



**MITIGATED NEGATIVE DECLARATION**

TO:  Office of Planning & Research  
 P. O. Box 3044  
 Sacramento, California 95812-3044

County Clerk, County of San Joaquin

FROM: San Joaquin County  
 Community Development Department  
 1810 East Hazelton Avenue  
 Stockton, California 95205

**PROJECT TITLE:** Deviation and Site Approval Nos. PA-1900082 and PA-1900083

**PROJECT LOCATION:** The project site is located on the north side of East State Route 120 Highway, 797 feet west of South Van Allen Road, Escalon, San Joaquin County. (APN/Address: 205-080-04/20679 East State Route 120 Highway, Escalon) (Supervisorial District: 4)

**PROJECT DESCRIPTION:** A Site Approval application for a small winery and a Deviation application to reduce the front yard setback from 200 feet to 150 feet in order to utilize the existing structures. The Site Approval application includes a proposal to convert a 2,640 square foot barn to a winery production facility, a 1,303 square foot workshop building to a tasting room, and a 360 square foot storage building to a restroom. It also includes the construction of a 7,200 square foot arbor structure and the utilization of existing buildings including a 436 square foot storage building, a 153 square foot storage building, a 401 square foot arbor structure, and a 407 square foot arbor structure. The project also includes a 6,419 square foot courtyard, and a covered walkway totaling 1,300 square feet. The winery proposes to have twelve (12) Small-scale Accessory Events per year with a maximum of eighty (80) attendees, and four (4) Wine Release Events per year with a maximum of 150 attendees. No outdoor amplified sound would be permitted during the events. (Use Type: Wineries & Wine Cellars - Winery, Small).

The Property is zoned AG-40 (General Agriculture, 40-acre minimum) and the General Plan designation is A/G (General Agriculture).

**PROPONENT:** John and Mary Lynne Franzia / Latitude 37 Partners, LLC.

This is a Notice of Intent to adopt a Mitigated Negative Declaration for this project as described. San Joaquin County has determined that through the Initial Study that contains proposed mitigation measures all potentially significant effects on the environment can be reduced to a less than significant level. The Negative Declaration and Initial Study can be viewed on the Community Development Department website at [www.sjgov.org/commdev](http://www.sjgov.org/commdev) under Active Planning Applications.

Date: August 30, 2019

Contact Person:  
 Frank Girardi Phone: (209) 468-8469 FAX: (209) 468-3163 Email: [fgirardi@sjgov.org](mailto:fgirardi@sjgov.org)



**INITIAL STUDY/NEGATIVE DECLARATION**

[Pursuant to Public Resources Code Section 21080(c) and California Code of Regulations, Title 14, Sections 15070-15071]

**LEAD AGENCY:** San Joaquin County Community Development Department

**PROJECT APPLICANT:** Latitude 37 Partners, LLC.

**PROJECT TITLE/FILE NUMBER(S):** PA-1900082, 83 (DV,SA)

**PROJECT DESCRIPTION:** A Site Approval application for a small winery and a Deviation application to reduce the front yard setback from 200 feet to 150 feet in order to utilize the existing structures. The Site Approval application includes a proposal to convert a 2,640 square foot barn to a winery production facility, a 1,303 square foot workshop building to a tasting room, and a 360 square foot storage building to a restroom. It also includes the construction of a 7,200 square foot arbor structure and the utilization of existing buildings including a 436 square foot storage building, a 153 square foot storage building, a 401 square foot arbor structure, and a 407 square foot arbor structure. The project also includes a 6,419 square foot courtyard, and a covered walkway totaling 1,300 square feet. The winery proposes to have 12 Small-scale Accessory Events per year with a maximum of 80 attendees, and 4 Wine Release Events per year with a maximum of 150 attendees. No outdoor amplified sound would be permitted during the events. (Use Type: Wineries & Wine Cellars - Winery, Small).

The project site is located on the north side of East State Route 120 Highway, 797 feet west of South Van Allen Road, Escalon.

**ASSESSOR PARCEL NO.:** 205-080-04

**ACRES:** 44.62

**GENERAL PLAN:** A/G

**ZONING:** AG-40

**POTENTIAL POPULATION, NUMBER OF DWELLING UNITS, OR SQUARE FOOTAGE OF USE(S):**  
One residence, 3,943 square foot winery, and accessory structures.

