project Study Report. Intersection widening, signalization, and striping improvements shall be done in accordance with plans on file with the County Public Works Department. No occupancy shall occur until all improvements are completed. **TR/mm-2** Upon submittal of subdivision improvement plans, the applicant shall submit plans to the County Department of Public Works and Caltrans for a traffic signal and eastbound left-turn pocket or roundabout at the intersection of Highway 101 Northbound Ramps/North Thompson Road. The applicant shall construct and implement the alternative improvements under a Caltrans encroachment permit or Project Study Report. Intersection widening, signalization, and striping improvements shall be done in accordance with plans on file with the County Public Works Department. No occupancy shall occur until all improvements are completed. Alternatively, the applicant may satisfy this condition of approval, if, prior to recordation of the final map, the Board of Supervisors has added the project site to the South County Road Improvement Fee Program that ensures payment of all of the costs for the improvements listed in paragraphs 1 and 2 above. The applicant is responsible for the costs to the County of establishing such a program, including all staff time and the costs of preparing the studies necessary to support the addition to the South County Road Improvement Fee area.
Findings	With implementation of the above measure, this impact would be considered *less than*

TR Impact 1	
	significant with mitigation, Class II.
Supportive Evidence	The addition of project trips to the intersection of Highway 101 Southbound Ramps/Los Berros Road is anticipated to worsen operations from LOS C to LOS D during the a.m. peak hour and from LOS D to LOS F during the p.m. peak hour. This intersection meets peak hour signal warrant criteria for the p.m. peak hour, but not for the a.m. peak hour. Signal warrant calculation sheets are included in Appendix G. Installation of a traffic signal and a westbound left-turn pocket at the intersection of Highway 101 Southbound Ramps/Los Berros Road is warranted. This would improve operations to LOS A during the p.m. peak hour. The addition of project trips to the intersection of Highway 101 Northbound Ramps/North Thompson Road is anticipated to worsen operations from LOS D to LOS E during the a.m. peak hour. This intersection meets peak hour signal warrant criteria for the a.m. peak hour. Signal warrant calculation sheets are included in Appendix G. Installation of a traffic signal and an eastbound left-turn pocket at the intersection of Highway 101 Northbound Ramps/North Thompson Road is necessary to improve operations to LOS A during the a.m. peak hour. These intersection improvements are included in the County's Capital Improvement Projects list and in the South County Road Improvement Fee Program. Although the project site is not currently part of the County's Road Improvement Fee Program, it could be added to the South County Area program, which would provide a mechanism for the applicant to pay its fair share contribution to those improvements. Payment of those fees will allow the County to make the necessary intersection improvements without disproportionately burdening any particular user.

TR Impact 2	
The proposed project would increase the potential for rear-end collisions resulting from left turn movements from North Thompson Road onto Sheehy Road.	
Mitigation	**TR/mm-3** ~~Upon approval of~~ At the time of application for subdivision improvement plans, the applicant shall submit plans to the County Department of Public Works showing installation of a left turn channelization lane at the North Thompson Road/Sheehy Road intersection. The channelization lane shall be implemented prior to final inspection of tract improvements.
Findings	With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The intersection of Sheehy Road/North Thompson Road is controlled at the Sheehy approach to North Thompson. A left turn channelization lane is not currently present. The addition of project traffic adds minor delay to the Sheehy Road/North Thompson Road intersection during both peak hours. Based on consultation with Public Works, implementation of the project may increase the potential for rear end collisions resulting from the left turn movement (Glen Marshall, 2008). A left turn channelization lane is warranted at this intersection (refer to Final EIR Appendix G). Implementation of identified improvements would improve traffic safety and address this potentially significant impact.

TR Impact 3
The proposed project would exacerbate an existing deficient condition at the Sheehy Road/North Dana Foothill intersection.

TR Impact 3	
Mitigation	**TR/mm-4** ~~Upon approval of~~ At the time of application for subdivision improvement plans, the applicant shall submit plans to the County Department of Public Works showing installation of a stop sign and stop bar striping on the Sheehy Road approach. The stop sign and associated striping shall be implemented prior to final inspection of tract improvements.
Findings	With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The intersection of Sheehy Road/North Dana Foothill Road is currently uncontrolled on all approaches so that vehicle right-of-way is not clearly defined. This is a deficient condition that could lead to driver confusion. The addition of project trips would exacerbate an existing deficient condition. Installation of a stop sign on the Sheehy Road approach, as identified in the mitigation measure, would improve the intersection to standard operating conditions and address this potentially significant impact.

TR Impact 7	
Sheehy Road currently has unpaved shoulders and no edge of road striping. The proposed project would exacerbate this deficient condition.	
Mitigation	**TR/mm-8** Prior to approval of subdivision improvement plans, the applicant shall submit road improvement plans to the County Department of Public Works for review, showing the improvement of the shoulders in conformance with County Standard A-1(f) along Sheehy Road. The road improvement plans shall be implemented prior to final inspection of tract improvements.
Findings	With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Local access to the proposed project would be via Sheehy Road, North Dana Foothill Road, and Upper Los Berros Road. Sheehy Road is designated as a collector road in the *South County Area Plan*, and consists of two 11.5 foot travel lanes with dirt shoulders. Sheehy Road has centerline striping. To improve local roads to meet county standards for traffic loads and roadway safety, shoulder improvements are needed along Sheehy Road. County funding for these improvements is not secured; therefore, it will be necessary for the project applicant to fund and construct the improvements in order to address and mitigate the potentially significant impact.

TR Impact 8	
North Dana Foothill Road currently does not have paved shoulders or roadway striping. The proposed project would exacerbate this deficient condition.	
Mitigation	**TR/mm-9** Prior to approval of subdivision improvement plans, the applicant shall submit road improvement plans to the County Department of Public Works for review, showing roadway improvements in conformance with County Standard A-1(f) along North Dana Foothill Road. No occupancy shall occur until all improvements are completed.
Findings	With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II*.

TR Impact 8	
Supportive Evidence	Local access to the proposed project would be via Sheehy Road, North Dana Foothill Road, and Upper Los Berros Road. North Dana Foothill Road is designated as a collector road in the *South County Area Plan*. This road consists of two 11.5 foot travel lanes with dirt shoulders, and it does not have any roadway striping. To improve local roads to meet county standards, shoulder improvements and lane striping are needed along North Dana Foothill Road. County funding for these improvements is not secured; therefore, it will be necessary for the project applicant to fund and construct the improvement in order to address and mitigate the potentially significant impact.

TR Impact 9	
Upper Los Berros Road currently does not have paved shoulders or roadway striping, and is unpaved in sections. The proposed project would exacerbate this deficient condition.	
Mitigation	**TR/mm-10** Prior to approval of subdivision improvement plans, the applicant shall submit road improvement plans to the County Department of Public Works and CAL FIRE for review showing roadway improvements in conformance with County Standard A-1(f) along Upper Los Berros Road, up to any proposed residential access road approaches to Upper Los Berros Road. Proposed road improvements shall maintain or improve existing culverts and under-crossings for wildlife migration under the roadway, and shall be subject to review by the U.S. Fish and Wildlife Service and California Department of Fish and Game, as associated with required permits and authorizations. Prior to construction of the Dude Ranch, the unpaved sections of Los Berros Road up to the proposed Dude Ranch access point shall be paved in accordance with County standards. No occupancy shall occur until all improvements are completed.
Findings	With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Local access to the proposed project would be via Sheehy Road, North Dana Foothill Road, and Upper Los Berros Road. Upper Los Berros Road consists of two, ten foot lanes without a striping and dirt shoulders. Beyond the planned junction with Main Road 1, portions of Upper Los Berros Road are unpaved. Section A-1 (f) of the County's design standard calls for an 8-foot unpaved shoulder or a 4-foot paved shoulder with an asphalt berm where it is necessary to carry drainage flows on the road. To improve local roads to meet county standards, shoulder improvements and centerline and lane striping are needed along Upper Los Berros Road. In addition, the unpaved sections of Los Berros Road up to the proposed access point shall be paved to meet County road standards. County funding for these improvements is not secured; therefore, it will be necessary for the project applicant to fund and construct the improvement in order to address and mitigate the potentially significant impact.

Off-site Road Improvements Secondary Cultural Resources Impacts	
Implementation of mitigation measures TR/mm-8, TR/mm-9, and TR/mm-10 would result in secondary impacts to cultural resources, including documented historic and archaeological sites.	
Mitigation	Implement **AR/mm-5, AR/mm-6, and AR/mm-7**.
Findings	With implementation of the above measures, this secondary impact would be considered *less than significant with mitigation, Class II*.

Off-site Road Improvements Secondary Cultural Resources Impacts	
Supportive Evidence	Based on a Phase One surface survey conducted within the road right-of-way, no historic or prehistoric cultural materials were observed (Gibson, 2008); however, road improvements on Upper Los Berros Road would be located in proximity to documented historic and archaeological sites. Preparation and implementation of a County-approved monitoring program would mitigate potential impacts to less than significant.

Off-site Road Improvements Secondary Biological Resources Impacts	
Implementation of mitigation measures TR/mm-8, TR/mm-9, and TR/mm-10 would result in secondary impacts to biological resources, including jurisdictional waters, sycamore and oak riparian forest, California red-legged frog, south-central California coast steelhead, and nesting birds.	
Mitigation	Implement BIO/mm-1 through BIO/mm-12, BIO/mm-14 through BIO/mm-16, BIO/mm-19, BIO/mm-20, and WAT/mm-11 through WAT/mm-14.
Findings	With implementation of the above measures, this secondary impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Pursuant to California Department of Fish and Wildlife guidelines, Morro Group biologists conducted surveys during the typical blooming periods for rare plant species within the road right-of-way. The surveyors focused on identifying habitats present, presence or absence of special-status species, and presence of potential waters of the U.S. and State. Sheehy Road, North Dana Foothill Road and Upper Los Berros Road traverse through a variety of vegetative communities including ruderal, agricultural, annual grassland, coastal scrub, and Central Coast sycamore/coast live oak riparian forest (refer to Final EIR Figure V.N.-9). No special-status plant or animal species were observed during the surveys; however, these vegetation communities provide habitat for common and special-status species. Improvements to Sheehy Road, North Dana Foothill Road and Upper Los Berros Road have the potential to impact jurisdictional waters of the U.S. and State, Central Coast sycamore/coast live oak riparian forest, California red-legged frog, South-central California Coast Steelhead, and nesting birds protected by the Migratory Bird Treaty Act. *Jurisdictional Waters of the U.S. and State*. Sheehy Road, North Dana Foothill Road and Upper Los Berros Road currently cross over Nipomo Creek, Los Berros Creek and three unnamed drainages in seven different locations (refer to Figure V.N.-9). Nipomo Creek, Los Berros Creek and the unnamed drainages maintain characteristics of ACOE and CDFW jurisdiction. Improvements to the existing culverts and bridges are anticipated to occur during road construction activities. Such improvements would result in direct and indirect impacts to the jurisdictional features. Direct impacts would occur as a result of road, bridge, and culvert construction and use within or adjacent to the creeks and unnamed drainages. Indirect impacts could occur during construction and include use, maintenance, or staging of construction equipment in areas adjacent to drainages, which increases the risk of fuel spills or leaks into jurisdictional areas. These creeks and tributaries also provide migration corridors for special-status and common wildlife species. Implementation of BIO/mm-1 through BIO/mm-12 and WAT/mm-11 through WAT/mm-14 would mitigate secondary impacts to less than significant. *Central Coast Sycamore / Coast Live Oak Riparian Forest*. Most of Upper Los Berros Road is located immediately adjacent to Los Berros Creek. Los Berros Creek supports a dense overstory of Central Coast sycamore / coast live oak riparian forest with riparian scrub understory. These vegetation communities are intermixed within the riparian corridor and consist of mature coast live oaks, sycamores, cottonwoods, and various riparian scrub species. Road improvement activities would require removal and/or impacts to tree species within and adjacent to the road right-of-way. Road improvements would require the removal

Off-site Road Improvements Secondary Biological Resources Impacts	
	and/or impact of approximately 94 coast live oak trees and 16 sycamores (1.8 acres Central Coast sycamore / coast live oak riparian forest). Implementation of mitigation measures BIO/mm-6 and BIO/mm-14 through BIO/mm-16 would partially mitigate identified secondary impacts; however, based on the significant loss of oak trees and riparian forest, and the time required for replacement vegetation to develop similar habitat values as the impacted riparian forest, residual impacts would occur and potential impacts would be considered significant and unavoidable (refer to BIO Impact 3). *California Red-legged Frog.* Portions of Los Berros Creek can contain suitable habitat for California red-legged frog during wetter years. Rincon Consultants have observed nine California red-legged frogs within tributaries to Los Berros Creek. The portions of Los Berros Creek located adjacent to the study area tend to be dry during the summer months rendering these areas marginal for red-legged frog usage. However, in times of favorable seasonal rainfall some small pools may persist and serve as suitable summer habitat for the species. Considering the potential for red-legged frog to occupy areas adjacent to road improvement activities, implementation of mitigation measure BIO/mm-20 is recommended to minimize the potential for take of the species during road improvement activities. *South-central California Coast Steelhead.* Currently much of Upper Los Berros Road is surfaced with road base, which does not contain petroleum products and is partially permeable. It is assumed that improvements to Upper Los Berros Road would include installing an asphalt surface that is not permeable and comprised of petroleum based products. During storm events, sheet flows over the new road surface would collect petroleum based pollutants and deposit them in the creek. Installation of a non-permeable asphalt surface would increase the deposition of petroleum based pollution into Los Berros Creek resulting in indirect impacts to South-central California Coast Steelhead critical habitat. In addition, indirect impacts could occur during construction and include use, maintenance, or staging of construction equipment in areas adjacent to the creek, which would increase the risk of fuel spills or leaks into the creek. Implementation of BIO/mm-9 through BIO/mm-12 and WAT/mm-11 through WAT/mm-13 is recommended to mitigate potential impacts to less than significant. *Impacts to Nesting Birds*. The riparian corridor along Upper Los Berros Creek Road provides roosting, nesting, and foraging habitat for a variety of bird species, including several that are considered sensitive by resource agencies. In addition, swallows were observed nesting in the existing culverts at Crossings 2, 4, and 5 (refer to Figure V.N.-9). Nesting birds could be directly and/or indirectly impacted by construction activities occurring any time during the typical nesting season (from March 1 to August 30). Tree-nesting birds could have nests directly damaged or destroyed during tree or bridge removal activities, or their nesting and foraging behaviors could be indirectly affected by noise and other sources of construction related disturbance. Implementation of BIO/mm-19 is recommended to mitigate potential impacts to less than significant.

TR Impact 11	
The project would generate vehicle traffic on on-site roadways where sight distance may be inadequate at some on-site intersections and driveways.	
Mitigation	**TR/mm-12** Prior to the issuance of building permits, the applicant shall ensure that sight distances at all on-site intersections and driveways, including street access from Upper Los Berros Road, conform to the standards set forth in the Caltrans Highway Design Manual.
Findings	With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II*.
Supportive	Proposed residential clusters would be connected by Main Road 1, and a number of the

TR Impact 11	
Evidence	internal intersections and the main entryway are located on horizontal and/or vertical curves. To ensure adequate sight distance, three sight distances must be considered: (1) stopping sight distance for a vehicle on Main Road 1 to a avoid a vehicle abruptly exiting a residential side street, (2) stopping sight distance for a vehicle on Main Road 1 approaching a stopped vehicle on Main Road 1 waiting to turn into the residential side street, and (3) the corner sight distance for a vehicle exiting a residential side street. Stopping sight distance is the distance required by a driver of a vehicle on Main Road 1 to stop after an object on the road becomes visible (i.e., a vehicle abruptly exiting a residential side street). Corner sight distance is the sight distance available for a driver waiting at a residential side street to enter the Main Road 1 traffic stream. Based on the Caltrans *Highway Design Manual*, approximately 210 feet and 360 feet of stopping sight distance and corner sight distance, respectively, should be provided for a design speed of 30 miles per hour and posted speed limit of 25 miles per hour. In addition to roadway curvature, sight distances are a function of building and driveway locations, landscaping location and height, and other visually impenetrable features such as fences, gates, and signs. Identified mitigation requires provision of adequate sight distance on tract improvement and roadway plans, which would address and mitigate this potential impact.

TR Impact 12	
The project would generate parking demand greater than the proposed parking supply.	
Mitigation	**TR/mm-13** Prior to the approval of subdivision improvement plans, the project applicant shall submit a revised site plan to the County for review and approval showing the proposed size of the recreational facilities by use and the associated parking. The applicant shall construct the parking as shown in the approved site plan.
Findings	With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Because parking demand at the HOA and ranch headquarters facilities would be generated primarily by residents of the proposed project, those uses would likely generate parking demand at different rates than similar facilities that are open to the public. Therefore, the off-street parking standards specified in Chapter 22.18.050 of the County's Development Code are not strictly applicable to these facilities. Construction plans shall identify proposed parking, and shall be reviewed and approved by County staff.

6.14 WASTEWATER

WW Impact 1	
The proposed wastewater treatment system could potentially release raw or partially treated effluent into Los Berros Creek due to system failure or mechanical breakdown.	
Mitigation	**WW/mm-1** Prior to issuance of construction permits for the wastewater treatment plant and associated collection, storage, and disposal facilities, the applicant shall prepare and submit a project-specific emergency contingency plan including health and safety procedures, implementation of best available technology to ensure de-chlorination and oxidization of treated effluent, and specific operation and maintenance instructions for all system components and equipment during normal operation and in case of reasonable emergency situations. The plan shall also identify emergency notification procedures for alerting onsite and downstream users whenever an unauthorized release of project-

WW Impact 1	
	generated effluent occurs. Emergency notification should be given as soon as the release is discovered so that downstream well users have adequate response time to take any appropriate measures. In addition to required permits and authorizations, the plan shall be submitted to the Central Coast Regional Water Quality Control Board, County Department of Public Works, and County Environmental Health Division for review and approval.
Findings	With implementation of the above mitigation measures, impacts would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Surface waters near the proposed disposal field include Los Berros Creek, which is located approximately 200 feet south of the applicant's originally proposed disposal area (refer to Final EIR). Los Berros Creek flows in a southerly direction along the south/east edge of the disposal area, and has been designated as having multiple beneficial uses in the Central Coast Basin Plan. There are also small, spring-fed tributaries feeding Los Berros Creek along Upper Los Berros Road. The originally proposed disposal area is located outside of the 100-year flood plain and maintains a 100-foot setback from all springs and creeks. No direct impacts to surface water bodies are anticipated based on the project design. Since the proposed sewage collection system, wastewater treatment plant, and disposal area are located immediately upslope from Los Berros Creek and its tributaries, the potential exists that an accidental spill, mechanical failure, or other unforeseen event could release raw or partially treated effluent into the creek, exposing wildlife and downstream users to the effluent. This would be of special concern to on and off-site water local purveyors and homeowners because the wells within the Los Berros Creek watershed obtain all or part of their domestic water supply downstream of the project site from underflow extractions of Los Berros Creek. Implementation of a project-specific emergency contingency plan approved by the County and Regional Water Quality Control Board is identified to prevent an accident from occurring, and to quickly address and remediate any leaks or spills that may otherwise occur and affect surface and groundwater.

WW Impact 2	
Farming practices or the use of heavy vehicles and equipment may damage the underlying disposal facilities causing short-term failure and a short-term, direct impact from exposure to treated wastewater and disruption of normal operation of the system.	
Mitigation	**WW/mm-2** Prior to issuance of construction permits for the wastewater treatment plant and associated storage and disposal facilities, the applicant shall demonstrate that the design of the disposal facilities is adequate to withstand traffic loading and disturbance by agricultural uses, pursuant to a wastewater discharge permit issued by the Regional Water Quality Control Board.
Findings	With implementation of the above mitigation measure, impacts would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	As proposed, the development plan contains provisions to reuse the tertiary-treated disinfected wastewater to partially subsidize the irrigation water demand for agricultural crops (i.e., vineyards). Due to the steep slopes adjacent to the proposed disposal area, and the pressurized nature of the irrigation distribution pipes, effluent irrigation water could daylight from a potential pipe rupture or over-watering (due to mechanical failure), exposing the public (i.e., onsite and adjacent landowners and vineyard staff) to treated wastewater. In addition, pipe rupture or mechanical failure in the sewer collection system would require maintenance and repair of the sewer system, potentially exposing guests, staff, and maintenance personnel to raw wastewater. Farming operations, or use of heavy vehicles and equipment in the growing fields or the

WW Impact 2	
	adjacent road, could damage the underlying disposal facilities, causing system failure and possibly exposing workers, guests, or other individuals to treated effluent wastewater. The RWQCB indicates that piping must be located at least 36 inches below ground to minimize damage from plowing and heavy vehicles and equipment, or the disposal area must not be used for agricultural purposes. The applicant would be required to demonstrate that the system is designed to be protected from ongoing use of the project site, and would be required to obtain a waste discharge permit from the RWQCB prior to construction and operation of the treatment and discharge facilities. Implementation of these measures would address and mitigate the potential impact.