**SURROUNDING LAND USES:**

**NORTH:** Agriculture with scattered residences

**SOUTH:** Agriculture with scattered residences/ ST RT 120/UPRR Railway

**EAST:** Agriculture with scattered residences/Van Allen Elementary School

**WEST:** Agriculture with scattered residences

**REFERENCES AND SOURCES FOR DETERMINING ENVIRONMENTAL IMPACTS:**

Original source materials and maps on file in the Community Development Department including: all County and City general plans and community plans; assessor parcel books; various local and FEMA flood zone maps; service district maps; maps of geologic instability; maps and reports on endangered species such as the Natural Diversity Data Base; noise contour maps; specific roadway plans; maps and/or records of archeological/historic resources; soil reports and maps; etc.

Many of these original source materials have been collected from other public agencies or from previously prepared EIR's and other technical studies. Additional standard sources which should be specifically cited below include on-site visits by staff (note date); staff knowledge or experience; and independent environmental studies submitted to the County as part of the project application (Enter report name, date, and consultant.). Copies of these reports can be found by contacting the Community Development Department.

**TRIBAL CULTURAL RESOURCES:**

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

No

**GENERAL CONSIDERATIONS:**

1. Does it appear that any environmental feature of the project will generate significant public concern or controversy?

Yes  No

Nature of concern(s): Enter concern(s).

2. Will the project require approval or permits by agencies other than the County?

Yes  No

Agency name(s): California Regional Water Quality Control Board

3. Is the project within the Sphere of Influence, or within two miles, of any city?

Yes  No

City: N/A

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                  | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources        | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology / Soils             | <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards & Hazardous Materials      |
| <input type="checkbox"/> Hydrology / Water Quality   | <input type="checkbox"/> Land Use / Planning                | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                       | <input type="checkbox"/> Population / Housing               | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                  | <input type="checkbox"/> Transportation                     | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire                           | <input type="checkbox"/> Mandatory Findings of Significance |

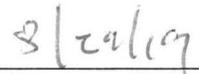
DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

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

Signature



Date



## EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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I. AESTHETICS.

Except as provided in Public Resources Code Section 21099, would the project:

- |   |                          |                          |                                     |                          |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publically accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The proposed project is located on a relatively flat parcel with a proposed 150 foot setback from the front property line which will provide a buffer from the frontage along East State Route 120. The surrounding land uses include primarily agriculture and scatter residences and the proposed development will be consistent with the surrounding land uses. The project is not located along a scenic route or view. The proposed structures and improvements will be required to meet the San Joaquin County Development Title Deviation requirements including setbacks away from property lines. Outdoor storage areas will be screened. Therefore, the impact of the project on the existing visual character or the quality of the site and its surroundings will be less than significant.

The outdoor lighting for the proposed project will be required to be designed to confine direct rays to the premises in accordance with the San Joaquin Development Title Section 9-1015.5(g).

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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II. AGRICULTURE AND FORESTRY RESOURCES.

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:

- |   |                          |                          |                                     |                          |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|

maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

- |  |                          |                          |                                     |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

**Impact Discussion:**

The proposed project site is currently not under Williamson Act contract. Wineries & Wine Cellars - Winery, Small is a conditionally permitted in the AG-40 (General Agriculture, 40-acre minimum) zone subject to an approved Site Approval application. The project will not affect any agricultural uses, nor will it affect existing Williamson Act contracts. The remainder of the parcel will continue to be farmed for agricultural production. Therefore, the proposed application will have a less than significant impact on agriculture and forestry resources.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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**III. AIR QUALITY.**

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- |   |                          |                          |                                     |                          |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in substantial emissions (such as those leading to odors) adversely affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The primary source of air pollutants generated by the project would involve dusts from onsite traffic and farming. To mitigate this potential impact, the parking and circulation areas for the project will be surfaced with chip seal which will prevent the generation of dust. Dust associated with construction activities will be minimized by a water truck to maintain

adequate moisture levels in the soil. The winery operation will be required to meet the San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) permitting requirements for mobile and stationary sources in an effort to control and minimize air pollution. The project was referred to the SJVAPCD for review. As a Condition of Approval, the project will be subject to the Districts rules and regulations.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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**IV. BIOLOGICAL RESOURCES:**

Would the project:

- |  |                          |                                     |                          |                          |                          |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The project parcel relatively flat and is currently developed with an existing residence and accessory structures and is used for agricultural use. There are no riparian habitats or waterways located within the project vicinity. The Natural Diversity Database does not identify any endangered species located on the project site. The San Joaquin Council of Governments (SJCOG) has reviewed the underlying project and determined that the development of small winery is subject to the San Joaquin Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with CEQA. The applicant has committed to participation in the SJMSCP and therefore, with this mitigation there will be a less than significant effect on biological resources. The fee, as identified by SJCOG will be required prior to issuance of any building permit and prior to disturbance of any ground.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analyzed No In The Impact Prior EIR
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V. CULTURAL RESOURCES.