WW Impact 3	
The proposed plan for treated wastewater disposal does not provide for an alternative area in the event of high rainfall, which may result in soil saturation and unauthorized runoff of treated effluent.	
Mitigation	**WW/mm-3** Prior to recordation of the final map, the applicant shall submit evidence of RWQCB-approval of the proposed effluent disposal area(s), including a method for alternative disposal. **Secondary Impact** As discussed in Section V.E. (Biological Resources), natural habitats located within and immediately adjacent to the project site include Los Berros Creek and its tributaries, oak woodland, scrub, and grassland. Operation of alternative disposal areas may result in the discharge of treated effluent within natural habitats (see WAT Impact 5). The applicant is required to demonstrate compliance with the Basin Plan, and RWQCB requirements specific to the use of recycled wastewater to avoid unauthorized discharge. Implement **WW/mm-1, WW/mm-2, and WW/mm-3**. **Secondary Impact** As discussed in Section V.D. (Archaeological Resources), the use of the proposed effluent area may adversely affect significant archaeological resources, and mitigation measures include relocation of the proposed disposal site. Relocation of the effluent site shall include consideration and avoidance of known archaeological resources, in addition to ensuring compliance with the Basin Plan and RWQCB requirements. Implement **AR/mm-8**.
Findings	With implementation of the above mitigation measure, impacts would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Based on consultation with the RWQCB, the applicant would be required to identify a margin of safety and develop a contingency plan in the event the recycled wastewater cannot be used for irrigation due to wet weather conditions or soil saturation (Sorrel Marks, 2007). The applicant currently proposes to use the storage ponds during wet weather conditions; however, additional measures for disposal may be necessary during high rainfall years. Alternative methods of disposal may include, but not be limited to: supplemental holding capacity; disposal of recycled water within alternative areas of the vineyard (provided the location meets standard regulatory criteria); disposal within common areas or landscaping; and, percolation into underlying soils. The applicant is required to identify the alternative disposal area as part of the Report of Waste Discharge application with the RWQCB. Operation of the proposed facility and disposal area(s) would be subject to an on-going maintenance and monitoring program, which would be overseen by the RWQCB.

WW Impact 4	
Over-application of recycled water may result in salt loading in the underlying soils, and increased concentrations of salt in the underlying groundwater.	
Mitigation	Implement **WW/mm-3**.
Findings	With implementation of the above mitigation measure, impacts would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The project site is located within the Oceano Hydrologic Sub-area (HSA), which is outside of the Santa Maria Groundwater Basin, as defined by the Santa Clara Superior Court (Case CV 770214). The Tri-Cities Mesa Arroyo Grande Plain and Nipomo Mesa HSA are located to the west and southwest of the project site (refer to Final EIR Section V.P., Water Resources, Figure V.P.-1). Surface drainage, which would indicate the presence of higher groundwater, occurs along local drainages toward Los Berros Creek. Pond 1 will be sited adjacent to one of these drainages, which at the time of the EIR fieldwork, was dry. Per the previously prepared GeoSolutions report for the proposed project, the depth to groundwater on the project site varies depending upon location; near Los Berros Creek, groundwater is within several feet of the ground surface, while in upslope areas, groundwater is deep. No borings drilled by GeoSolutions encountered groundwater; however, there were no borings drilled in the proposed pond or disposal areas. Subsequently, the depth to groundwater in these areas is unknown. When recycled water is used for irrigation, the salts in the effluent are concentrated in the percolate that flows from the surface of the irrigated area to the groundwater, because during evapotranspiration, the salts remain in the soil. Based on the water sample analysis documented in the water resources studies provided by the applicant (Cleath; 2005), the total hardness of water measured in the wells proposed for domestic use range from 340 to 470 mg/l, and would likely require water softeners, which is a typical source of salts in wastewater. Over-application of recycled water may result in increased salt in the soil, and underlying groundwater. Build-up of salts can be avoided by implementing control measures at the well source (as opposed to at each residence), or removal of salts at the wastewater treatment facility. The applicant is required to ensure that the recycled water meets effluent standards required by the Basin Plan.

WW Impact 5	
The proposed privately operated wastewater treatment and disposal system could potentially be operated inadequately or fall into disrepair resulting in a long-term direct impact.	
Mitigation	**WW/mm-4** Prior to issuance of building permits, the applicant shall provide a letter ~~from an appropriate governmental entity stating its intent to assume responsibility for the sewerage system, as required by~~ documenting compliance with Central Coast RWQCB Resolution No. 69-1.
Findings	With implementation of the above mitigation measure, impacts would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The onsite wastewater treatment and disposal plan prepared by the applicant states that the facility would be a design-build customized facility that would be operated, maintained, and managed by a qualified private wastewater operations contractor, under a services agreement with the Homeowners Association. The current proposal is that operation and maintenance would not be full-time, but conducted two hours a day under the guidelines of the final operation and maintenance manual prepared prior to completion of wastewater facilities installation and start-up.

WW Impact 5	
	Under Resolution No. 69-1, the RWQCB prohibits the development of the any project such as the one proposed that will use its own community system for sewage disposal unless the project: *"□ is within or has access to a pre-existing governmental entity (city or district) that has authority to and has stated its intent to assume responsibility for the planning, construction, operation, and maintenance of the sewerage system or has authority to and has stated its intent to review plans and construction and assume operation and maintenance of the sewerage system upon certification by the appropriate health officer that the system is failing□ "* The applicant is required to gain and provide all necessary approvals prior to construction of the wastewater treatment facility, and shall prove and document oversight and management of the facility to the satisfaction of the County and the RWQCB. These approvals will provide the oversight necessary to ensure ongoing maintenance and operation of the facility consistent with local and state regulations.

6.15 WATER RESOURCES

WAT Impact 1	
Development of the proposed project would potentially result in a direct, long-term impact to the surface and groundwater quantity if over-pumping or inefficient use of available domestic water resources occurs.	
Mitigation	**WAT/mm-1** At the time of application for subdivision improvement plans, the applicant shall prepare a Water Master Plan for approval by the County Department of Planning and Building and Environmental Health Services. The Water Master Plan shall be developed by a County-qualified consultant with experience specific to interior and exterior water usage for each type of approved use (e.g., the residential landscape watering section would be prepared by a landscape architect or contractor familiar with the area's vegetation to provide guidelines for residents covering water conservation techniques, and lists of ornamental drought-tolerant plants that would do well in the native soils, etc.). The program shall address all consumer-controlled water uses (e.g., landscaping, washing, showers, etc.). The program shall identify maximum water use of 0.44 acre feet per year, per lot. Once the program is developed, the plan shall also specify how this information will be disseminated to all future home builders and residents. a. The Water Master Plan shall show how the initial landscaping will have low-water requirements. As applicable, at a minimum, the following shall be used: (1) all common area and residential irrigation shall employ low water use techniques (e.g., soil moisture sensors, drip irrigation); (2) irrigated residential landscaping shall be limited to 1,500 square feet (maximum), with turf area limited to 300 square feet, and with remaining landscaping being drought-tolerant and having low water requirements (e.g., use of native vegetation, etc.); and (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible. b. The Water Master Plan shall include a Drought Water Management Program, which shall provide guidelines on how all land uses shall be managed during "severe" drought (drought exceeding three years), including landscaping. These measures would go into effect during periods of "severe" drought. This plan shall include, but is not necessarily limited to: 1. The definition of a "severe" drought year (as defined by National Oceanic and Atmospheric Administration's Palmer Drought Severity method or other similarly recognized methodology); 2. Identification of general measures available to reduce indoor water usage

WAT Impact 1	
	for future development; 3. Identification of specific measures to be applied for landscape watering; 4. Determination of appropriate early triggers to determine when "severe" drought conditions exist and process for initiating additional water conservation measures for tract and future development; 5. Proposed drought-management policies shall not include a "reduction or periodic cessation of agricultural irrigation" in order to provide additional water for domestic purposes; and, 6. The Program shall include a provision to import and provide supplemental water to developed residential lots following implementation of water restrictions and conservation measures. Once it is determined that a "severe" drought condition exists, restricted (drought) water usage measures shall remain in effect until it is shown satisfactorily to the County that the "severe" drought condition no longer exists. c. The Water Master Plan shall include provisions that operations of the domestic water system would be monitored in accordance with all applicable standards and regulations using a certified operator(s) to oversee well pumping, storage, distribution, maintenance of the system, and overall water quality in accordance with all State and County requirements. The Water Master Plan shall delineate all domestic wells, pump stations, water tanks, and pipelines, and include a schedule and maximum production rate for each well by month. The Water Master Plan shall incorporate the following restrictions: 1. Use of Well 11 shall be prohibited during the months of July through December~~for domestic purposes shall be prohibited~~. 2. Maximum yield for Well 10 shall not exceed 6.5 afy. ~~2.~~3. Maximum yield for Well 11 (during the months of January through June) shall not exceed 17.0 afy. ~~3.~~4. Maximum yield for Well 14 shall not exceed 9.1 afy. ~~4.~~5. Maximum yield for Well 15 shall not exceed 18.8 afy. ~~5.~~6. Total maximum yield (including Wells 10, 11, 14, and 15) shall not exceed ~~62.4~~51.4 afy. d. The Water Master Plan shall be administered by the Mutual Water Company and enforced by the Homeowners Association. Prior to issuance of any construction permit for Phase Two, the Mutual Water Company and Homeowners Association shall demonstrate compliance with the Master Water Plan. In the event the Mutual Water Company and Homeowners Association are out of compliance at any time for Phase One, they shall demonstrate compliance for a minimum of one year prior to issuance of any construction permit for Phase Two. Prior to issuance of any construction permit for Phase Three, the Mutual Water Company and Homeowners Association shall demonstrate compliance with the Master Water Plan. In the event the Mutual Water Company and Homeowners Association are out of compliance at any time for Phase Two, they shall demonstrate compliance for a minimum of one year prior to issuance of any construction permit for Phase Three. Prior to issuance of any construction permit for Phase Four, the Mutual Water Company and Homeowners Association shall demonstrate compliance with the Master Water Plan. In the event the Mutual Water Company and Homeowners Association are out of compliance at any time for Phase Three, they shall demonstrate compliance for a minimum of one year prior to issuance of any

WAT Impact 1	
	construction permit for Phase Four. The Mutual Water Company shall prepare an annual report documenting (at a minimum): water use per residence and for the ranch headquarters; pumping rates for Wells 10, 11, 14, and 15; quantity and rate of tertiary treated water disposal; water loss summary; maintenance activities and corrective actions; and compliance with the conditions of the Water Master Plan. The annual report shall be stamped by a Registered Engineer. The Homeowners Association shall submit the annual report to the County Public Health Services and County Planning and Building Department, and the approved Water Master Plan and annual report shall available for review at the ranch headquarters. For the life of all phases of the project, in the event the Mutual Water Company and Homeowners Association are out of compliance with the Water Master Plan, no additional building permit, operational permit, or business license that requires use of domestic potable water supply will be issued for any lot within the project until any identified remedial work has been completed. **WAT/mm-2** Prior to approval of subdivision improvement plans, and upon submittal of the Water Master Plan, the applicant shall provide funding for a County-qualified consultant to conduct an independent review of the Water Master Plan.. The County-qualified consultant shall be under contract to the County of San Luis Obispo. Costs of the independent review, and any county administrative fees, shall be paid for by the applicant. Any revisions proposed by the consultant shall be incorporated into the Water Master Plan prior to its final approval by the County. **WAT/mm-3** At the time of application for subdivision improvement plans, the applicant shall submit revised plans showing the use of tertiary treated effluent to provide irrigation for common area landscaping in a manner consistent with the Basin Plan. These plans shall be incorporated into the Water Master Plan, including, but not limited to, proposed infrastructure and irrigation application rates and schedules. **WAT/mm-4** At the time of application for subdivision improvement plans (for common areas) and prior to permit issuance (for individual lots), the following measures shall be shown on applicable plans for landscaped and turf areas, consistent with the approved Water Master Plan: a. To maximize drought-tolerance and minimize water usage, warm season grasses (excludes bermuda grass) such as buffalo grass, shall be used; b. A computerized irrigation controller shall be installed that can estimate cumulative evapo-transpiration losses to establish the most efficient and effective watering regimes; c. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, Covenants, Conditions and Restrictions [CC&Rs], landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch; and, d. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently. **WAT/mm-5** Prior to issuance of building permits for individual lot development and the homeowners association facility, recreation center, and community center, proposed construction plans shall include indoor water conservation measures identified in the approved Water Master Plan including, but not limited to: low water-use toilets, showerheads, and faucets; automatic shut-off devices for bathroom and kitchen faucets or installation of high efficiency toilets; and point-of-use supplemental water heater systems or circulating hot water systems in bathrooms and kitchen. For structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install “point-of-use” water heater “boosters” near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1- to 0.5-inch

WAT Impact 1	
	diameter). This measure shall be included on an additional map sheet prior to recordation of the final map and incorporated in the Covenants, Conditions, and Restrictions. **WAT/mm-6** Prior to issuance of construction permits for individual lot development, the applicant shall submit landscape plans for the proposed parcels that include the following outdoor conservation measures identified in the approved Water Master Plan: limited irrigated landscape area of 1,500 square feet (maximum), turf area limited to 300 square feet, with remaining landscaping being drought-tolerant and having low water requirements (e.g., use of native vegetation), and incorporation of soil moisture sensors, and drip irrigation systems. This measure shall be included on an additional map sheet prior to recordation of the final map and incorporated in the Covenants, Conditions, and Restrictions. **WAT/mm-7** Prior to ~~issuance of construction permits for individual lot development~~recordation of the final map, the applicant shall ~~install~~ fund or construct the full cost of installing stream flow gauges within Los Berros Creek to monitor stream flow. ~~Data shall be reported to the County Department of Public Works on an annual basis to provide long-term streamflow monitoring.~~ Installation of the streamflow gauges shall be conducted consistent with identified Biological Resource mitigation for work within riparian and aquatic habitats, and regulatory permits and authorizations issued by federal and state agencies, including but not limited to the U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, NOAA Fisheries, California Department of Fish and Wildlife, Regional Water Quality Control Board. **WAT/mm-8** At the time of application for subdivision improvement plans, plans shall show that water meters shall be installed at all wells providing water to the proposed project (potable and non-potable uses), and for each approved use/building, consistent with the approved Water Master Plan. All common landscaped areas and structures being provided water shall install a water meter. Monthly meter readings shall be taken at all meters and evaluated for possible water loss from pipes. Should a greater than 15 percent loss of delivered water be shown (or loss amount determined appropriate by the County Public Health Services), the leaking pipe(s) within the development shall be identified and replaced within 60 days from when the leak is detected.
Findings	The preparation, implementation, and enforcement of a comprehensive Water Master Plan is required to ensure that the use of onsite wells to support the project would not have an adverse effect on ground and surface waters, including Los Berros Creek. While the project would require additional water use, compliance with restrictive measures related to use and production are recommended for the life of the project to support a conclusion that the proposed water source is sustainable, and would not have a significant adverse effect on water resources and agricultural production (both on- and offsite). With implementation and enforcement of the above measures, the project's effect on water supply would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	**Substantial depletion of groundwater supplies or substantial interference with groundwater recharge**. Based on the analysis documented in the Final EIR, there is existing adequate water supply to serve the project. Depletion of groundwater storage for each well will occur over time; however, sustainable yield and pumping rates are identified, which would allow for equilibrium to be established at each of the proposed domestic well locations. The drawdown, or lowering of the groundwater level, would be limited to each proposed domestic well, and would not result in a decrease in the production rate of other existing wells on or offsite. The existing agricultural wells would continue to serve the vineyards and proposed replacement vineyards. The proposed domestic wells are deep and have long-screened intervals; therefore, large amounts of drawdown during pumping and utilization of groundwater storage is possible during drought conditions. This impact determination is contingent on the applicant's proposal to limit outdoor landscaping to a total of 1,500 square feet per residential lot and incorporation of standard indoor water conservation measures, and compliance with identified sustainable yield rates and monthly pumping schedules. The estimated project demand (including 82 new residences and the ranch headquarters) would be approximately 38 afy, and the estimated

WAT Impact 1	
	sustainable yield is 62.4 afy. Based on implementation of and compliance with water conservation measures and identified mitigation, the potential impact would be less than significant. **Quality of groundwater.** As presented above, the existing and proposed groundwater pumping at the project site does not have the potential to increase the threat of salt-water intrusion or subsidence of coastal aquifers. Based on implementation of and compliance with identified mitigation measures, the potential impact would be less than significant. **Quantity or movement of available surface or groundwater.** Operation of proposed domestic Well 11 may have an adverse effect on streamflow within Los Berros Creek. A specific annual sustainable yield and pumping schedule is recommended to avoid reduction in streamflow, particularly during the dry season, or elimination of this well for domestic purposes. Based on implementation of and compliance with identified mitigation measures, the potential impact would be less than significant. Implementation of the project would not result in a reduction in available groundwater associated with other on- and offsite wells. The project site is not located within the Santa Maria Groundwater Basin; however, groundwater inflow from the project site comprises approximately four percent of the reported groundwater production budget for the NMMA portion of the Santa Maria Groundwater Basin. The 2011 NMMA report states that although recharge to alluvium along Los Berros Creek may be significant, "any groundwater flow from these [bedrock] formations to the NMMA is likely negligible" (page 12, NMMA, 2011). The recommended pumping schedule for the proposed domestic wells included measures to protect flows within Los Berros Creek. Therefore, implementation of the project would not have a substantial, or significant, adverse impact on the Santa Maria Groundwater Basin or offsite groundwater resources.

WAT Impact 2	
Implementation of the proposed project would create additional impervious surfaces, and would result in a net increase in peak stormwater discharge, resulting in a potentially significant impact.	
Mitigation	**WAT/mm-9** Prior to recordation of the final map, the applicant shall comply with the following requirements, in addition to Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region (California Regional Water Quality Control Board Central Coast Region, July 12, 2013) which shall apply to both subdivision tract improvements and individual lot development, and shall be submitted to the County Department of Public Works for review and approval: a. Stormwater Quality Plan incorporating LID Standards, consistent with Land Use Ordinance Section 22.10.155.G.1, including but not limited to the following options: 1. Parking lots shall be designed to drain to vegetated depressions, rain gardens, or open areas to allow for stormwater infiltration. 2. Roof runoff should be directed to landscape areas (rain gardens) and / or vegetated drainage swales and shall not be directed to impervious surfaces that have the potential to contain pollutants. 3. Vegetated drainage swales shall be constructed along the access driveway and discharge to an approved location in a non-erosive manner. 4. Pavement disconnection within parking areas. 5. Other measures, as approved by the County Planning Department in consultation with Public Works, which may include stormwater basin(s). b. BMPs and associated long-term maintenance plan, consistent with Land Use Ordinance Sections 22.10.155.G.7 and 22.10.155.G.8.

WAT Impact 2	
	c. Final drainage plan consistent with Land Use Ordinance Section 22.52.110, demonstrating that post-development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate. ~~The plan shall also include an evaluation of 2-year, 5-year, and 10-year storm events, and shall demonstrate no increases in flood levels within the lower reach of the Arroyo Grande flood channel (between Highway 1 and 22nd Street). The updated hydrology report shall address or incorporate the HEC-HMS/HEC-RAS Model developed in the Arroyo Grande Creek Erosion, Sedimentation and Flooding Alternatives Study (Swanson Hydrology and Geomorphology, January 2006).~~ d. These measures shall be implemented prior to final inspection. e. These measures shall be included on an additional map sheet prior to recordation of the final map and incorporated in the Covenants, Conditions, and Restrictions. **WAT/mm-10** At the time of application for construction permits for individual lot development, the applicant shall show on the construction plans, project designs that will promote groundwater recharge (22.52.140) by application of Low Impact Development (LID) design techniques. At least three designer selected LID/stormwater runoff reduction measures shall be applied to the project, including but not limited to the following options: a. Roof runoff should be directed to landscape areas (rain gardens) and / or vegetated drainage swales and shall not be directed to impervious surfaces that have the potential to contain pollutants. b. Vegetated drainage swales, buffers, and strips shall be constructed along the access driveway and discharge to an approved location in a non-erosive manner. c. Landscape plans shall incorporate tree boxes to capture and infiltrate stormwater runoff. d. Pavement features shall be permeable where feasible. e. Soil amendments shall be applied to increase infiltration rates. f. Rain barrels and cisterns shall be used to reduce stormwater runoff. g. Other measures, as approved by the County Planning Department in consultation with Public Works. This measure shall be included on an additional map sheet prior to recordation of the final map and incorporated in the Covenants, Conditions, and Restrictions. **Secondary Impacts** Implementation of mitigation measures WAT/mm-9 and WAT/mm-10 may result in additional ground disturbance as a result of grading and construction associated with drainage and stormwater management facilities and features. The final siting and design of these facilities and features may result in additional impacts to farmland, biological resources, and cultural resources, similar to impacts identified for the project development. Mitigation measures **BIO/mm-1 through BIO/mm-19 and AR/mm-1 through AR/mm-11** shall apply.
Findings	Implementation of the project would create additional impervious surfaces, and would increase the potential for additional stormwater runoff. While the tentative map is vested, mitigation is included to ensure compliance with existing regulations and policies related to stormwater, drainage, and LID. With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Implementation of the proposed project, including all phases of development, would create additional impervious surfaces including rooftops, paved roads, driveways, and parking areas. Based on the original hydrology report submitted by the applicant, implementation of the project would result in a 2.8 percent increase in net peak runoff during a 100-year storm (RRM Design Group, 2004). Final EIR Table V.P.-8 below shows the net increase of run-off

WAT Impact 2	
	for 10-year, 25-year, and 100-year storm events (note this table assumes development of 101 new residential lots and associated roadways). Based on the hydrology report, increases in flow rates over existing conditions would occur for approximately five minutes during storm events, before dropping to existing peak runoff rates. The report states that the peak increase in project-generated runoff would occur prior to the peak flow rate within Los Berros Creek; therefore, the amount of peak flow-rate increase would not result in a significant increase in offsite runoff rates. However, current regulations state that "post-development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate" (County of San Luis Obispo, 2011). In addition, the County Public Works Department has identified a concern regarding downstream flooding in the lower reaches of Arroyo Grande Creek during 2-year, 5-year, and 10-year storm events. Potential increases in flood levels within Arroyo Grande Creek as a result of the project would be a significant impact. The proposed project's drainage plan includes the use of over-side drains and low-point drainage inlets within roadways to facilitate stormwater flow into existing natural drainages onsite (refer to Final EIR Figures III-20 through III-26). Culverts would be installed at each proposed drainage crossing. Stormwater runoff would be discharged into a series of existing natural ditches and swales prior to entering Los Berros Creek. No onsite water stormwater detention basins are currently proposed. Although the proposed tract map is vested, compliance with current regulations specific to stormwater runoff is recommended to mitigate drainage impacts to the maximum extent feasible. Elements that would be incorporated into the tract-wide improvement plans include Best Management Practices (BMPs) and Low Impact Development (LID) design techniques. Individual lot development should incorporate design techniques, including but not limited to strategies identified in the *San Luis Obispo County Homeowner's Guide to Rainwater Management for Low Impact Development* (San Luis Obispo Coalition of Appropriate Technology [SLO-COAT], 2010). For example roof runoff should be directed to drainage swales and not to impervious surfaces, rain barrels, stormwater ponds, bio-retention systems, or other methods as approved by the County Public Works Department. Implementation of these measures, consistent with current ordinance requirements, would promote groundwater recharge and mitigate potential draining and stormwater impacts to less than significant.

WAT Impact 3	
Vegetation removal, grading, trenching, and construction activities associated with all phases of development, including tract improvements, facility construction, individual lot development, and utility installation would result in erosion and down-gradient sedimentation and pollutant discharges (e.g., sediment, oil, fuel, materials) into sources of surface water, including Los Berros Creek and its tributaries.	
Mitigation	**WAT/mm-11** Prior to issuance of construction permits and prior to ground disturbance for all development, the applicant shall submit a detailed sediment and erosion control plan pursuant to Land Use Ordinance Sections 22.10.155 (Stormwater Management), 22.52.120 (Erosion and Sedimentation Control Plan Required), and 22.52.130 (Stormwater Pollution Prevention Plan Required) for approval, which shall address both temporary and permanent measures to control erosion and reduce sedimentation. Erosion and soil protection shall be provided on all cut and fill slopes. Revegetation shall be facilitated by mulching, hydro-seeding or other methods, and shall be initiated as soon as possible after completion of grading, and prior to the onset of the rainy season (October 15). Permanent revegetation and landscaping shall emphasize drought-tolerant perennial ground coverings, shrubs, and trees, to improve the probability of slope and soil stabilization without adverse impacts to slope stability due to irrigation infiltration and long-term root development. If vegetation is included as the means to stabilize the soils, it shall be planted at least 30 days before the beginning of the wet season, and watered regularly to ensure adequate root establishment. Otherwise, non-vegetative means shall be employed. All plans shall show that sedimentation and

WAT Impact 3	
	erosion control measures are installed prior to any other ground disturbing work. This measure shall be included on an additional map sheet prior to recordation of the final map and incorporated in the Covenants, Conditions, and Restrictions. **WAT/mm-12** Prior to issuance of construction permits and prior to ground disturbance, the applicant shall prepare and submit a Notice of Intent and SWPPP to the RWQCB or SWRCB in accordance with the requirements of the State General Order related to construction projects. The SWPPP shall identify storm water management procedures, pollution control technologies, spill response procedures, and other means that will be used to minimize erosion and sediment production and the release of pollutants to surface water during construction. Compliance will be verified by the County Environmental Monitor through submission of compliance reports. A copy of the SWPPP shall be submitted to the County for approval to show that sedimentation and erosion control measures are installed prior to any other ground disturbing work. This measure shall be included on an additional map sheet prior to recordation of the final map and incorporated in the Covenants, Conditions, and Restrictions. **WAT/mm-13** Prior to issuance of grading permits, the applicant shall incorporate Natural Resource Conservation Service (NRCS) Field Office Technical Guide (FOTG) practices into all grading, erosion, and sedimentation control plans. The NRCS or the Coastal San Luis Resource Conservation District can be contacted at (805) 772-4391 for assistance in implementing FOTG practices. This measure shall be included on an additional map sheet prior to recordation of the final map and incorporated in the Covenants, Conditions, and Restrictions.
Findings	Implementation of the project would create additional impervious surfaces, and would increase the potential for additional stormwater runoff and discharge of pollutants into surface waters. While the tentative map is vested, mitigation is included to ensure compliance with existing regulations and policies related to stormwater, drainage, and water quality. With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	During construction activities for all proposed phases of development, grading operations would require the removal of vegetation, disturbance of soil layers, and the creation of soil stockpiles. This would expose large areas of soil to the erosive forces of rainfall and runoff as storm water leaves the project site. The severity of erosion hazard impacts would be high based on the steepness of natural topography and proposed cut and fill slopes. The adverse effects of erosion and sediment transport include deposition of sediment within downstream drainage structures, which may increase the risk of localized flooding and the introduction of sediment into surface waters and sensitive habitats. Construction activities could also affect water quality due to the potential for pollutants to be discharged to surface water bodies. Construction of the proposed project would involve the use, fueling, and storage of heavy equipment onsite. Soil and associated building material has the potential to enter a stream and drainage channels, cause an increase in suspended sediments, sedimentation of aquatic habitat, and introduce compounds that could potentially be toxic to aquatic organisms. Construction materials such as fuel, oil, paints, and concrete could be harmful to aquatic species if released into the environment. In addition, construction of roadbeds and structures requires use of asphalt, cement and concrete, and adhesives. These materials can be sources of pollutants in storm water discharges. These impacts during the construction phase of the project are potentially significant. During project construction, a number of techniques are available to reduce the potential for erosion, sedimentation, and introduction of pollutants into runoff water and downstream sensitive habitat. Implementation of the proposed project improvements, construction of facilities, and installation of infrastructure would result in disturbance exceeding one acre; therefore, a Stormwater Pollution Prevention Plan (SWPPP) would be required. The SWPPP would evaluate the minimum required BMPs identified in the SWPPP Preparation Manual. BMP examples would include: erosion control barriers such as silt fences, hay bales, drain

WAT Impact 3	
	inlet protection, and gravel bags; preservation of existing vegetation to the maximum extent feasible, and; stabilization of disturbed areas with vegetation or hard surface treatments upon completion of construction in any specific area. All inactive disturbed soil areas are required to be stabilized with both sediment and temporary erosion control prior to the onset of the rainy season (October 15 to April 15). The best approach to minimizing the potential for erosion is to minimize the time during which bare soil is exposed to the elements. To achieve this goal, construction should be scheduled to occur during the dry season of the year to the extent practicable and the paving and landscaping operations should be completed as quickly as possible. In the event construction activities occur during the rainy season (October 15 to April 15), additional erosion and sedimentation control measures are necessary to ensure construction impacts are minimized.

WAT Impact 4	
The creation of additional impervious services may result in accelerated and concentrated stormwater runoff within natural drainages, causing gully erosion, down-gradient sedimentation, and discharge of fuel, oils, and other hydro-carbon based pollutants into sources of surface water including Los Berros Creek.	
Mitigation	Implement **WAT/mm-9 and WAT/mm-10**. **WAT/mm-14** Prior to issuance of construction permits for tract improvements, the applicant shall submit plans incorporating best management practices to reduce and diffuse stormwater runoff (e.g., rip-rap or other technologies), consistent with the County of San Luis Obispo Post Construction Requirements Handbook (March 2014). The plan shall also demonstrate how pollutants and sediments will be removed from stormwater runoff prior to discharge into natural drainage courses (e.g., low impact development, biofiltration treatment systems, filter blankets, or particulate filters). The Homeowners Association shall be responsible for the long-term maintenance of stormwater management facilities and infrastructure. Proposed measure may include, but not be limited to the following best management practices: ***Tract Infrastructure and Common Areas*** a. Disperse/Slow Runoff: Use grass-lined swales, infiltration trenches, rolling dips and water bars, out-slope roadways, use compacted gravel or decomposed granite on applicable driveways and roads. b. Control Concentrated Runoff: Place flow into culverts appropriately sized for runoff volume, extend culvert outlets and fit with energy dissipators, use curbs where applicable to direct runoff on paved roads. c. Soil Stabilization: Pave road surfaces with asphalt, compacted gravel, or decomposed granite (as applicable), line drainage ditches with rocks, install retaining/slough walls to stabilize road cuts and trap sediments, stabilize road cuts and sidecast with vegetation. d. Sediment Retention: Install staged catch basins, install vegetated filter strips, install organic debris filters, and install sediment retention basins. ***Individual Lot, Wastewater Treatment Facility, and Ranch/HOA Headquarters Development*** a. Disperse Runoff: Direct runoff to infiltration trenches, direct runoff into grass-lined swales and/or open flat vegetated areas. b. Control Concentrated Runoff: Install roof gutter and downspout systems and control drainage in pipe, install pipe extensions and energy dissipators to safe outlet. c. Soil Stabilization: Mulch and plant vegetation on exposed soils, install retaining structures to support fill slopes, install retaining/slough walls on cut slopes.

WAT Impact 4	
	d. Sediment Retention: Install vegetated filter strips in drainage paths and/or in flow dispersion areas, install catch basins at inlets or culvert discharge points, control outflow by dispersion and/or energy dissipation.
Findings	Implementation of the project would create additional impervious surfaces, and would increase the potential for additional stormwater runoff and discharge of pollutants into surface waters. While the tentative map is vested, mitigation is included to ensure compliance with existing regulations and policies related to stormwater, drainage, and water quality. With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Implementation of the proposed project would create additional impervious surfaces, and would potentially result in increased concentrations of water pollutants (e.g., oils, fuels, and other hydrocarbons) in stormwater runoff. In addition, the proposed project would discharge collected stormwater into natural swales and ditches, which would gather sediment and transfer that sediment into Los Berros Creek. Another potential impact example would be the design of culverts, specifically at their outlet. If rock or hard surfaces are not placed at the outlet of a culvert, the water, which has been concentrated in the culvert, has more energy to cause erosion when it reaches the ground surface. This eroded material is then transferred downstream and deposited when the velocity of the water flow is decreased. If designed correctly and maintained, culverts would effectively transport runoff from storms to a natural water body while not degrading the quality of that water. If stormwater management systems for project-wide tract improvements and individual lot development are not properly designed and maintained, potential impacts could occur from future development of the proposed project. Several measures are currently identified in the County's Land Use Ordinance (Section 22.10.155-Stormwater Management, Section 22.52.120-Erosion and Sedimentation Control Plan Required, and Section 22.52.130-Stormwater Pollution Prevention Plan Required). Additional recommendations are identified in the *Arroyo Grande Creek Erosion, Sedimentation and Flooding Alternatives Study* (Swanson Hydrology + Geomorphology 2006), which includes BMPs to minimize sedimentation in Arroyo Grande Creek. Los Berros Creek is a tributary to Arroyo Grande Creek; therefore, applicable BMPs are identified in the mitigation measure.

WAT Impact 5	
Incidental failure of treated effluent storage facilities could result in over-topping or sudden accidental release of treated effluent resulting in direct impacts to Los Berros Creek.	
Mitigation	Implement **WW/mm-1**. This measure shall be included on an additional map sheet prior to recordation of the final map.
Findings	The development and operation of facilities for wastewater collection, treatment, and disposal creates a potential source of pollutants, which may adversely affect ground and surface waters in the event of an unanticipated incident (i.e., leak, spill, malfunction). These risks are considered in the preliminary design of the facility, and will be further evaluated by the County of San Luis Obispo and Regional Water Quality Control Board. In addition to compliance with standard regulations, and proposed design features to prevent an adverse effect to water resources, mitigation is recommended to include the preparation of a project-specific emergency contingency plan to address unexpected events. With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II*.
Supportive	Two lined wet weather storage ponds are proposed to facilitate management of the treated

WAT Impact 5	
Evidence	domestic effluent (refer to Final EIR Figures III-13 and III-14). Domestic recycled water would be stored separately from winery process recycled water in an adjacent storage pond. Well 6 is located immediately adjacent to and down gradient from the disposal field area. The applicant proposes to implement a 100-foot setback between the treated wastewater application area and Well 6 and outer perimeter of vineyards. Well 6 is a pre-existing agricultural supply well, and would not be used to supply domestic water for residential uses. The proposed disposal area is located outside of the 100-year flood plain and maintains a 100-foot setback from all wells, springs, and creeks (refer to Final EIR Figure III-16). Surface waters near the proposed disposal field include Los Berros Creek, which flows in a southwesterly direction along the south/eastern edge of the property. Los Berros Creek is located down gradient approximately 200 feet southeast of the proposed disposal area. There are also several small spring-fed tributary streams feeding Los Berros Creek that border the east side of the property along Upper Los Berros Road. Los Berros Creek has been designated as having multiple beneficial uses in the RWQCB's Central Coast Basin Plan. Due to the close proximity and topographic conditions existing between the proposed disposal area and Los Berros Creek, the potential exists that if system failure occurs, treated effluent has the potential to flow directly into the creek. Adequate measures should be taken to assure that flood or surface drainage waters do not erode or otherwise damage the discharge facilities. The applicant proposes two feet of freeboard, and operation of an alarm system in the event of high waters. The applicant shall be required to demonstrate management and maintenance of the facility for the life of the project, feasibility and response of emergency contingency measures, and compliance with regulations specific to the treatment, storage, and disposal of wastewater (i.e., CCR Title 22, Basin Plan, County Land Use Ordinance). Based on the required compliance with existing regulations, and preparation and implementation of an emergency contingency plan to avoid or minimize accidental release of effluent into Los Berros Creek, potential impacts to water quality would be less than significant.

7.0 FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT AND UNAVOIDABLE

This section identifies the Class I (significant unavoidable) impacts that require a statement of overriding considerations to be issued by the County Planning Commission if the Project is approved.

7.1 AGRICULTURAL RESOURCES

AG Impact 1	
Implementation of the proposed project would result in the permanent loss of ~~2.5 acres of Farmland of Statewide Importance,~~ 3.0 acres of Farmland of Local Importance, approximately 148 ~~153~~ acres of Unique Farmland, including approximately 100 ~~113~~ acres of productive vineyard, and approximately 48 ~~61.9~~ acres of Grazing Land. Implementation of the proposed project would set an adverse precedent in the county by resulting in the permanent conversion and loss of approximately 100 ~~103~~ acres of existing productive vineyard.	
Mitigation	As proposed, the project would place approximately 1,800 acres into four open space lots, which would go under Williamson Act contracts and County agricultural/open space easements. These four lots would support existing agricultural uses, including the winery facility, tasting room, accessory structures, farm support housing, vineyards, orchards and grazing land. Natural resources outside of proposed build-able areas would be protected. New proposed uses within the open space lots would include re-located vineyards and orchards. While these measures would result in protection of agricultural land within the easements and under Williamson Act contracts in perpetuity, these measures would not fully mitigate the permanent conversion and loss of existing productive Farmland to non-agricultural use. No additional feasible mitigation measures are available that would fully mitigate impacts due to the loss of Farmland and productive vineyard. Impacts could be substantially reduced with redesign of the subdivision, including elimination of lots and development within proposed productive areas.
Findings	Due to the lack of additional feasible mitigation measures beyond what is currently required by the Land Use Ordinance, this impact would be considered *significant and unavoidable, Class I*.
Supportive Evidence	The proposed project includes ~~74~~ 83 residential lots (including one existing estate residence), ranch headquarters (homeowners association facility and recreational facilities), wastewater treatment facilities and ponds, and related infrastructure that would convert Important Farmland to non-agricultural land uses. A total of approximately ~~16~~ 100 acres of existing productive vineyard crops would be converted to a non-agricultural use as a result of land development and removal of grape vines to accommodate land use compatibility buffers. Four open space lots totaling approximately ~~1,441~~1,787 acres would be placed under open space easements, as required by the agricultural cluster ordinance. These lots would also be placed under Williamson Act contracts. Prime Farmland, Unique Farmland, Farmland of Statewide and Local Importance, and Grazing Land would be included within the easements. Existing uses within the open space easements include the winery and hospitality structure, maintenance area, farm support structures, agricultural roads, and reservoirs. The applicant proposes to plant vineyard or orchards throughout the project site to replace the vineyards removed (at a 1:1 ratio or greater) for structural development and establishment of proposed buffer zones. The soil types proposed for replacement are generally similar to the areas currently under production. The proposed vineyard replacement would partially, but not completely, offset the loss of productive vineyards because the long-term success and productivity of these replacement areas is unknown, while the permanent loss of currently productive areas is certain. The proposed home sites and proposed buffer areas would remain out of production for the life of the project. The permanent loss of productive Farmland would result in a significant, adverse, and

AG Impact 1	
	unavoidable impact. In addition, if approved, removal of production agriculture to accommodate residential development would set an adverse precedent in the County (Lynda Auchinachie, 2006).

AG Impact 2	
The non-contiguous nature of the proposed project and inadequate buffers between the existing agricultural use and proposed residential use and access roads would create land use conflicts, which would compromise the productivity of the existing agricultural operation.	
Mitigation	**AG/mm-1** Prior to transfer of the parcels created by this subdivision, the applicant or its successor in interest shall disclose to all prospective buyers, of all parcels created by this proposal, the consequences of existing and potential intensive agricultural operations on adjacent parcels including, but not limited to: dust, noise, odors and agricultural chemicals and the county's Right to Farm ordinance currently in effect at the time said deed(s) are recorded. **AG/mm-2** Prior to issuance of construction permits for individual lot development, plans shall show that existing trees located between residential building envelopes and agricultural areas shall be retained to the maximum extent feasible to provide a vegetative barrier between residential and agricultural uses. ~~**AG/mm-3** Prior to final acceptance of subdivision improvements, the applicant shall install no-climb fencing, at the interface between residential uses, ranch headquarters, and residential-only access roads.~~
Findings	Implementation of the mitigation measures identified above, in addition to the measures proposed by the applicant, would minimize potential conflicts; however, residual nuisance complaints and land use conflicts are expected to occur, which may further restrict agricultural operational practices within the vineyard. These conflicts would occur due to the inadequate buffers between inherently incompatible uses, and this impact would be considered *significant and unavoidable, Class I.*
Supportive Evidence	Active, productive vineyards are present on the project site. The applicant proposes to locate the residential clusters, and homeowner's association building/recreation center within and throughout the vineyards. According to the County Agriculture and Open Space Element Buffer Policies, the current standard required buffer between productive vineyards and residential uses is 200 to 600 feet (San Luis Obispo County; 2005). At the time the proposed project application was accepted for processing, the buffer recommendation for vineyards was 400 to 800 feet (San Luis Obispo County; 2002). One of the goals of agricultural buffers is to allow agriculturalists to continue historic agricultural practices. Upon review of the project, the County Agriculture Department recommended a buffer of 500 feet and that residences should be clustered in a compact and contiguous manner that would reduce the agricultural/residential interface (Lynda Auchinachie, 2004, 2008). Buffer distances are recommended to avoid or minimize potential land use conflicts and incompatibilities due to noise, odor, use of heavy equipment of access roads, trespass, and use of pesticides and fertilizers. Buffer distances are also recommended to minimize the spread of invasive species and pests within agricultural areas. In addition, the SLOAPCD identified potential nuisance and health hazards related to legal agricultural burning of greenwaste (allowed under SLOAPCD Rule 501), and recommended that agricultural burning be prohibited in areas upwind of residential areas (such that the smoke blows towards the residences), and prohibited within 1,000 feet of areas downwind of residential areas. Prevailing winds blow from the northwest to the southeast, which may maximize drift of dust and pesticides towards down-wind lots when the wind is blowing in the prevailing direction. The time of year when these winds prevail generally corresponds with the peak pesticide

AG Impact 2	
	spray period (March through August). Based on consultation with the County Agriculture Department, the applicant's proposed buffer distances would be inadequate, and inconsistent with the County's buffer policy (Lynda Auchinachie, 2006, 2008). In addition, the sprawling nature of the proposed development increases the agricultural/residential interface due to the location of proposed clusters, distance from central amenities, and use of shared roadways and residential roads adjacent to agriculturally productive areas. Residents living adjacent to production agricultural operations often cite nuisance complaints due to odors, noise, dust, and use of pesticides and fertilizers. Ongoing operation of the vineyard and winery facility could result in nuisances experienced by future homeowners, due to inadequate buffers between the different land uses. Due to the nature of the proposed development, and measures identified by the applicant to minimize land use conflicts, it can reasonably be assumed that operation of the vineyard would change to accommodate the needs of the future residences. The design of the Approved Project would result in residential clusters adjacent to the existing vineyard, connected by access roads. The Approved Project would generate traffic trips to nearby communities, and internal trips to the ranch headquarters/homeowners association facility. Residents may also use onsite residential and agricultural roads for recreational uses, including but not limited to equestrian use, bicycling, walking, or running. Increased populations within the vineyard would increase the potential for theft and vandalism. In addition, the increased presence of people on roads within the vineyards may interfere with normal agricultural management activities. In addition, due to the proximity of residential uses to vineyards, there is an increased potential for invasive species and pests to be transferred from landscape areas to the vineyards. The applicant's proposed regulation and inspection of landscape plants would not be a feasible, enforceable mitigation measure as only state and/or county officials have the authority to conduct such inspections. The applicant proposes to modify current agricultural practices within 500 feet of each residence, including the following: ▪ All vineyard work (pest control, vineyard floor maintenance, canopy management, and pruning with the exception of harvest) will be performed during daylight hours of 8:00 A.M. to 5:00 P.M., Monday through Friday. Harvest will be limited to handpicking during daylight hours only. ▪ Permanent cover crops will be established and maintained to minimize dust. ▪ All pest control will incorporate organic farming practices. Class I restricted pesticides would not be used within the 500-foot buffer zone. Pesticides classified by the U.S. Environmental Protection Agency as potential carcinogens would not be used. ▪ Vineyards will be maintained to a neat and orderly appearance. All trash will be picked up, and all tools and equipment will be transported back to the vineyard shop at the end of the workday. All the farm labor and employees would assemble at the vineyard shop daily, and would be transported throughout the ranch via company vehicles. The applicant proposes to establish a homeowner's association that would manage the security issues, common area landscaping, agricultural buffers, residential roads, and gates. The current vineyard manager would be designated the Agricultural Operator (AO), and would manage all onsite agricultural uses, the agricultural water supply and irrigation ponds, agricultural roads, green waste composting, and agricultural fencing and improvements. The homeowner's association would maintain the common area landscaping and agricultural buffers. The applicant's submitted *Agriculture Management and Buffers Plan* includes protocol for communications between the homeowner's association and AO, including regularly scheduled meetings. Homeowner's association guidelines and conditions, covenants, and restrictions (CC&Rs) are proposed to include a copy of the County "Right-to-Farm Ordinance" and disclosure information regarding the surrounding agricultural operations, contact information, and mediation procedures. These measures proposed by the applicant may reduce the potential for nuisances experienced by the residents; however these measures are not enforceable by the County

AG Impact 2	
	and are not consistent with County Agriculture and Open Space Element policies to protect agricultural resources and operations, because historical and future agricultural practices will be restricted to accommodate incompatible development. In addition, it may not be feasible to comply with all proposed measures for the life of the project (i.e., the use of restricted pesticides may be necessary to manage invasive pests). Management of the vineyard, with the intent of reducing conflicts with the proposed residential use as opposed to the production of agricultural crops, may result in lowered crop yield and potentially the long-term viability of the operation.

7.2 AIR QUALITY

AQ Impact 8	
The proposed project is inconsistent with the general land use and planning policies identified in the Clean Air Plan, resulting in air pollutants generated by increased traffic trips, resulting in a long-term, significant, and unavoidable impact.	
Mitigation	Implement **AQ/mm-19 and AQ/mm-20**.
Findings	Implementation of the above measure would reduce operational impacts generated by the proposed project; however, based on the project's inconsistency with the Clean Air Plan, the project would result in an impact considered *significant and unavoidable, Class I.*
Supportive Evidence	The CAP includes 14 strategies intended to reduce the number of trips and vehicle miles traveled by encouraging "development of compact communities that provide a balance of housing and jobs, while fostering the use of alternatives to the automobile." These strategies include providing a mix of land uses, balancing the number of jobs available with the housing available in each community, encouraging use of alternative transportation, among others. The proposed project would result in the construction of 82 residences in a rural area. The project is not expected to create long-term job opportunities. No commercial services are included in the development nor would they be located within walking or convenient bicycling distance from the project. There are no existing bike lanes or transit stops adjacent to the proposed development that could be incorporated into the project design. Residents would be reliant on the automobile for the vast majority of all trips made. Based on the discussion above, the proposed project would increase the population expected for the region, result in potentially longer trip lengths, and does not incorporate land use or transportation control measures to any significant degree. As a result, the proposed project is considered inconsistent with the CAP, and would impair the County's ability to achieve the attainment goals identified in the CAP, resulting in a significant, adverse impact to air quality.

7.3 HAZARDS AND HAZARDOUS MATERIALS

HM Impact 2	
The proposed project is inconsistent with CAL FIRE requirements for maximum road lengths, which may result in a significant fire hazard***.***	
Mitigation	**HM/mm-2** At the time of application for subdivision improvement plans or grading permits, the applicant shall submit an access plan showing secondary access at Laetitia Vineyard Drive. Crash gates shall not be allowed. Potential access control measures could

HM Impact 2	
	include, but not be limited to, a gate controlled by opticom transmitters and detectors, a gate that does not open to allow east-bound ingress or west bound egressof non-emergency vehicles, use of a "KNOX" box to permit emergency vehicle access, and signage. No occupancy shall occur until all improvements are completed. A 24-hour per day, 7 days per week, 365 days per year guard will be stationed at the access control point on Laetitia Vineyard Drive. The intent of this measure is to prohibit all non-emergency access. ~~**HM/mm-3** At the time of application for subdivision improvement plans or grading permits, the applicant shall submit a revised tract map showing the elimination of Lots 9 through 17 or reconstruction of Access Road A to meet demonstrating compliance with CAL FIRE standards.~~ [*Note for reader: this mitigation measure identified in the Final EIR is satisfied by the applicant's submittal of the revised Vesting Tentative Tract Map, dated December 23~~18~~, 2015*]. **Secondary Impact** Compliance with CAL FIRE requirements would include the use of Laetitia Vineyard Drive for secondary access. The applicant proposes to ~~implement crash gate and~~ install signage to discourage non-emergency use of Laetitia Vineyard Drive for ingress and egress between the residential area and Highway 101. CAL FIRE does not permit the use of a crash gate, and recommends a "no-notice" gate that will open automatically upon approach to allow free-flow egress from the residential area onto Laetitia Vineyard Drive. As discussed in Final EIR Section V.N. (Transportation and Circulation), the existing at-grade intersection at Laetitia Vineyard Drive and Highway 101 operates at LOS F, and has a documented history of traffic collisions. Based on consultation with Caltrans, the generation of any non-emergency traffic trips at the Highway 101/Laetitia Vineyard Drive intersection would result in a *significant and unavoidable, Class I* impact.
Findings	Mitigation measures include recommendations to modify the proposed project design, including designing roads to meet CAL FIRE requirements. The proposed secondary access has not been approved by Caltrans, and may not be feasible to implement. Therefore, this impact is considered *significant and unavoidable, Class I.*
Supportive Evidence	The project site is located within a high fire hazard area, and is served by CAL FIRE. The closest fire station is located in the community of Nipomo, and estimated response time to the western boundary of the project site is ten minutes (Robert Lewin, 2004). Response time to lots proposed within the eastern portion of the property would exceed ten minutes, and would require access via Upper Los Berros Road or internal roads through the project site. The project site is surrounding by wildland, and proposed structures could be exposed to significant fire hazards. When residential development occurs within or adjacent to an area that has a high wildfire hazard severity, the ability of firefighting forces to combat a fire may be impaired. Specifically, when residences are located in the vicinity of wildfire, typical wildfire fighting techniques, such as the use of backfires, may not be possible. Further, firefighting equipment and personnel may be used for the protection of structures, instead of being used to fight the fire. This results in the need for additional equipment to effectively minimize structural losses and control the fire (County of San Luis Obispo, 1999). The applicant is required to comply with standard regulations, pursuant to the Uniform Fire Code and CAL FIRE protection standards, including but not limited to access requirements, fire flow, and flammable vegetation clearance. The proposed *Agriculture Management and Buffer Plan* includes a fire protection and public safety plan. Fire prevention planning measures listed in the document include installation of fire sprinklers on all residences and occupied structures, use of flame resistant/non-combustible roof materials, individual lot fire safety plans, and preparation and implementation of a fuel modification plan. Public safety measures include stop signs and gates on Upper Los Berros Road and posted speed limits. The plan also includes basic guidance regarding sharing roads with agricultural traffic and home security measures. The applicant is required to submit a Residential Fire Safety Plan and Fire Safety Plans for the proposed ranch headquarters. Based on the proposed project design, primary access would be via Upper Los Berros Road. Pursuant to CAL FIRE regulations, the maximum length of any dead-end road serving the proposed parcels is 1,320 feet. Primary access would be via Main Road 1, which connects with Upper Los Berros Road. Secondary access is proposed via an all-weather improvement

HM Impact 2	
	of an existing agricultural road extending from the terminus of Main Road 1 to Laetitia Vineyard Drive, which connects with Highway 101 at an existing at-grade intersection, and currently serves as the entrance driveway to the winery and tasting room facility. The applicant proposes to install a guarded gate on the all-weather extension of Main Road 1/Laetitia Vineyard Drive, northeast of the existing winery. The gate would prohibit eastbound traffic from entering the residential subdivision from Laetitia Vineyard Drive. Based on consultation with CAL FIRE (Rob Lewin, 2007), the gate is required to open automatically to allow immediate exit from the subdivision. The gate is also required to include a battery back-up and KNOX box to allow entrance by CAL FIRE and other emergency vehicles. The applicant would be required to submit a revised tract map demonstrating compliance with CAL FIRE maximum dead-end road lengths for internal roadways.

7.4 NOISE

NS Impact 3	
~~Development of the proposed project would expose residential parcels of Sub-cluster C (Lots 46 through 65) to stationary noise levels associated with activities resulting from operations at the processing facility during harvest season estimated to exceed the hourly nighttime L_{eq} threshold of 45 dBA and the hourly daytime 50 dBA L_{eq} thresholds, resulting in a direct long-term noise impact.~~ Development of the proposed project would expose residential parcels throughout the project site to equipment noise levels associated with vineyard operations estimated to exceed the hourly nighttime Leq threshold of 45 dBA and the hourly daytime 50 dBA L_{eq} thresholds, resulting in a direct long-term noise impact.	
Mitigation	~~**NS/mm 2** Upon submittal of subdivision improvement plans, the applicant shall submit construction plans showing a noise attenuation wall located along the northern and northeastern perimeter of the existing access road and parking area adjacent to the existing winery. The wall shall be reviewed by a County approved acoustical consultant and designed to block the line of sight as measured between the winery access road and parking area and residential lots 46 through 65. The design of the wall shall consist of colors, materials, and articulating features consistent with the surrounding natural landscape.~~ [*Note for reader: this mitigation measure identified in the Final EIR is satisfied by the applicant's submittal of the revised Vesting Tentative Tract Map, dated December 23~~18~~, 2015*].
Findings	Aside from providing additional distance between proposed residential lots and the winery, vineyards and orchards, and agricultural access roads, there are no effective measures to fully mitigate noise levels resulting from daily agricultural operations during harvest season; therefore, impacts would be considered *significant and unavoidable, Class I*.
Supportive Evidence	The wine processing facility is the central hub of activity during the brief, but intense operations of harvest season. Around mid-October, the grapes are fully ripe and ready for picking. The vineyard works very quickly at harvest time to make sure all of the grapes are picked at their optimal ripeness. Teams of pickers move down the rows of vines harvesting the fruit into baskets, which are then emptied into one-ton bins where they are taken out of the field by forklift and loaded onto trucks. The fruit is then received at the winery, where it is immediately pressed to begin the winemaking process. All of the grapes from the estate are harvested in less than a month, while winery operations continue throughout the fall. The fast-paced environment during harvest season requires frequent vehicle movements to transfer the fruit to the processing facility, in addition to the multiple pieces of mechanical equipment operating within the facility processing the fruit. Harvest operations typically begin at 4:00 a.m., which is during the "nighttime" period, as defined by the County. The hourly Leq during the nighttime period, as defined by the County, shall not exceed 45 dBA at the property line of the nearest residential receptor. The hourly daytime threshold is 50 dBA.

NS Impact 3	
	Although direct noise measurements were not obtained at the residential property lines during the harvest season, based on ambient noise levels measured at Lots 46 through 64 during a period of minimal activity within the immediate area (Lots 58 and 49 measured approximately 43 to 46 dBA), it is reasonably concluded that the hourly nighttime L_{eq} threshold of 45 dBA and the 50 dBA daytime hourly L_{eq} would be frequently exceeded within portions of Lots 46 through 64 during the multiple fast-paced activities associated with the harvest season. Acoustic measures would not mitigate impacts at the residential property line, and earthen berms and/or sound walls are not practical because they would be required to completely surround the residential property lines to be effective. Therefore, significant stationary noise impacts are expected from activities during the harvest season that cannot be effectively mitigated.

7.5 TRANSPORTATION AND CIRCULATION

TR Impact 4	
The proposed project would add traffic to southbound Highway 101 during the p.m. peak hour and exacerbate an existing deficient condition according to Caltrans standards. Congestion under LOS D conditions would be limited. The proposed project would exacerbate existing deficient conditions at the Highway 101/Los Berros Road/North Thompson Road ramp junctions during the p.m. peak hour.	
Mitigation	**TR/mm-5** Upon submittal of subdivision improvement plans, the applicant shall submit plans to the County Department of Public Works and Caltrans to lengthen the deceleration lane at the southbound and northbound off-ramps by 50 feet and lengthen the northbound on-ramp merge acceleration lane by 25 feet. The applicant shall construct and implement the improvements under a Caltrans encroachment permit or Project Study Report, as determined by Caltrans. No occupancy shall occur until all improvements are completed.
Findings	If the construction and occupation of residences occurs prior to completion of the above improvements, associated impacts would remain. Although the proposed mitigation would reduce the impacts to the extent possible, due to the uncertainty regarding Caltrans approval of improvements within their jurisdiction, it cannot be assured that all improvements would be feasibly constructed prior to occupation of the proposed residences. As a result, impacts would remain *significant and unavoidable, Class I*.
Supportive Evidence	During the p.m. peak hour, southbound Highway 101 north and south of the Los Berros Road/North Thompson Road interchange operates at LOS D both with and without the project. Implementation of the project would contribute to the existing deficiency. The addition of any project traffic to Highway 101 ramps or mainline segments already operating at LOS D, E, or F without the project would contribute to existing congestion. Capacity improvements along Highway 101 would be necessary to mitigate this impact. The 2005 Regional Transportation Plan (RTP) notes that the study segments of Highway 101 are expected to be widened to six lanes in the future, but funding is not secured for this project. Widening Highway 101 to six lanes would improve mainline operations to LOS C or better under Existing with Project Conditions. Based on review by the San Luis Obispo Council of Governments (James Worthley, November 8, 2008), there is “no funding in the next 20 years for this improvement or in the foreseeable future.” The proposed project would contribute to this deficient condition by adding trips to the Highway 101 mainline, which would exacerbate congestion. During the p.m. peak hour, the northbound Highway 101/North Thompson Off-ramp and the southbound Highway 101/Los Berros Road On-ramp and Off-ramp all operate at LOS D both with and without the project. Implementation of the project would contribute to this existing deficient condition during the p.m. peak hour by adding 29 trips to the northbound Highway

TR Impact 4	
	101 off-ramp, 34 trips to the northbound Highway 101 on-ramp, 46 trips to the southbound Highway 101 off-ramp, and 21 trips to the southbound Highway 101 on-ramp. This would result in the addition of one vehicle per mile, and would not reduce existing LOS. Capacity improvements along Highway 101 would be necessary to mitigate this impact. The 2005 Regional Transportation Plan (RTP) notes that the study segments of Highway 101 are expected to be widened to six lanes in the future, but funding is not secured for this project. Widening Highway 101 to six lanes would improve ramp operations at these locations to LOS C or better under Existing with Project Conditions. Lengthening the deceleration lane at the southbound and northbound off-ramps by 50 feet and lengthening the northbound on-ramp merge acceleration lane by 25 feet would also mitigate this impact. A funding mechanism for these projects is not currently available, and the feasibility of such improvements depends on Caltrans review and approval.

TR Impact 10	
The proposed control of the emergency vehicle access at Laetitia Vineyard Drive does not guarantee emergency-only access, because the gate could physically be opened for non-emergency use, resulting in a significant project-specific impact.	
Mitigation	**TR/mm-11** Prior to approval of subdivision improvement plans, the applicant shall submit a revised site plan showing the proposed access control at Laetitia Vineyard Drive for County Department of Planning and Building, California Department of Forestry and Fire Protection (CAL FIRE), and California Department of Transportation (Caltrans) review and approval. This site plan shall detail the features to be installed that will allow emergency access while limiting typical residential traffic. Potential access control measures could include, but not be limited to, a gate controlled by opticom transmitters and detectors, a gate that does not open to allow east-bound ingress of non-emergency vehicles, use of a “KNOX” box to permit emergency vehicle access, and signage. No occupancy shall occur until all improvements are completed. A 24-hour per day, 7 days per week, 365 days per year guard will be stationed at the access control point on Laetitia Vineyard Drive.
Findings	With implementation of mitigation, the potential for unauthorized access would be reduced; however, implementation of gate controls that meet both Caltrans and CAL FIRE requirements is not feasible. In addition, due to the severity of impact, and existing traffic hazard at this intersection, a single unauthorized trip would result in an impact considered *significant and unavoidable, Class I*.
Supportive Evidence	Emergency vehicle access would be provided via Upper Los Berros Road and Laetitia Vineyard Drive. The applicant has proposed installing a gate and manned guard station (24 hours a day, seven days a week, 365 days a year) at Laetitia Vineyard Drive to limit this access route for emergencies only. Based on consultation with County and Caltrans staff, these gate controls would not ensure that the secondary access would be limited to emergency use only. As previously noted, any additional non-emergency trips generated by the project at the Highway 101 / Laetitia Vineyard Drive intersection would result in a significant, adverse, and unavoidable impact based on the existing LOS (F). In addition, the existing encroachment permit for the Highway 101 / Laetitia Vineyard Drive intersection is limited to trips generated by the existing vineyard and winery.

8.0 CUMULATIVE AND GROWTH INDUCING IMPACTS

8.1 CUMULATIVE IMPACTS

State CEQA *Guidelines* §15355 defines cumulative impacts as

> *"two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts". Further, "the cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time."*

The Guidelines require the discussion of cumulative impacts to reflect the severity of the impacts and their likelihood of occurrence. However, the discussion need not be as detailed as the analysis of impacts associated with the project, and should be guided by the rule of reason. Cumulative impacts associated with this project are discussed in the topical analysis sections provided in Chapter V of the Final EIR and Alternatives Analysis in (Chapter VI of the EIR).

8.1.1 Aesthetics

AES Impact 11	
The visibility of individual project elements in the context of emerging development along the Highway 101 corridor would result in direct and indirect long term adverse cumulative impacts.	
Mitigation	**AES/mm-25** Prior to approval of the subdivision improvement plan, the applicant shall modify the project to comply with all adopted mitigation measures.
Findings	In addition to the applicant's submittal of a revised tract map, mitigation measures specific to the Approved Project address visibility, grading, use of vegetation for screening, height limitations, and exterior lighting standards. Based on submittal of a revised tract map, and compliance with identified mitigation measures, the cumulative effect of the Approved Project would be considered *less than significant with mitigation, Class II.*
Supportive Evidence	Views of the project from Upper Los Berros Road would be more isolated and from closer range than those from Highway 101. The viewer along Upper Los Berros Road would not perceive the full extent of the residential sub-clusters throughout the project, but would see a series of exclusive recreation-oriented centers and residential neighborhood along single access road. The architecture, activities, entry gates, signage, and other amenities would by design convey the impression of wealth, which in turn would cause a fundamental shift in the visual perception of the corridor. A large number of the potential viewers along Upper Los Berros Road would be residents of the development and are expected have a low degree of sensitivity regarding alteration of the existing visual setting. The remainder of Upper Los Berros Road users would likely notice a substantial change in visual character, regardless of the project's ranch-style architecture. Some degree of rural character loss would occur even with project design efforts and implementation of measures recommended in the Final EIR. A range of avoidance, minimization, and mitigation measures addressing the aesthetic effects of the project are presented in the Final EIR. Because of the large scale of the project site, particularly as seen from Highway 101, much of the public perception would be based on the combined visibility of the project as a whole. Because of the viewing distances involved from much of the highway corridor, the value of any single recommended mitigation would be most realized when seen in conjunction with implementation of all the other mitigation measures. For example, under most circumstances, a mitigation measure to limit the height of any one single residence may not provide great aesthetic benefit. However

AES Impact 11	
	when applied to an entire group of residences, the benefits are apparent and visual impacts reduced. Because of the expanse of project elements over a wide extent of the viewshed, the noticeability of both individual and combined project elements would define the extent of visual impact. As a result, the cumulative benefit of all of the individual mitigation measures is critical. Implementation of these measures, in conjunction with a revised tract map that reduces building lots and the overall footprint of development, and avoids a visual Sensitive Resource Area associated with Newsome Ridge, would mitigate the project's cumulative contribution to changes in the visual setting.

8.1.2 Agricultural Resources

AG Impact 4	
Implementation of the proposed project would significantly contribute to the cumulative loss of productive Farmland.	
Mitigation	Implement **AG/mm-1** ~~**through**~~ **and** **AG/mm-2~~3~~**.
Findings	The applicant's proposal to replant new vineyards onsite and the requirement to establish an easement over the proposed open space parcels impacts would be reduce potential cumulative effects related to the loss of productive Farmland; however, these measures would not fully mitigate the loss and permanent conversion of agricultural land; therefore, residual impacts would be considered *significant and unavoidable, Class I*.
Supportive Evidence	General Plan Amendments, subdivisions, and residential development in the South County area have resulted in the conversion of Farmland. According to the Department of Conservation, San Luis Obispo County lost 2,695 acres of Important Farmland between 2002-2004, 5,959 acres of Important Farmland between 2004-2006, 440 acres of Important Farmland between 2006-2008, and 810 acres of Important Farmland between 2008-2010 (California Department of Conservation, 2004, 2008, 2011, 2014). Implementation of the proposed project would contribute to the cumulative conversion of agricultural land in the area, and the permanent loss of Farmland. Removal of productive crops to accommodate a large residential development would set a precedent in the county for this type of practice, which is inconsistent with the goals and policies of the *Agriculture and Open Space Element.* The proposed project is located within an agricultural and open space green belt between the City of Arroyo Grande and Community of Nipomo. Conversion of this property to a residential development would likely result in increased conflicts between agricultural and residential uses in the area, and may result in non-renewals of Williamson Act contracted lands on adjacent parcels. The proposed project is inconsistent with the County's Buffer Policy; development of this project as proposed would initiate a precedent for inadequate buffers between residential and agricultural land uses. In addition, the proposed project appears inconsistent with the County Land Use Ordinance and Agriculture and Open Space Element policies requiring preservation of 95 percent of land for agricultural production, because permanent buffers and construction of non-agricultural uses (i.e., recreational uses, wastewater treatment facility) are proposed within the area quantified by the applicant for preservation. Establishment of an agricultural/open space conservation easement as required by the LUO, and replanting of vineyards within the project site (as proposed by the applicant) would partially mitigate this loss; however, when combined with impacts from past, present, and reasonably foreseeable projects, the potential impacts to agricultural resources resulting from the proposed project, and the precedent-setting nature of the proposed project would be considered cumulatively significant and adverse.

8.1.3 Air Quality

Implementation of the proposed project will result in increased production of vehicle related greenhouse gases such as carbon dioxide, methane, and nitrous oxide. The proposed project may also increase the demand for energy, the production of which may result in greenhouse gas emissions. These emissions would cumulatively contribute to global warming.

Since publication of the Draft EIR (2008), the San Luis Obispo SLOAPCD adopted thresholds of significance for GHG. The 2008 Draft EIR identified that the project would contribute to cumulative quantities of GHG. Without mitigation, the project including the dude ranch is estimated to generate approximately 4,777.06 metric tons/year of GHG. Based on the 2012 San Luis Obispo SLOAPCD CEQA Handbook thresholds of significance (1,150 MT CO2e/year from operational and amortized construction impacts), the project would result in a cumulatively considerable impact. The project would contribute to global climate change, and mitigation measures have been identified that would reduce the project-specific and cumulative contribution (AQ/mm-19 and AQ/mm-20). In addition, future residential development would be subject to the County's Green Build Ordinance.

Implementation of the design features and mitigation measures identified in the EIR would reduce the project's contribution to GHG emissions; however, as identified in Section V.C.5.d (Consistency with Clean Air Plan), the proposed project would not be consistent with SLOAPCD's transportation and land use planning policies, and would not be consistent with CAT strategy "Smart Land Use and Intelligent Transportation." Similar to the SLOAPCD's existing policies, the CAT strategy promotes proximity between jobs and housing, transit-oriented development, and high density residential and commercial development along transit corridors. Inconsistencies with this strategy include the following:

- The proposed project is located in a rural area, and commercial and other services are not located in close proximity to the proposed project. As a result, it is expected that vehicle miles resulting from each trip would be more than those made in more urbanized areas.
- The proposed project is located approximately two miles from the nearest transit route, and it is unlikely to create demand for a transit stop within walking distance of proposed residential development.
- The project does not include a mix of residential and commercial development. Residents would generate traffic trips to access necessary services. Residents would be reliant on the automobile for the vast majority of all trips made.

Based on the discussion above, the proposed project would increase the population expected for the region, result in potentially longer trip lengths, and does not incorporate land use or transportation control measures to any significant degree. As a result, the proposed project is considered inconsistent with the "Smart Land Use and Intelligent Transportation" strategy, and would contribute to cumulative quantities of GHG.

AQ Impact 9
The proposed project is inconsistent with the regional land use and planning policies identified in the Clean Air Plan, would impair the County's ability to achieve attainment status for ozone, and would result in cumulatively considerable greenhouse gas emissions impacts resulting in a cumulative, significant, adverse, and unavoidable impact.

AQ Impact 9	
Mitigation	Implement **AQ/mm-19 and AQ/mm-20**.
Findings	Implementation of the above measure would reduce operational impacts generated by the proposed project; however, based on the project's inconsistency with the Clean Air Plan, the project would result in an impact considered *significant and unavoidable, Class I.*
Supportive Evidence	In 1994, the South County Area Plan was adopted and associated EIR certified. As a part of that analysis, a cumulative assessment of the build-out impacts of the planning area was completed. While cumulative impacts to air quality was identified in the South County Area Plan Update EIR as potentially significant and unavoidable, the findings recognized that the existing cumulative air quality mitigation program, combined with a slight improvement over the previous Area Plan build-out would offset some of these impacts. Each new residence, including the residences that would be built within the proposed project, would be subject to the South County Air Quality Mitigation fee, which is intended to partially mitigate the cumulative effects of new residential development within the South County planning area. This program funds several strategies within the South County to improve air quality and reduce single-occupant vehicles, by: attracting transit ridership through regional bus stop improvements; encouraging carpooling through park-and-ride lot improvements and ridesharing advertising; promoting the use of bicycles through bike lane installation; reducing dust through limited road paving of several unpaved roads; and by providing electronic information/services locally to reduce vehicle trip lengths. The proposed project would increase the total number of vehicle trips when compared to the General Plan buildout projections. These impacts can be mitigated with standard mitigation measures outlined above; however, the increased residential development in a rural area makes it more difficult for the County to achieve and maintain its air quality goals. The cumulative development of residential subdivisions outside of urban areas, including development proximate to the project site between the community of Nipomo and city of Arroyo Grande, has contributed to the County's current non-attainment status for ozone. Residents living in these subdivisions are not within walking distance of transit stops or commercial, retail, and service areas, and typically access these areas via private vehicles. The proposed project would result in a cumulatively considerable adverse effect to regional air quality and the County's ability to attain ozone standards because it is inconsistent with the CAP's land use and planning goals and policies, and long-term regional air quality planning strategies.

8.1.4 Archaeological Resources

AR Impact 9	
Proposed grading and construction activities would result in the direct disturbance and destruction of significant archaeological sites, which would contribute to the loss of intact archaeological resources in the South County area, resulting in a significant ~~and unavoidable~~ cumulative impact.	
Mitigation	Implement mitigation measures **AR/mm-1 and AR/mm-8**.
Findings	The applicant submitted a revised tract map (dated December 23~~18~~, 2015), which shows avoidance of all documented significant archaeological sites within the project site. Mitigation is identified to address grading and development proximate to known archaeological sites, and to protect and preserve sites that may be susceptible to looting and other unauthorized or accidental disturbances. Implementation of these measures would mitigate potentially significant and adverse project-specific impacts. Therefore, this cumulative impact is considered *less than significant with mitigation, Class II.*

AR Impact 9	
Supportive Evidence	The Nipomo Mesa and Los Berros areas contain more square meters of light density cultural deposits than any other areas in southern San Luis Obispo County (Gibson, 2006). Documented surveys indicate a seasonal pattern of occupational movement between interior regions near oak woodland and along good sources of water to the coastal dunes, and permanent habitation sites in key locations. Based on the archival records search conducted for the EIR, sixteen archaeological sites have been documented on and within a 0.25-mile radius of the project site. Four previously documented sites are within the boundary of the project site (SLO-412, SLO-1317, SLO-1699, and SLO-1700). Past and current developments in the immediate region have impacted archaeological sites and degraded the value of cultural materials by direct disturbance, removal of artifacts during testing, displacement, and looting. Implementation of the proposed project would contribute to the cumulative degradation of significant archaeological resources in the South County area. The LUO requires protection of cultural resources, and the county typically requires implementation of mitigation measures including avoidance by design, intensive field investigations such as testing and data recovery programs, monitoring during construction, and long-term protection of known sensitive areas. As proposed, implementation of the proposed project would result in the direct destruction of known, significant, and highly sensitive archaeological sites. Mitigation measures, including elimination or relocation of lots and project elements, are proposed to avoid sites designated as highly sensitive due to antiquity, type, and density of artifacts, evidence of or potential for Native American human remains, and integrity of the site. Impacts to less sensitive resources would be mitigated by implementation of data recovery and monitoring. As noted throughout the Final EIR, mitigation recommending avoidance of highly significant archaeological sites is not feasible, because the county cannot include revisions to the proposed tract map and subdivision improvements as conditions of approval. Therefore, the County required submittal of a revised tract map, which demonstrates avoidance of significant archaeological sites. Therefore, the Approved Project would not significantly contribute to the cumulative loss and degradation of archaeological resources in the South County area.

8.1.5 Biological Resources

BIO Impact 11	
The project would contribute to the permanent loss and fragmentation of native plant communities that support special-status species, resulting in a significant cumulative impact.	
Mitigation	**BIO/mm-23** Prior to recordation of the final map for Lot 90 ~~approval of subdivision public improvement plans or grading permit issuance,~~ the proposed open space easement for lot 90 ~~106~~ shall include language prohibiting any future residential or commercial use of the areas that are outside of the proposed 7.7-acre dude ranch area. The easement shall include strict limitations on the development of recreational trails (e.g., width, location, slope), and the development of a habitat restoration plan that focuses on rehabilitating the oak woodland, coastal scrub, and perennial bunch grass communities within the open space area. The easement shall protect the natural plant communities within the open space area in perpetuity.
Findings	Implementation of the project would contribute to incremental habitat loss and adverse effects to special-status species. Mitigation is recommended to minimize these effects, including avoidance where feasible, restoration and creation of affected habitats, protection of water quality, and monitoring and reporting to ensure compliance with recommended measures. Based on implementation of these measures, the project's residual cumulative effects to biological resources are considered *significant but mitigable, Class II*.

BIO Impact 11	
Supportive Evidence	The proposed project is located at the upper reach of Los Berros Creek, which is a tributary to Arroyo Grande Creek. These two creeks are designated steelhead critical habitat and currently support steelhead populations. In addition, the watersheds of these creeks support a mosaic of vegetative communities that support various plant and wildlife species. Some of these species are considered rare and afforded protection by regulatory agencies. Due to the size and complexity of the watersheds and the habitats they support, the cumulative development scenario for the proposed project includes the south county area. Human disturbances within the Los Berros Creek and Arroyo Grande Creek watersheds started with agricultural development, which initiated the growing problem of habitat fragmentation and decreasing water quality within the creeks. Over the years, the agricultural development within the watersheds has been replaced with residential and commercial development. The residential and commercial development has greatly increased the amount of impervious surfaces in the watershed, requiring the need to concentrate stormwater flows and direct them into the creeks. In order to accommodate the increased flows, Arroyo Grande Creek and its tributaries have been channelized and redirected. The increasing conversion of agricultural land and natural plant communities to residential and commercial development seen in the south county area has exacerbated the problem of habitat fragmentation and decreased water quality within the areas creeks. The proposed project includes converting approximately 150 acres of agricultural land and natural plant communities to impervious surfaces. As discussed in Section V.P. (Water Resources), mitigation is recommended to mitigate potential water supply and water quality impacts to less than significant at a project-specific level. With the implementation of recommended mitigation measures, the project's incremental contribution to this cumulative impact would be significant but mitigable. As discussed throughout Final EIR Section V.E. Biological Resources, construction of the proposed project would result in impacts to and permanent loss of riparian scrub, freshwater marsh, annual and perennial grasslands, coastal scrub, coast live oak woodland, and aquatic areas. These habitats provide potential foraging and nesting habitat for sensitive wildlife species, and sensitive plant species. Implementation of project-specific mitigation, including an Oak Tree Inventory, Avoidance, and Protection Plan, Oak Tree Replacement, Monitoring, and Conservation Plan, and protection and restoration of riparian habitats would offset the project's effect on natural habitats; however, the creation of a residential community and associated uses, and increased human population would result in the long-term unavoidable loss, degradation, and fragmentation of natural habitats on the project site. The applicant proposes to place the proposed "future dude ranch parcel" under an open space easement. Restricting destructive activities and implementing restoration projects within the easement would offset the effect of the proposed project. Cumulative impacts result from incremental actions that are collectively significant to a resource. Implementation of the proposed project would result in incremental habitat loss and fragmentation of the Los Berros Creek corridor and associated upland oak woodland, grassland, and scrub habitats. Recently approved projects and projects currently under consideration by the county and city of Arroyo Grande are primarily located outside of the Upper Los Berros Creek corridor. Other developments in the south county area are generally within urban areas, agricultural areas, eucalyptus groves, and coastal dune scrub habitats. While the proposed project would result in project-specific significant and unavoidable impacts to biological resources, the cumulative impact is considered significant but mitigable as defined by CEQA, because development with the Los Berros Creek corridor is limited, and implementation of recently approved, and potential projects would not result in impacts to similar habitat types.

8.1.6 Historic Resources

Potential impacts to historical resources are addressed on a project-specific basis. Known historical landmarks are given a "Historic Site" designation in the County Land Use Element, and are provided special protection pursuant to LUO Section 22.14.080. The Campodonico

Ranch complex represents a unique historical resource in the area. Mitigation measures are recommended to preserve the primary structural characteristics and integrity of the complex. Implementation of these measures would minimize the project's contribution to the cumulative loss or degradation of significant historical resources in the area.

8.1.7 Noise

Cumulative stationary related noise levels are not expected to exceed the noise threshold from operation of the headquarters and wastewater treatment facility. The dude ranch is not currently part of the proposed project, but could potentially include up to 75 rooms and offer opportunities for visitors to partake in a variety of activities. It is expected that the dude ranch, if it ever becomes a project, is anticipated to produce a similar noise environment as that of the headquarters. In the event that special, private events occur at the dude ranch, amplified sound would result in noise, and would contribute to the cumulative noise environment.

NS Impact 5	
Development of the proposed project would significantly contribute to cumulative vehicle traffic on North Thompson Road, which would exacerbate the current exceedance of the 60 dBA outdoor noise threshold as defined by the Noise Element under cumulative conditions, resulting in a direct long-term noise impact.	
Mitigation	Not applicable.
Findings	Under cumulative conditions, the increase of traffic-related noise by 1.7 decibels would not be noticeable by sensitive receptors, therefore, the cumulative impact would be *less than significant, Class III.*
Supportive Evidence	Traffic noise impacts would occur due to increased vehicular trips that would result from the proposed project, in addition to General Plan Build-out volumes of the surrounding roadway network. As the project area grows and reaches General Plan Build-out, this situation will only worsen. Using traffic volume predictions developed by Fehr & Peers, EIR transportation consultants, Final EIR Table V.I.-10 provides an estimate of the noise level increase associated with project-generated plus cumulative traffic volumes for the other three County roads discussed. It is expected that cumulative noise levels on Upper Los Berros Road, Dana Foothill Road, and Sheehy Road would not exceed the 60 dBA outdoor noise threshold with the addition of cumulative plus project generated traffic. Implementation of the proposed project would result in an approximately 1.7 decibel increase in transportation-related noise under cumulative conditions. Because this increase would not likely be noticeable by sensitive receptors (FHWA, 1995, 2010), the creation of additional traffic noise under cumulative conditions would not result in a cumulatively considerable noise impact.

8.1.8 Paleontological Resources

Implementation of the proposed project would require grading, trenching, and deep cuts into bedrock formations with a moderate potential for producing fossils. Development within the South County area occurs on geological formations with moderate to high potential for producing fossils. Cumulative impacts on paleontological resources result when rock units become unavailable for study and observation by scientists. The destruction of fossils has a significant cumulative impact as it makes biological records of ancient life unavailable for study by scientists. The applicant is required to implement mitigation measures that would ensure protection and documentation of significant fossils, if present. Implementation of this measure would ensure that the project does not contribute to the cumulative loss of paleontological data.

8.1.9 Public Services and Utilities

1. **Schools:** Cumulative build-out of the area would increase enrollment in the LMUSD, resulting in a cumulative effect on LMUSD. Measures to reduce these impacts include requiring full development fees that may be charged to a developer and notification to the school districts. Pursuant to Section 65995 (3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees on a project-by-project basis would fully mitigate the costs incurred by an enrollment increase from residential projects. With implementation of full development fees, cumulative impacts to schools would be less than significant.

2. **Solid Waste Collection:** Cumulative build-out of the area would increase solid waste generation, thereby reducing the lifespan of solid waste landfills serving the area. The proposed project would contribute incrementally to the cumulative impact to landfill capacity. However, cumulative development in the area would not be sufficient to require an expansion of the existing facilities. In addition, the Cold Canyon Landfill is currently proposed for expansion. Therefore, the contribution of the proposed project to cumulative solid waste impacts would be less than significant.

PSU Impact 4	
The proposed project would increase the number of residents served by the CAL FIRE and other emergency services, which would result in an increased demand for emergency services personnel and facilities. The project would require a new fire station to provide life safety response in the immediate area.	
Mitigation	**PSU/mm-6** Upon application for subdivision improvement plans, the applicant shall dedicate land or pay an equivalent in-lieu fee to be used for the future acquisition of a CAL FIRE station to serve on the proposed project site. The location of the fire station shall be outside of known environmentally sensitive areas, including archaeological sites and biological habitats, and shall not require the removal of vineyards. **PSU/mm-7** Prior to recordation of ~~approval of~~ the final map, the following measure shall be included in the CC&Rs for the proposed subdivision: New homeowners shall receive orientation and information regarding fire safety requirements on the property, including planting and maintenance of fire safe vegetation, on-site vegetation management and fuel load reduction, procedures in the event of a fire, and other necessary information as identified by CAL FIRE. The homeowners association shall hold regular meetings at least once a year with the homeowners and occupants to emphasize fire safety on the property and procedures in the event of an emergency. **Secondary Impact** Secondary impacts on the environment may occur during construction of the new facility, including: visual impacts, air quality emissions, impacts to special-status species, creation of erosion and down-gradient sedimentation, management of wastewater, increased traffic trips, and additional wastewater and water demand. These impacts would contribute to the impact determinations identified in this EIR. It is anticipated that construction of the fire station would be conducted under the jurisdiction of CAL FIRE. It is recommended that mitigation measures identified in this EIR be applied to the construction of the fire station; however, it may not be within the jurisdiction of the County to impose these measures on CAL FIRE, a state agency. Recommended mitigation measures include: AES/mm-1 through AES/mm-8; AQ/mm-1 through AQ/mm-20; BIO/mm-3 through BIO/mm-5, BIO/mm-9 through BIO/mm-15 and BIO/mm-16 (if applicable), BIO/mm-17, BIO/mm-18 through BIO/mm-22; GEO/mm-4, GEO/mm-6, and GEO/mm-8; NS/mm-1; PR/mm-1 through PR/mm-3; WAT/mm-4 through WAT/mm-6; WAT/mm-9 through WAT/mm-14.
Findings	Implementation of this measure would improve emergency response time to the project site and surrounding area; however, the dedication of land would not address any fire safety response impacts that would occur prior to construction and operation of a new facility. . The project does not identify a specific location for a new fire station, and does not include

PSU Impact 4	
	construction of the facility (which would be completed by CAL FIRE). Siting of the facility is required to avoid environmentally sensitive areas, archaeological sites, and biological habitats; however, construction of this facility would contribute to significant impacts identified in this EIR and it may not be within the County's jurisdiction to impose mitigation on CAL FIRE. Therefore, the cumulative impact to emergency services would be *significant and unavoidable, Class I.*
Supportive Evidence	The proposed project is located within the boundaries of San Luis Obispo County. The project site lies within the South County planning area, between the communities of Nipomo and Arroyo Grande. In terms of County growth, the South County planning area (both coastal and inland) has been significant when compared to other planning areas and the overall county. The population in South County increased approximately 66 percent between 1980 and 1990 (average growth rate of six percent). In contrast, the county experienced a 26 percent population increase between 1980 and 1990 (average growth rate of 3.76 percent) (County of San Luis Obispo, 2007). This growth illustrates the attraction of the South County planning area for residential development. The area, which has experienced, and continues to experience, the highest growth rate in South County is Nipomo, located directly west of the project site. The population in South County planning area is expected to show a steady continued growth through 2020. Between 2010 and 2020, the South County planning area is expected to grow by approximately 1,459. The proposed project would include the development of ~~101~~ 82 single-family homes. Based on the San Luis County average household size of 2.49 persons and a maximum build-out of ~~74~~ 82 single-family residences, at full permanent occupancy the project would result in a maximum population of ~~184~~ 204 persons. Therefore, the proposed project would account for approximately 13 percent of the population projected for the South County planning area from 2010 to 2020. Construction of the proposed project would incrementally increase demands for police and emergency services within the surrounding area. This increased demand, along with the anticipated population increase within the south county area, would result in potentially significant cumulative impacts to police and emergency services. County ordinances require payment of public facilities fees, which provide funding for equipment, but do not contribute to costs for personnel. The cumulative effect on emergency services personnel would be significant and unavoidable. The proposed project, in addition to other projects in the South County area will require fire protection services. Implementation of the proposed project would be cumulatively considerable in relation to the current demand for fire protection services, and the anticipated response time to access the far eastern residential lots. Based on consultation with CAL FIRE, a new fire station within the proximity of Los Berros Road and Highway 101 is necessary to provide life safety response to emergencies, and to mitigate the cumulative impact on fire protection services (Robert Lewin, 2004, 2007).

8.1.10 Transportation and Circulation

TR Impact 13	
The proposed control of the emergency vehicle access at Laetitia Vineyard Drive does not guarantee emergency-only access, because the gate could physically be opened for non-emergency use, significantly contributing to the cumulative degradation of this intersection.	
Mitigation	Implement **TR/mm-11**.
Findings	With implementation of mitigation, the potential for unauthorized access would be reduced; however, implementation of gate controls that meet both Caltrans and CAL FIRE requirements is not feasible. In addition, due to the severity of impact, and existing traffic

TR Impact 13	
	hazard at this intersection, a single unauthorized trip would result in an impact considered *significant and unavoidable, Class I*.
Supportive Evidence	The addition of project traffic would worsen operations at the intersection of Highway 101/Laetitia Vineyard Drive. Vehicles turning left out of the Laetitia Winery would experience increased delay during the evening peak hour. Due to the low volumes exiting the Winery during the peak hour, this delay would affect few drivers. Signal warrant calculation sheets are included in Final EIR Appendix G. The intersection does not meet peak hour signal warrants, so it is a less-than-significant impact not requiring mitigation. The minor street approach to the Highway 101/Laetitia Vineyard Drive intersection is anticipated to operate at LOS F with and without the proposed project during the a.m. and p.m. peak hours under Cumulative Conditions. The project would increase delay to the minor street approach. This intersection does not meet peak hour signal warrants. This is considered a less-than-significant cumulative impact (Class III) because Laetitia Vineyard Drive would only be used for emergency access. Any unauthorized use of Laetitia Vineyard Drive for access into and out of the residential subdivision would result in significant and adverse impacts, and potentially enforcement action by Caltrans.

TR Impact 14	
The proposed project would cause operations at the intersection of Highway 101 Southbound Ramps/ Los Berros Road to degrade from LOS C to LOS D during the a.m. peak hour and from LOS E to LOS F during the p.m. peak hour under Cumulative Conditions. The intersection meets the peak hour signal warrant during both the a.m. and p.m. peak hours. The proposed project would cause operations at the intersection of Highway 101 Northbound Ramps/North Thompson Road to degrade from LOS E to LOS F during the a.m. peak hour and from LOS D to LOS E during the p.m. peak hour under Cumulative Conditions. The intersection meets the peak hour signal warrant during the a.m. and p.m. peak hours.	
Mitigation	Implement **TR/mm-1 and TR/mm-2**. Alternatively, the applicant may satisfy this condition of approval, if, prior to recordation of the final map, the Board of Supervisors has added the project site to the South County Road Improvement Fee Program that ensures payment of all of the costs for the improvements listed in paragraphs 1 and 2 above. The applicant is responsible for the costs to the County of establishing such a program, including all staff time and the costs of preparing the studies necessary to support the addition to the South County Road Improvement Fee area.
Findings	With implementation of the above measure, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	The addition of project trips to the intersection of Highway 101 Southbound Ramps/Los Berros Road is anticipated to worsen operations from LOS C to LOS D during the a.m. peak hour and from LOS E to LOS F during the p.m. peak hour under cumulative conditions. This intersection meets peak hour signal warrant criteria for the both the a.m. and p.m. peak hours. Signal warrant calculation sheets are included in Appendix G of the Final EIR. The addition of project trips to the intersection of Highway 101 Northbound Ramps/North Thompson Road is anticipated to worsen operations from LOS E to LOS F during the a.m. peak hour and from LOS D to LOS E during the p.m. peak hour. This intersection meets peak hour signal warrant criteria for the a.m. and p.m. peak hours. Signal warrant calculation sheets are included in Appendix G of the Final EIR. These intersection improvements are included in the County's Capital Improvement Projects list, which fees collected from South County Road Improvement Fee Program fund. Although the project site is not currently part of the County's Road Improvement Fee Program, it could be added to the South County Area program, which would provide a

TR Impact 14	
	mechanism for the applicant to pay its fair share contribution to those improvements. Payment of those fees will allow the County to make the necessary intersection improvements without disproportionately burdening any particular user.
TR Impact 15	
The proposed project would exacerbate projected deficient operations along Highway 101 during the a.m. and p.m. peak hours under Cumulative Conditions. The proposed project would exacerbate existing deficient conditions at the Highway 101/Los Berros Road/North Thompson Road ramp junctions during the p.m. peak hour under Cumulative Conditions.	
Mitigation	Implement **TR/mm-5**.
Findings	If the construction and occupation of residences occurs prior to completion of the above improvements, associated impacts would remain. Although the proposed mitigation would reduce the impacts to the extent possible, due to the uncertainty regarding Caltrans approval of improvements within their jurisdiction, it cannot be assured that all improvements would be feasibly constructed prior to occupation of the proposed residences. As a result, impacts would remain *significant and unavoidable, Class I.*
Supportive Evidence	During the a.m. peak hour, the northbound Highway 101/North Thompson Road ramp junctions operate at LOS D both with and without the project. The addition of project traffic degrades operations from LOS C to LOS D at the southbound Highway 101/Los Berros Road Off-ramp during the a.m. peak hour. All ramp junctions at this interchange operate unacceptably during the p.m. peak hour both with and without the project. Capacity improvements along Highway 101 or the ramp junctions would be necessary to mitigate this impact. The 2005 Regional Transportation Plan (RTP) notes that the study segments of Highway 101 are expected to be widened to six lanes in the future, but funding is not secured for this project. Widening Highway 101 to six lanes would improve ramp operations at these locations to LOS D or better under Cumulative with Project Conditions. A funding mechanism for this project is not currently available, and an improvement of this magnitude is beyond the scope of a single development project. Lengthening the deceleration lane at the southbound and northbound off-ramps by 50 feet and lengthening the northbound on-ramp merge acceleration lane by 25 feet would also mitigate this impact. A funding mechanism for these projects is not currently available, and the feasibility of such improvements depends on Caltrans review and approval.

8.1.11 Water Resources

WAT Impact 6	
During prolonged drought conditions, operation of the proposed project would contribute to the cumulative reduction of available water supply within the Los Berros Creek watershed, and the reduction of downstream flow.	
Mitigation	Implement **WAT/mm-1 through WAT/mm-8**.
Findings	The continued use of water resources within the Los Berros Creek Watershed will have an adverse effect on the availability of water within and adjacent to the creek. While agricultural water use is not under the discretion of the County, strict measures can be applied to other uses, such as residential development, to minimize the project-specific effect on water supply. While the project would contribute to increased water demand, compliance with restrictive measures related to use and production are recommended for the life of the project to support a conclusion that the proposed water source is sustainable, and would not have a significant adverse cumulative effect on water resources and agricultural production

WAT Impact 6	
	(both on- and offsite). With implementation of the above measures, this impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	No major discretionary projects have been approved or are currently under consideration by the County within the project area or watersheds affecting Los Berros Creek. Existing subdivisions in the region, including Rim Rock, Rancho Nipomo, and Highland Hills, contain currently undeveloped lots that may be developed in the future. These residential lots rely on underlying groundwater for water supply. Existing and future use of groundwater wells may affect flows in Los Berros Creek and underlying supply in fractured rock and tuff, depending on the depth, location, and pumping yield of the well. Agricultural uses onsite and in the area, such as orchards on the Fitzgerald Ranch and other crops within Los Berros Canyon and surrounding areas, fluctuate at the discretion of the landowners, and are anticipated to vary in crop type and production, which affect water demand from private wells. The applicant has not submitted an application for a Dude Ranch, currently conceptually located in the eastern portion of the property. In the event the applicant moves forward with a land use permit request for a Dude Ranch, the subsequent additional water demand would be approximately 13 afy, to be provided by an onsite private well. Currently, a shallow (six feet deep) well in the Los Berros Creek channel provides water to a residence located on the parcel proposed for the Dude Ranch. Use of this well to provide water for the Dude Ranch may result in adverse effects to Los Berros Creek, including a reduction in base stream flow during dry months. At the time an application is submitted, project-specific information would be provided including identification of the well(s) proposed to provide water supply, and a project-specific analysis of hydrological impacts. Based on the underlying geology, and characteristics of the wells evaluated in this EIR for proposed residential domestic use, identified wells have the capacity to meet water demand, and caps are placed on annual water use to address a sustainable yield of each well, achieve equilibrium, avoid or minimize interference with other domestic and agricultural wells, and avoid adverse impacts to Los Berros Creek. The proposed project would be supplied by the newly developed groundwater resources located on the project site. Due to the fractured subsurface geology that underlies the project site, the wells proposed for use tap into individual aquifers, and would not contribute to regional groundwater withdrawal. Under average rainfall conditions, operation of the proposed project would not have a significant effect on coastal aquifers (Arroyo Grande Plain, Santa Maria Groundwater Basin); however, during the dry season, use of Well 11 may influence flow within Los Berros Creek. This effect would be exacerbated by prolonged drought conditions (over three years). As previously noted, water levels have declined over the past 30 years on the project site in individual wells, and comments received from landowners in the immediate area in response to the Draft EIR (2008) have noted a decline as well. Due to similar geology in the area, and the cumulative use of offsite wells within and near the creek, this effect may also occur on adjacent properties within the Los Berros Creek watershed and surrounding areas including partially undeveloped residential subdivisions, resulting in a significant cumulative effect on water resources. The use of wells near the creek, including agricultural Well 9 and proposed domestic Wells 10 and 11, may contribute to reductions in Los Berros Creek baseflow. Project-specific mitigation measures are recommended to reduce overall water usage, ensure implementation of domestic water conservation measures during drought conditions, comply with recommended water production rates for domestic Wells 10 and 11, and avoid use of Well 11 during the driest part of the year (August through November), at a minimum. Implementation of these measures would reduce the project's contribution to this cumulative impact.

WAT Impact 7	
Implementation of the proposed project may result in cumulatively significant impacts to existing drainage patterns and flow rates within the Los Berros Creek watershed.	
Mitigation	Implement **WAT/mm-9 and WAT/mm-10**.
Findings	Implementation of the project would contribute to area-wide effects on stormwater runoff rates and downstream flooding. Mitigation is recommended to ensure consistency with existing regulations related to drainage, stormwater runoff, and LID. With implementation of the above measures, the cumulative impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Implementation of the proposed project, in addition to future adjacent residential and agricultural development within the Los Berros Creek watershed would potentially interfere with natural drainage patterns and peak runoff discharge rates. The applicant proposes to maintain existing drainage patterns by allowing stormwater to discharge into existing natural swales, which direct runoff into Los Berros Creek. Regarding cumulative development within the watershed, the County Land Use Ordinance requires submittal of a drainage plan on a project specific basis, which minimizes individual projects' effects on drainage and surface water resources. No large projects are currently proposed within the watershed; however, future development in the area would be required to comply with standard requirements. Implementation of project-specific mitigation, and compliance with standard requirements would minimize the potential for significant cumulative drainage impacts.

WAT Impact 8	
Implementation of the proposed project may result in cumulatively significant impacts to water quality, including discharge of sediments and other pollutants during construction and operation of the project.	
Mitigation	Implement **WAT/mm-11 through WAT/mm-14 and WW/mm-1**.
Findings	Implementation of the project would contribute to area-wide effects on water quality. Mitigation is recommended to ensure consistency with existing regulations in place to avoid or minimize erosion and down-gradient sedimentation, and discharge of hydrocarbons, chemicals, and other urban pollutants into surface waters. With implementation of the above measures, this cumulative impact would be considered *less than significant with mitigation, Class II*.
Supportive Evidence	Sedimentation and pollutant discharge occurs during both the construction and operational phases of development. The County Land Use Ordinance requires preparation and implementation of an erosion and sedimentation control plan for project requiring a grading permit, and a SWPPP is required for projects resulting in the disturbance of over one acre. Based on the amount of proposed grading, depth of cut and fill slopes, and topography of the project site, the potential water quality impacts would be cumulatively significant. Implementation of erosion and sedimentation control measures and BMPs associated with a SWPPP would minimize potential cumulative impacts to less than significant. The surrounding area is rural, and wastewater treatment and disposal is generally managed by individual septic systems and leachfields. The proposed community wastewater system is unique to the immediate area, although similar systems are operating in the Nipomo area. All development in the County is regulated by the state and local codes and ordinances, which would also apply to the proposed project. Preparation and implementation of an emergency contingency plan (as previously noted) would further mitigate the potential for accidental discharge and subsequent adverse effects to water quality within Los Berros Creek and downstream surface waters. Based on compliance with existing regulations and

WAT Impact 8	
	implementation of recommended mitigation, potential cumulative impacts would be less than significant.

8.2 GROWTH-INDUCING IMPACTS

Pursuant to §15126.2(d) of the State CEQA Guidelines, an EIR must address whether a project would directly or indirectly foster growth. Section 15126.2(d) reads as follows:

> *"An EIR shall discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects, which would remove obstacles to population growth (a major expansion of wastewater treatment plant, might, for example, allow for more construction in service areas). Increases in the population may further tax existing community service facilities so consideration must be given to this impact. Also discuss the characteristic of some projects, which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment."*

Growth may not necessarily result in significant physical changes to the environment; however, the type, magnitude, and location of growth can result in significant adverse environmental effects. The proposed project's growth inducing potential can be considered significant if it could result in unavoidable significant effects to one or more environmental issue areas.

The proposed project site is located within the South County Inland Planning Area under the Agriculture and Rural Lands land use categories.

8.2.1 Population Growth

As described in the San Luis Bay-Inland Area Plan, fringe areas north and east of the City of Arroyo Grande have experienced considerable growth in recent years with the creation of many rural residential home sites. Much of the total growth experienced in and around the City of Arroyo Grande appears to have resulted from a shift in the housing market from San Luis Obispo because the demand for housing has not been met.

Implementation of the Approved Project would result in the potential for the following three types of population growth inducing impacts: 1) creation of short-term employment opportunities that would draw new residents to the County; 2) generation of new housing opportunities to attract new residents to the County; and, 3) an increased number of permanent residences in the Arroyo Grande area and an increased need for additional commercial services. The proposed project would provide a substantial number of short-term employment opportunities for existing residents (e.g., construction personnel); however, it would not provide a substantial number of direct long-term employment opportunities.

A total of 82 residential lots of the Approved Project are expected to result in the future construction of housing units. One lot would support the existing estate residence. This could increase the population of Arroyo Grande and surrounding areas by approximately 204 residents [82 housing units x 2.49 persons per household (based on U.S. Census, 2000)]. Based on Arroyo Grande and surrounding areas estimated population of 24,482 residents (US Census, 2000), an additional 204 residents would account for an approximate one percent increase in population. The addition of 82 units of housing to Arroyo Grande's total of 3,904 housing units (US Census, 2000) would represent an increase of approximately 2.1 percent in the number of housing units in the greater Arroyo Grande area. This increase in population is

not considered a substantial increase in the overall population of Arroyo Grande in terms of percentage, and therefore is not considered significant on a community-wide basis.

8.2.2 Economic Growth

Typically, economic issues are not discussed in an EIR unless there is a nexus with a physical impact on the environment (CEQA Guidelines §15131). CEQA states that economic or social information may be included in an EIR or may be presented in whatever form the agency desires. It also states in subsection (a) that "...economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes." Implementation of the proposed project would lead to an increase in revenue resulting in growth inducing impacts to the area. The effects will indirectly provide change in the social and economic environment of the area.

8.2.3 Employment Opportunities

It is estimated that construction of the Approved Project (i.e., residences, roadways, and infrastructure) would require a work force of approximately 50 workers over the proposed phasing period. Construction of 82 new individual residences would not be expected to draw a substantial influx of new construction workers into the area or require a large work force, because it is anticipated that custom homes would be built incrementally by individual lot owners over a period of time exceeding the proposed phasing period for tract improvements. Given the ample supply of local construction workers and a declining housing and construction market, it is likely that most construction workers for the project would be provided by the local work force; however, an unknown proportion of workers could come from outside of the region. It is possible that a proportion of these workers may decide to remain in the County and therefore could create increased, albeit minimal, demand on local available housing. It is likely that these workers would rent rather than buy homes due to the high cost of housing in the area; therefore, the proposed project would not result in significant growth inducing impacts from the standpoint of short-term employment opportunities. In addition to the possibility of a small number of persons relocating to the area and the resultant vehicle commuting required, secondary impacts to energy consumption, air pollution, and reduce levels of service on area roadways could result.

8.2.4 Employment Growth to Supporting Industries

The Approved Project is considered growth inducing because it would foster economic growth and employment not only for the project itself but also for complimentary industries. New developments require products and supplies from existing industries to facilitate growth and success. The increase in supporting industries could contribute to the cumulative need for more of these services in the area; however, this would likely attract a limited amount, if any, of new business to the area and would not be considered significant.

8.2.5 Removing a Limitation to Growth

The applicant proposes to construct a community wastewater treatment facility, which would collect, treat, and dispose of domestic wastewater generated by the proposed project. Construction of the facility would result in growth inducing effects by removing a limitation to

growth related to onsite wastewater treatment and disposal, and by implementing urban-level development within an existing agricultural and rural area.

8.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2 (c) of the CEQA Guidelines states that use of nonrenewable resources during the initial and continued phases of a proposed project may be irreversible if a large commitment of these resources makes their removal, indirect removal, or non-use thereafter unlikely. This section of the EIR evaluates whether the project would result in the irretrievable commitment of resources, or would cause irreversible changes in the environment. In addition, this section identifies any irreversible damage that could result from environmental accidents associated with the proposed project.

8.3.1 Irreversible Commitment of Resources

Implementation of the proposed project would include the potential development of approximately 82 residential dwelling units. Components likely associated with such future development would include landscape and streetscape improvements, architectural elements and lighting, entry gates and features, and public utility extensions. Overall, the proposed project would commit portions of the project site to residential development, resulting in greater intensity than the existing condition as a vineyard. Construction and operation of the proposed project would contribute to the incremental depletion of resources, including renewable and non-renewable resources. Consumption of energy resources and increased vehicle travel by construction workers and homeowners will use resources for heating, cooling, lighting, operation of appliances, and vehicle transportation. Use of non-renewable materials such as metals and petroleum-derived products would affect the environment.

8.3.2 Loss of Agricultural Land

Implementation of the proposed project would require the removal of approximately 100 acres of productive vineyards, and would permanently convert these areas to non-agricultural land uses. The applicant proposes to plant replacement vineyards onsite; however, the long-term maintenance and success of these vineyards is unknown. New agricultural land cannot be created to fully mitigate for the permanent loss of farmland, and a significant and unavoidable impact, Class I, would occur. In addition, the proposed design would locate sub-clusters of residences and associated residential access roads throughout the vineyard, resulting in land use conflicts that may detrimentally affect the operation of the vineyard.

8.3.3 Loss of Oak Woodland

Construction and future uses of the various project elements and off-site road improvements would disturb coast live oak woodland and individual oak trees that are greater than five inches diameter at breast height (DBH). These individuals would be removed or impacted by project related activities. Oak woodland restoration would be implemented; however, the timeframe to establish mature oak woodland would be long-term.

8.3.4 Loss of Aesthetic/Visual Resources

The proposed project would result in substantial amounts of grading and earthwork, much of which would be visible from surrounding public roads and other areas. The majority of the residences would be visible from at least one of the many viewpoints along the Highway 101 corridor and surrounding local roads. The project would create a new source of night lighting visible from the Highway 101 corridor. Removal of trees and construction of roads and a water tank would also impact the aesthetic character of the project area's setting. Final EIR Section

V.A., Aesthetics, describes mitigation measures to lessen the impacts of the agricultural cluster development, including elimination and/or relocation of lots located within highly sensitive areas. Submittal of the revised tract map (dated December 23~~18~~, 2015) would reduce potential visual effects and loss of agricultural visual character to some degree; however, the overall character of the site would be permanently affected.

8.3.5 Degradation of Ambient Air Quality

Implementation of the proposed project would result in several short-term and long-term impacts to ambient air quality. Construction would result in direct short-term air quality impacts associated with ROG and NO_X emissions. PM_{10} emissions would result in direct short and long-term impacts on air quality, further exacerbating the County non-attainment status for PM_{10}. Demolition activities may potentially lead to adverse air quality impacts during removal or remodeling of existing structures due to the potential presence of hazardous air pollutants, resulting in an indirect short-term impact. Earth moving activities for development of the proposed project components would result in grading activities that may expose naturally occurring asbestos, resulting in an indirect short-term impact. ROG, NO_X, and PM_{10} long-term operation emissions would exceed the APCD's significance threshold and result in a direct long-term impact on air quality. Operation of the proposed wastewater treatment plant has the potential to generate odors that could be a nuisance to nearby residents. Final EIR Section V.C., Air Quality, describes mitigation measures including off-site mitigation to lessen the impact of the development.

8.3.6 Loss of Significant Cultural Resources

As noted in the archaeological reports prepared for the EIR, it is rare to find such ancient sites so close together and possibly representing three successive occupations in the same general area (Gibson; 2007). Taken as a whole, the wide variety of function and antiquity of prehistoric sites on the project site and in the surrounding area offers a complete inventory of the range of activities. This includes large and small habitation units that are part of a large social and political network connecting them with the coastal region, rock art, bedrock grinding stations, local stone tool manufacturing. The applicant's submittal of a revised tract map would result in the avoidance of highly significant sites, and would include capping and additional protection measures to preserve sites in place, and to provide additional data where development may infringe on the edge of a known archaeological site. These mitigation measures would address and mitigate potential adverse effects to significant cultural resources.

9.0 ALTERNATIVES

CEQA, §15126.6(a), requires an EIR to "describe a reasonable range of alternatives to a project, or to the location of a project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives". Through the scoping process, if an alternative was found to be infeasible, as defined above, then it was dropped from further consideration. In addition, CEQA states that alternatives should "…attain most of the basic objectives of the project..." Please refer to Chapter VI, Alternatives Analysis, of the EIR for a detailed discussion of the alternatives. The following alternatives were selected for more detailed review.

Ten project alternatives were selected for review in the EIR because of their potential to avoid or substantially lessen project impacts, or because they were required under CEQA Guidelines (e.g., the no project alternative). These alternatives are described below.

The Planning Commission finds that a good faith effort was made to evaluate in the EIR all reasonable alternatives to the Project that could feasibly obtain the basic objectives of the Project. The Planning Commission also finds that all reasonable alternatives were reviewed, analyzed, and discussed in the review process of the EIR and the ultimate decision is to select the Mitigated Project: Applicant Proposed Alternative as revised.

9.1 NO PROJECT ALTERNATIVE

The No Project Alternative would leave the project site in its current condition, as a primarily agricultural use. Implementation of this alternative would not preclude future development on the project site; however, it is likely the site would remain in agricultural production if the agricultural cluster project is not implemented. Significant agricultural resources, transportation and circulation, aesthetic resources, hazards and hazardous materials, and public services and utilities impacts would be avoided, but new impacts could occur if the project site is ultimately developed with a different development, or as a permitted use.

The existing agricultural operation, which includes a winery, crop production, and some grazing, has the potential to affect the environment, including impacts to biological resources, archaeological resources, air quality, noise levels, water resources, and water quality. Crop production is not considered a discretionary use. Best management practices (BMPs) for agricultural production operations are encouraged by the County; however, such practices are considered voluntary and are not enforceable. Implementation of the proposed project may result in increased protection of cultural resources, biological resources, and water quality upon implementation of recommended mitigation measures. Such mitigation would not occur upon implementation of the no project alternative. Additionally, the no project alternative does not provide the objective of creating places to live.

Finding: Pursuant to the Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), the Planning Commission finds that the No Project Alternative is rejected because it does not meet the Project objectives and does not substantially support the objectives to, for example, create places to live or protect the existing rural character by establishing permanent agricultural open space easements. The No Project Alternative is further rejected because it is not consistent with the County's General Plan policies of encouraging agricultural cluster developments. (See California Native Plant Soc'y v. City of Santa Cruz (2009) 177 Cal.App.4th 957, 1001 (upholding city's determination that alternative was infeasible because it would not accomplish its policy goals of promoting transportation alternatives and

access to persons with disabilities.) In addition, the Planning Commission finds that the No Project Alternative is rejected because it will not achieve the benefits of the Applicant Proposed AlternativeProject described below. The No Project Alternative is therefore rejected in favor of the Applicant Proposed Alternative.

9.2 MITIGATED PROJECT: APPLICANT PROPOSED ALTERNATIVE

This alternative incorporates mitigation measures specific to site design modifications (i.e., elimination and/or relocation of lots), which were identified in the Draft EIR (2008). This applicant-proposed alternative includes the following changes to the originally proposed project:

Sub-cluster A

- Realignment of Road A
- Deletion of Roads K and M
- Reconfiguration of Lots 1 through 10 and 16 through 23
- Relocation of Lots 11 through 15
- Application of 25-foot maximum allowable building height for Lots 1 through 23
- Adjustment of agricultural buffers to accommodate new road and lot configuration

Sub-cluster B

- Relocation of Lots 28, 29, 42, and 43
- Reconfiguration of Lot 27, and require 25-foot allowable minimum building height
- Reconfiguration of Lots 24 through 26
- Realignment of Road J
- Delete equestrian center
- Extension of Road I
- Reconfiguration of building envelopes within Lots 36 through 39 (close to Road I), and use of stepped foundations
- Require revegetation of slopes and landscape screening along Road H
- Adjustment of agricultural buffers to accommodate new road and lot configuration

Sub-cluster C

- Relocation of Lots 47 and 48 and reconfiguration of Lot 46
- Revise Road D (driveway to serve Lot 46 and provide access to vineyard)
- Reconfiguration of Lots 49 through 64
- Install 24-hour, 7 days a week, 365 days a year, guardhouse
- Adjustment of agricultural buffers to accommodate revised road and Lot configurations

Sub-cluster D

- Relocation of Lots 68 and 69
- Modification of Road B to an elevation and alignment below the residential lots
- Reconfigure Lots 74 through 85
- Application of 25-foot maximum allowable building height for Lots 66 through 85
- Adjustment of agricultural buffers to accommodate new road and lot configuration

Sub-cluster E

- Application of 25-foot maximum allowable building height for Lots 87 through 91, and Lot 101

- Require revegetation of slopes and landscape screening along Main Road 2 and Roads E and F
- Relocation of water tank and require landscape screening

Ranch Headquarters/HOA Facility

- Retain historic squeeze chute, dairy barn, and milk house

Equestrian Center

- Eliminated from project, and not included in this alternative

Existing Winery

- Construction of retaining wall/sound wall at winery work area

Domestic Recycled Water Re-Use

- Relocation of recycled water re-use area

The Applicant Proposed Alternative would meet the project objectives because it would:

- Preclude future residential development within designated agricultural open space easements (as required by the 2003 LUO).
- Protect the existing rural character by placing 95 percent of the property within the Agriculture land use category and 90 percent of the property within the Rural Lands land use category in permanent agricultural/open space easements (as required by the 2003 LUO).
- Provide for the expansion of the existing winery operations and continuation of the vineyard operation, because it was proposed by the applicant.
- Create places to live and enjoy in a scenic rural setting, because the project site is rural and scenic.
- Create a financially feasible project because it is proposed by the applicant.
- Enhance long-term agriculture viability, because the alternative project would result in the creation of agricultural and open space easements (as required by the 2003 LUO) and would result in a reduced number of residential lots and likely a reduction in the conversion of agricultural land to non-agricultural use, as compared to the proposed project.

This alternative is found to be the most reasonable alternative, as amended and approved by the Planning Commission, and substantially reduce impacts in comparison to the originally proposed project while still meeting all the project objectives. For these reasons this is the alternative selected for approval.

9.3 REDUCED PROJECT A: ORDINANCE AND GENERAL PLAN CONSISTENCY ALTERNATIVE

This alternative considers a reduced density cluster division pursuant to Land Use Ordinance Section 22.22.140 (specific to the Rural Lands land use category) and the Agriculture and Open Space Element (specific to the Agriculture land use category). This alternative assumes that the project is grandfathered, and the January 2003 LUO applies.

This alternative ~~is~~ was included in the EIR because County staff concluded that the 2003 LUO does not specifically allow a density bonus for clustered residential parcels qualifying under the subdivision standards identified for the Rural Lands land use category, as proposed by the

applicant. County staff concluded that t~~T~~his alternative is consistent with the 2003 LUO and County Agriculture and Open Space Element regarding standards used to determine the allowable number of lots within the Agriculture and Rural Lands land use categories. This determination of consistency was conducted in coordination with the County Agriculture Department. The key LUO consistency issues identified by the County Agriculture Department included: incorrect use of density bonus for parcels qualifying using tests applicable to the Rural Lands land use category; incorrect inclusion of qualifying vineyard acreage that would be lost as a result of the proposed project; and placement of the proposed wastewater treatment facility, ranch headquarters (including the homeowners association facility and private recreational uses) within proposed open space parcels (these uses may not be allowed within the open space parcels).

~~An alternative project consistent with the 2003 LUO would meet the project objectives because it would:~~

- ~~Preclude future residential development within designated agricultural open space easements (as required by the 2003 LUO).~~
- ~~Protect the existing rural character by placing 95 percent of the property within the Agriculture land use category and 90 percent of the property within the Rural Lands land use category in permanent agricultural/open space easements (as required by the 2003 LUO).~~
- ~~Provide for the expansion of the existing winery operations and continuation of the vineyard operation, because it appears the number of allowable units would be financially viable, and the reduction of residential lots would likely protect existing vineyards from removal.~~
- ~~Create places to live and enjoy in a scenic rural setting, because the project site is rural and scenic, and residential units would be located in similar locations as identified by the applicant.~~
- ~~Create a financially feasible project because it appears the alternative project is financially viable.~~
- ~~Enhance long-term agriculture viability, because the alternative project would result in the creation of agricultural and open space easements (as required by the 2003 LUO) and would result in a reduced number of residential lots and likely a reduction in the conversion of agricultural land to non-agricultural use, as compared to the proposed project.~~

~~This alternative was clarified to only include analysis of allowable densities based on the existing land use categories within the project site. This alternative assumes a similar design as the Mitigated Project – Applicant Proposed Alternative; however, with a reduction in the total number of residential lots as identified below.~~

Finding: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), the Planning Commission finds that implementing the Reduced Project A: Ordinance and General Plan Consistency Alternative is infeasible. The Planning Commission further finds that this alternative would result in a significant and unavoidable adverse impacts in many resources areas whereas the approved Applicant Proposed Alternative would have less than significant impacts with mitigation in some of these areas. This alternative also does not meet a majority of the project objectives in that it greatly reduces the number of residential lots which can be constructed, yet requires the same mitigation as for that of a 102 unit project, rendering the project's obligations infeasible. Moreover, this alternative is also not the

environmentally superior alternative. For these reasons, the Planning Commission rejects the Reduced Project A: Ordinance and General Plan Consistency Alternative.

9.4 REDUCED PROJECT B: REDUCED DENSITY TWO-CLUSTER ALTERNATIVE

The reduced project, reduced density two-cluster alternative includes an approximately 26 percent residential density reduction and parcel size reduction within the Agriculture land use category. This alternative includes one cluster within the Agricultural land use category (10,000-square foot residential lots), and one cluster within the Rural Lands land use category (one-acre residential lots). The residential lots would be clustered in two sub-clusters to generally avoid areas currently supporting productive vineyards (refer to Final EIR Figure VI-2). The project area identified in the Final EIR graphic is conceptual only. The proposed ranch headquarters, wastewater treatment facility, effluent ponds, and disposal areas would remain in the applicant's proposed location, with the exception of avoidance of archaeological resources; however, private recreational facilities including the pool and tennis courts would be eliminated.

~~Reduced Project B would meet most of the project objectives because it would:~~

- ~~Preclude future residential development within designated agricultural open space easements (as required by the 2003 LUO).~~
- ~~Protect the existing rural character by placing 95 percent of the property within the Agriculture land use category and 90 percent of the property within the Rural Lands land use category in permanent agricultural/open space easements, because the area percentage is a minimum requirement, and establishment of these easements is required by the 2003 LUO. The actual area may be reduced due to the reduction of area that would be converted from agricultural to residential use; however, based on the required compliance with the 2003 LUO this alternative would generally meet this objective.~~
- ~~Provide for the expansion of the existing winery operations and continuation of the vineyard operation, because it appears the number of allowable units would be financially viable, and the reduction of residential lots would protect existing vineyards from removal as a result of the project.~~
- ~~Create places to live and enjoy in a scenic rural setting, because the residential lots are located in rural and scenic areas.~~
- ~~Create a financially feasible project because it appears the alternative project is financially viable.~~
- ~~Enhance long-term agriculture viability, because the alternative project would result in the creation of agricultural and open space easements (as required by the 2003 LUO) and would result in a reduced number of residential lots and a corresponding reduction in the conversion of agricultural land to non-agricultural use, as compared to the proposed project.~~

Finding: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), the Planning Commission finds that implementing the Reduced Project B: Reduced Density Two-Cluster Alternative is infeasible. The Planning Commission further finds that this alternative would result in a significant and unavoidable adverse impacts in many resources areas whereas the approved Applicant Proposed Alternative would have less than significant impacts with mitigation in some of these resource areas. This alternative does not meet all or most of the project objectives. Like the Reduced Project A: Ordinance and General Plan Consistency Alternative, this alternative reduces the number of residential lots which can be

constructed, yet requires the same mitigation as for that of a 102 unit project, rendering the project's obligations infeasible. Moreover, this alternative is also not the environmentally superior alternative. For these reasons, the Planning Commission rejects the Reduced Project A: Ordinance and General Plan Consistency Alternative.

9.5 REDESIGNED PROJECT A: SINGLE CLUSTER ALTERNATIVE

This alternative proposes clustering all residential lots within a single, general location on the project site, within the Rural Lands land use category. Proposed lots would be one acre in size. Residential density would be reduced to approximately 37 lots, based on avoidance of sensitive resources and utility easements. Community water and sewer are proposed in this alternative, based on the presence and operation of the existing well system, and severe limitations for standard septic/leach field systems. Clustered residential parcels would be located within approximately 70 acres in the Rural Lands land use category (refer to Final EIR Figure VI-3). The project area identified in the Final EIR figure is conceptual only. Approximately 10 acres of vineyard would be removed to accommodate the development, including buffer zones; however this would be a 90 percent reduction from the project as proposed.

~~Redesigned Project A would meet most of the project objectives because it would:~~

- ~~Preclude future residential development within designated agricultural open space easements (as required by the 2003 LUO).~~
- ~~Protect the existing rural character by placing 95 percent of the property within the Agriculture land use category and 90 percent of the property within the Rural Lands land use category in permanent agricultural/open space easements, because the area percentage is a minimum requirement, and establishment of these easements is required by the 2003 LUO. The actual area within the easement (90 percent of the property within the Rural Lands land use category); however, based on the required compliance with the 2003 LUO this alternative would generally meet this objective because development on Agricultural land would be avoided and 90 percent of the Rural Lands would be preserved.~~
- ~~Provide for the expansion of the existing winery operations and continuation of the vineyard operation, because it appears the number of allowable units would be financially viable, and the reduction of residential lots would protect existing vineyards from removal on land within the Agriculture land use category.~~
- ~~Create places to live and enjoy in a scenic rural setting, because the residential lots are located in rural and scenic areas.~~
- ~~Create a financially feasible project because it appears the alternative project is financially viable.~~
- ~~Enhance long-term agriculture viability, because the alternative project would result in the creation of easements (as required by the 2003 LUO) and would result in a reduced number of residential lots and a corresponding reduction in the conversion of agricultural land to non-agricultural use as a result, as compared to the proposed project.~~

Finding: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), the Planning Commission finds that implementing the Redesigned Project A: Single Cluster Alternative is infeasible. The Planning Commission further finds that this alternative would result in significant and unavoidable adverse impacts, while not meeting all of the project objectives. This alternative does not advance the County's General Plan Policies to promote the development of agricultural cluster projects because the benefit of building only 37

lots , does not outweigh the costs of necessary traffic improvements, mitigation measures, and the placement of hundreds of acres of property into agricultural open space easements. Moreover, this alternative is also not the environmentally superior alternative. For these reasons, the Planning Commission rejects the Redesigned Project A: Single Cluster Alternative .

9.6 REDESIGNED PROJECT B: SINGLE CLUSTER ALTERNATIVE, 93% REDUCTION

This alternative proposes clustering seven residential lots within a single location on the project site, within the Rural Lands land use category. This alternative does not include an equestrian center, homeowner's association/ranch headquarters complex, community wastewater treatment facility, or recycled water re-use. The development would be served by a community water system. Each lot would be served by a standard septic system. Proposed lots would be one acre in size (actual size may depend on site specific percolation tests to verify consistency with the Basin Plan). Residential density would be reduced by approximately 93 percent, compared with the proposed project. Clustered residential parcels would be located within approximately seven acres in the Rural Lands land use category, in the approximate location of Lots 24 – 29, Sub-cluster B. No vineyards would be removed to accommodate residential development, including buffer zones, access roads, and infrastructure.

~~Redesigned Project B would meet most of the project objectives because it would:~~

- ~~This alternative would not preclude future residential development within designated agricultural open space easements within the portion of the property within the Agriculture land use category; however, it would avoid residential development within agricultural areas and would include an open space easement within a portion of the Rural Lands portion of the project site.~~
- ~~The actual area within the open space easement would be limited to the Rural Lands land use category, and would be less than what is required for the proposed project; however, based on the required compliance with the 2003 LUO this alternative would generally meet this objective considering the substantially reduced development area.~~
- ~~Due to the significant reduction in clustered residential lots, implementation of this alternative would result in a substantial reduction in development costs and fees; however, the revenue gained from the sale of these lots would also be substantially less than the applicant's anticipated sale of the proposed 101 lots. The reduction of residential lots would protect existing vineyards from removal on both the Agriculture and Rural Lands land use categories, and would result in adequate land use buffers, which would avoid potential land use conflicts that can potentially result in a reduction in agricultural productivity. Therefore, this alternative is potentially partially inconsistent with the objective to provide for the expansion of the existing winery operations.~~
- ~~Create places to live and enjoy in a scenic rural setting, because the residential lots are located in a rural and scenic area.~~
- ~~Create a financially feasible project because it appears the alternative project is financially viable due to the substantial reduction in development costs and fees.~~
- ~~Enhance long-term agriculture viability, because the alternative project would result in the creation of an open space easement (as required by the 2003 LUO) and would result in a reduced number of residential lots and a corresponding avoidance of the~~

~~conversion of agricultural land to non-agricultural use and potential land use conflicts that could affect the production of the existing vineyard.~~

Finding: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), the Planning Commission finds that while the EIR identifies the Redesigned Project B: Single Cluster Alternative, 93% Reduction Alternative as the environmentally superior alternative among the alternatives, this alternative is infeasible. The Planning Commission further finds that this alternative results in the reduction of virtually all of the residential lots, even fewer that what would be otherwise permitted to be built without the project and without the applicant needing to preserve open space through conservation easements. The Redesigned Project B: Single Cluster Alternative, 93% Reduction Alternative is also rejected because it does not meet the project objectives, would reduce the property tax and other benefits to the County, and result in a financially infeasible project for the applicant. (See Association of Irritated Residents v. County of Madera (2003) 107 Cal.App.4th 1383, 1401 (evidence that reduced-size project would not fully meet project objectives to enhance profits, and might not be economically viable, was sufficient to support infeasibility findings.) For these reasons, the Planning Commission rejects the the Redesigned Project B: Single Cluster Alternative, 93% Reduction Alternative.

9.7 REDESIGNED PROJECT C: EFFLUENT DISPOSAL OPTION

This option does not include any changes to the proposed project aside from alternative disposal sites for wastewater. This option was included in the Applicant's Mitigated Project following public review of the 2008 Draft EIR. The proposed treatment plant would remain in the same location. Disposal would occur throughout the vineyard, and would also be used to irrigate landscaping. Mixing treated effluent with other irrigation waters would also dilute nitrates, and reduce the potential for salt loading within the disposal areas. Identification of primary disposal locations, and possibly rotation of areas used for treated effluent disposal would reduce the potential for salt loading in the underlying soils and groundwater. This option can be applied to the proposed project or any of the identified project alternatives that require a wastewater treatment facility and associated storage and disposal of recycled water.

9.8 ALTERNATIVE PROJECT LOCATION

This alternative would eliminate the proposed dude ranch, and would cluster residential development on existing Parcel 3, and a portion of existing Parcel 4 (not currently under agricultural production). The overall residential density of the project would likely be substantially less than the proposed project, and would depend on the ability to provide a community wastewater disposal system. Based on the lack of more detailed information regarding development potential of this alternative location, and need for further study, impact assessment is qualitative.

Finding: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), the Planning Commission finds that implementing the Alternative Project Location Option is not a feasible alternative. The Commission further finds that this alternative would not meet the project objectives and would not be feasible because it would eliminate the dude ranch in its entirety. For these reasons, the Planning Commission rejects the Alternative Project Location Option.

9.9 PROPOSED PROJECT WITH TRACT DESIGN MITIGATION

This alternative incorporates mitigation measures specific to site design modifications identified in the project analysis (i.e., elimination and/or relocation of lots). This alternative considers the effects of the following:

- Elimination of Lots 13, 14, 46, 68, and 69;
- Elimination of Lots 9 through 17, or reconstruction of roadways to meet CAL FIRE standards;
- Relocation of Lots 11, 12, 27 through 29, and 87 through 105;
- Relocation of building envelopes within Lots 1 through 23, 36 through 38, 41 through 43, and 66 through 85;
- Relocation of Main Road 2 and Access Roads A, B, E, F, and K;
- Relocation of replacement vineyards within environmentally sensitive areas; and,
- Relocation of effluent disposal areas.

As discussed in the project-specific analysis, implementation of these measures would avoid or minimize all impacts to aesthetics and archaeological resources. Potential impacts to air quality, agriculture, biological resources, hazards/hazardous materials, noise, public services and utilities, transportation and circulation would remain significant, adverse, and unavoidable, similar to the proposed project. The sections below discuss the additional, secondary impacts that would occur as a result of the recommended tract design changes. Implementation of this alternative assumes incorporation of all other identified mitigation measures.

~~The Proposed Project with Tract Design Mitigation would meet the project objectives because it would:~~

- ~~Preclude future residential development within designated agricultural open space easements (as required by the 2003 LUO).~~
- ~~Protect the existing rural character by placing 95 percent of the property within the Agriculture land use category and 90 percent of the property within the Rural Lands land use category in permanent agricultural/open space easements (as required by the 2003 LUO).~~
- ~~Provide for the expansion of the existing winery operations and continuation of the vineyard operation, because it was proposed by the applicant.~~
- ~~Create places to live and enjoy in a scenic rural setting, because the project site is rural and scenic.~~
- ~~Create a financially feasible project because it is proposed by the applicant.~~
- ~~Enhance long-term agriculture viability, because the alternative project would result in the creation of agricultural and open space easements (as required by the 2003 LUO) and would result in a reduced number of residential lots and likely a reduction in the conversion of agricultural land to non-agricultural use, as compared to the proposed project.~~

Finding: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), the Planning Commission finds that implementing the Proposed Project With Tract Design Mitigation Alternative is infeasible. The Planning Commission further finds that this alternative would result in significant and unavoidable adverse impacts, while not meeting a majority of the project objectives including, for example, a financially feasible project based on the reduction of lots with the proportionate reduction in mitigation, fees paid by the applicant, or open space conservation. Moreover, this alternative is also not the environmentally superior

alternative. For these reasons, the Planning Commission rejects the Proposed Project With Tract Design Mitigation Alternative.

9.10 ALTERNATIVE ACCESS OPTION

This alternative option is specific to mitigating the significant and unavoidable impact associated with the proposed primary and secondary access roads. No other changes to the project, as proposed, are included in this Alternative. As noted in the EIR, the existing at-grade intersection of Laetitia Vineyard Drive and Highway 101 operates at LOS F, and any additional trips would exacerbate this condition. In addition, Caltrans has noted that this intersection's encroachment permit allows for winery and agricultural use, and is not approved for trips generated by residential land uses.

Caltrans has suggested construction of a frontage road parallel to the northbound lanes of Highway 101. The county Public Works Department suggested two options to create adequate primary and secondary access, and avoid the significant and unavoidable impact at the Laetitia Vineyard Drive and Highway 101 intersection: 1) extend Cimmaron Way to the project site and 2) extend Dana Foothill Road to the south across Melschau Creek (Richard Marshall, 2008). It would be feasible to improve existing agricultural roads to extend Main Road 1 to the south near the existing estate residence, past the proposed wastewater treatment facilities, towards the far southern portion of the project site. Connection of this road to an extension of Cimmaron Way would require the construction of bridge crossings over two tributaries to Los Berros Creek, and a bridge crossing over Los Berros Creek. Extension of Cimmaron Way would require consultation and approval by adjacent landowners, and construction of the road through agricultural areas and oak woodland. Extension of Dana Foothill Road would require a bridge crossing over Melschau Creek.

Implementation of this alternative access would require the applicant to obtain easements from adjacent property owners, or purchase land for roadway construction. The willingness of these outside parties directly affects the feasibility of this alternative. Based on the lack of more detailed information regarding development potential of this alternative location, and need for further study, impact assessment is qualitative and determination of impact significance is not specifically identified or included in Final EIR Table VI-3.

Finding: Pursuant to Public Resources Code section 21081(a)(3) and CEQA Guidelines section 15091(a)(3), the Planning Commission finds that the Alternative Access Option is not a feasible alternative because it is dependent on the applicant obtaining easements from adjacent owners that may not be feasible. The Planning Commission further finds that is alternative would result in significant and unavoidable adverse impacts, would not meet all of the project objectives and would be infeasible because it requires the applicant to construct improvements on property which it does not own. For these reasons, the Planning Commission rejects the Alternative Access Option.

9.11 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The Alternatives section of the Final EIR provides qualitative analysis of the alternatives and the level of impact that would result if they were to be implemented. Those alternatives that were determined to significantly reduce the environmental impacts associated with the proposed project and that were determined to be feasible were compared to the proposed project (refer to Section VI, Alternatives Analysis).

The No Project Alternative would have been the environmentally superior alternative, but this alternative failed to meet the project's objective to create places to live. Under CEQA Guidelines Section 15126.6(e)(2), the EIR shall also identify an environmentally superior alternative among the other alternatives. The Redesigned Project B Single Cluster Alternative (93% Reduction) is identified in the Final EIR as the Environmentally Superior Alternative. However, as discussed above, the Planning Commission finds that the Redesigned Project B Single Cluster Alternative (93% Reduction) is infeasible, does not meet the project objectives, would reduce the property tax and other benefits to the County, and would result in a financially infeasible project for the applicant.Implementation of this alternative would avoid significant adverse impacts to the following resources:

- Biological resources including maintaining stream flow for aquatic species in Los Berros Creek, avoiding sensitive habitats (with the exception of one road crossing), minimizing removal and impacts to coast live oak woodland, and avoiding the potential for accidental discharge into onsite surface waters and habitats;
- No removal of vineyard would occur and adequate buffers would be provided to avoid land use conflicts between residential and agricultural uses;
- All significant archaeological sites and historic resources would be avoided;
- The project would not be affected by noise exceeding thresholds identified in the Noise Element;
- Residential parcels would be located within the eastern portion of the project site, which would deter residents from using the Laetitia Vineyard Drive / Highway 101 at-grade intersection during a non-emergency.

Due to the dead-end road length, any alternative, aside from the creation of a new frontage road extending to existing interchanges, would result in a significant and unavoidable impact related to lack of adequate emergency access.

The presence of production vineyards throughout a majority of the developable portions of the property substantially limits the potential residential density, if building envelopes and adequate buffer zones are sited outside of active agricultural areas. The EIR identifies the conversion of agricultural Farmland to non-agricultural use as a significant, adverse, and unavoidable impact. Onsite replacement of vineyards, at a minimum 1:1 ratio, while feasible, is not considered to be enforceable in the long-term, because agricultural production is not regulated or enforced by the County Agriculture Department, or other County Agency. Therefore, alternatives are considered that would avoid conversion of agricultural uses to the maximum extent feasible. In addition, consideration of project objectives is required when reviewing project alternatives.

Redesigned Project B Single Cluster Alternative (93% Reduction) is a very substantial reduction in residential units, and it is substantially different than what the applicant originally brought forward for consideration. Therefore, the County has taken into consideration the applicant's development intent and vision, while also considering the environmental effects of project development as documented in the Final EIR and supportive evidence. The Staff Recommended Alternative (Approved Project) is determined to be the project alternative that primarily achieves the applicant's project objectives, while maintaining consistency with the County General Plan regarding allowable residential density and avoiding several previously identified significant, unavoidable, adverse effects to aesthetic, biological, and cultural resources.

10.0 STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of the project against its unavoidable environmental risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered "acceptable" (State CEQA Guidelines §15093, subdivision (a).) CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record. (State CEQA Guidelines §15093, subdivision (b).)

In accordance with the requirements of CEQA and the State CEQA Guidelines, the Planning Commission has adopted Findings Regarding Significant Effects for the Staff Recommended Alternative (Approved Project), which identify that certain significant effects of implementing the project are unavoidable even after incorporation of any feasible mitigation measures. The Planning Commission finds that the remaining unavoidable significant effects are acceptable due to each of the specific economic, legal, social, technological or other benefits which will result from approval and implementation of the project, as listed below. All of these benefits are based on the facts set forth in the Findings Regarding Significant Effects, the Final EIR, and the record of proceedings for this Approved Project. Each of these benefits is a separate and independent basis that justifies approval of the project, so that if a court were to set aside the determination that any particular benefit will occur and justifies project approval, the Planning Commission determines that it would stand by its determination that the remaining benefit(s) is or are sufficient to warrant project approval.

10.1 SUPPORTING EVIDENCE

The Planning Commission has weighed the benefits of the Approved Project against its unavoidable environmental impacts. Based on the consideration of the record as a whole, the Planning Commission finds that there is substantial evidence in the record as a whole to conclude that the benefits of the project outweigh its unavoidable adverse environmental impacts. In support of this Finding, the Planning Commission has determined that the following benefits, each of which is sufficient to support this Finding, support approval of the Approved Project. The Approved Project would result in the following social, environmental and economic benefits:

a. The Approved Project would provide for ~~the protection of~~ approximately 1,800 acres of agricultural land and open space easements within the South County Planning Area. These lands would be protected in perpetuity through easements, agricultural preserves, and Williamson Act contracts. Protected lands would support agricultural production, grazing land, oak woodland, riparian habitat, grassland, and habitat for special-status species.

b. The Approved Project would provide beneficial economic impacts for the County of San Luis Obispo through the creation of jobs, and contribution of local property taxes, state and local taxes, and additional revenue and tourism expenditures.

c. The Approved Project would contribute public facility and Quimby fees, which would be used by the County and local school districts for the future development of improved facilities, which would benefit the County as a whole.

c. The Approved Project would result in the provision of lands to be developed with new CAL FIRE facilities in the future, which would improve emergency fire response times to existing and future residents and businesses in Upper Los Berros Canyon and the South County area.

d. The Approved Project would contribute traffic mitigation fees and improvements, which would address existing deficient local roadway conditions in the immediate area.

e. The Approved Project would incorporate energy efficiency and water conservation measures consistent with the County General Plan. Required mitigation measures include metering and stream gauge monitoring, which would provide water usage and stream flow data for the County's use. This data may be used to support regional water conservation efforts and watershed studies.

f. The Approved Project would promote and implement the County's General Plan Policies by providing an Agricultural Cluster development.

11.0 MITIGATION MONITORING PROGRAM

PRC §21081.6 requires the lead agency, when making the findings required by PRC §21081(1)(a), to adopt a reporting or monitoring program for the changes to the project that it has adopted, in order to ensure compliance during project implementation. The County is the lead agency responsible for the adoption of the reporting or monitoring program. A Mitigation Monitoring and Reporting Plan (MMRP) has been prepared that requires the County to monitor mitigation measures designed to reduce or eliminate significant impacts, as well as those mitigation measures designed to further reduce environmental impacts that are less than significant.

The MMRP designates responsibility and anticipated timing for the implementation of mitigation measures within the jurisdiction of the County. Implementation of the mitigation measures specified in the Final EIR and the MMRP will be accomplished through administrative controls over project planning and implementation. Monitoring and enforcement of these measures will be accomplished through verification in periodic Mitigation Monitoring Reports and periodic inspection by appropriate County personnel. The County reserves the right to make amendments to and/or substitutions of mitigation measures if, in the exercise of discretion of the County, it is determined that the amended or substituted mitigation measure will mitigate the identified significant environmental impact to at least the same degree of significance as the original mitigation measure it replaces, or would attain an adopted performance standard for mitigation, and where the amendment or substitution would not result in a new significant impact on the environment that cannot be mitigated.

As lead agency for the Laetitia Agricultural Cluster Tract Map and CUP EIR, the County hereby certifies that the Revised MMRP set forth in Chapter VIII of the Final EIR and as amended in the Administrative Record, which has been designed to ensure compliance during construction of the Approved Project and includes all of the mitigation measures identified in the Final EIR and adopted and incorporated into the project, is adequate to ensure the implementation of the mitigation measures described herein.

12.1 INCORPORATION BY REFERENCE

The Draft EIR and Final EIR/ are hereby incorporated into these Findings in their entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the rationale for approving the Applicant's Mitigated Project.

12.2 RECIRCULATION NOT REQUIRED

CEQA Guidelines §15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of a Draft EIR, but before certification. Such new information includes: (i) significant changes to the project; (ii) significant changes in the environmental setting; or (iii) significant additional data or other information. Section 15088.5 further provides that "[n]ew information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement."

The FEIR responds to comments and makes only minor technical changes, clarifications or additions to the DEIR. The minor changes, clarifications, or additions to the DEIR do not identify any new significant impacts or substantial increase in the severity of any environmental impacts, and do not include any new mitigation measures that would have a potentially significant impact. Therefore, recirculation of the EIR is not required.

12.3 SUMMARY

Based on the foregoing Findings and the information contained in the record, the County has made one or more of the following findings with respect to each of the potentially significant impacts of the Applicant's Mitigated Project:

1. Changes or alternatives have been required in, or incorporated into, the Applicant's Mitigated Project which mitigate or avoid the significant effects on the environment.

2. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

B. Based on the foregoing Findings and the information contained in the record, it is determined that:

1. Significant effects on the environment due to the Applicant's Mitigated Project will be eliminated or substantially lessened; and

2. Specific economic, legal, social, technological or other considerations override the significant impacts identified in the environmental impact report.

12.4 APPROVALS

NOW, THEREFORE, the Planning Commission does now take the following actions regarding the process of environmental review utilized for the review of the Project:

1. The Planning Commission finds that the above statements are true and correct;

2. The Planning Commission certifies that it has been presented with both the DEIR and FEIR (collectively, the "EIR") and that it has reviewed and considered the information contained in the EIR prior to making the approvals set forth herein. The EIR was prepared at the direction of the County and reflects the County's independent judgment;

3. The Planning Commission finds that the preparation of the EIR represents a good faith effort to achieve completeness and full environmental review. The Planning Commission further certifies that the EIR reflects its independent judgment and analysis. The Planning Commission bases these Findings on such review and other substantial evidence in the record;

4. Pursuant to CEQA Guidelines section 15090, the Planning Commission certifies that the EIR has been completed in compliance with CEQA and the State CEQA Guidelines;

5. The Planning Commission finds that the alternatives considered in the EIR provided the Planning Commission with a basis for considering ways in which the objectives of the activities identified in the EIR as the "Project" could be achieved with less environmental impact. For that reason, the alternatives analysis in the EIR is sufficient to carry out the purposes of such analysis under CEQA and the Guidelines;

6. The Planning Commission hereby adopts and incorporates into the Project all Mitigation Measures within the responsibility and jurisdiction of the County, as amended and supported by the findings herein;

7. The Planning Commission hereby adopts the Mitigation and Monitoring Reporting Program; and

8. Having certified the EIR, independently reviewed and analyzed the EIR, and incorporated Mitigation Measures into the Project, the Planning Commission hereby adopts these Findings and Statement of Overriding Considerations in their entirety.