Would the project:

- |  |                          |                          |                                     |                          |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?      | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The project site has already been disturbed with agricultural use and is developed with an existing residence, accessory structures and a barn. Therefore, it does not appear that archaeological or cultural resources would be encountered during the proposed development for the small winery. Additionally, there are no resources on the project site that are listed or are eligible for listing on a local register, the California Register of Historic Places, or National Register of Historic Places.

In the event human remains are encountered during any portion of the project, California state law requires that there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has determined manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation (California Health and Safety Code - Section 7050.5).

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analyzed No In The Impact Prior EIR
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VI. ENERGY.

Would the project:

- |  |                          |                          |                                     |                          |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The California Energy Code (also titled The Energy Efficiency Standards for Residential and Non-residential Buildings) was created by the California Building Standards Commission in response to a legislative mandate to reduce California's energy consumption. The code's purpose is to advance the state's energy policy, develop renewable energy sources and prepare for energy emergencies. These standards are updated periodically by the California Energy Commission. The code includes energy conservation standards applicable to most buildings throughout California. These requirements will be applicable to the proposed project ensuring that any impact to the environment due to wasteful, inefficient, or unnecessary consumption of energy will be less than significant and preventing any conflict with state or local plans for energy efficiency and renewable energy. This requirement will be enforced at time of issuance of building permits.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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**VII. GEOLOGY AND SOILS.**

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil and create direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

The geology of San Joaquin County is composed of high organic alluvium, which is susceptible to earthquake movement. The project will have to comply with the California Building Code (CBC) which includes provisions for soils reports for grading and foundations as well as design criteria for seismic loading and other geologic hazards based on fault and seismic hazard mapping. All recommendations from a soils report must be incorporated into the construction plans. Therefore, impacts to seismic-related (or other) landslide hazards will be less than significant.

The project will not result in substantial soil erosion or the loss of topsoil because the project site will be paved and landscaped and no topsoil will be removed from the site. Therefore, impacts to soil erosion or loss of topsoil will be less than significant.

The project site is relatively flat terrain where landslides have not historically been an issue. A soils report will be required for grading and foundations and all recommendations from a soils report must be incorporated into the construction plans. Therefore, any risks resulting from being located on an unstable unit will be reduced to less than significant.

The project will be served by an onsite septic tank or alternative waste water disposal system for the disposal of waste water. The Environmental Health Department will require a soil suitability/nitrate loading study indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to

issuance of building permit(s). The sewage disposal system shall comply with the onsite wastewater treatment systems standards of

San Joaquin County prior to approval. A percolation test that meets absorption rates of the manual of septic tank practice or E.P.A. Design Manual for onsite wastewater treatment and disposal system is required for each parcel. With these standards in place, only soils capable of adequately supporting the use of septic tanks will be approved for the septic system.

The San Joaquin County General Plan (2035) indicates that the county will protect significant archeological and historical resources by requiring an archeological report prepared by a qualified cultural resource specialist prior to the issuance of any discretionary permit or approval in areas determined to contain significant historic or prehistoric archeological artifacts that could be disturbed by project construction.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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**VIII. GREENHOUSE GAS EMISSIONS.**

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Impact Discussion:**

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

Implementation of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO2) and, to a lesser extent, other GHG pollutants, such as methane (CH4) and nitrous oxide (N2O) associated with area sources, mobile sources or vehicles, utilities (electricity and natural gas), water usage, wastewater generation, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO2 equivalents (MTCO2e/yr).

As noted previously, the proposed project will be subject to the rules and regulations of the SJVAPCD. The SJVAPCD has adopted the *Guidance for Valley Land- use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the *District Policy- Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*.<sup>11</sup> The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards (BPS) to assess significance of project specific greenhouse gas emissions on global climate change during the environmental review process, as required by CEQA. To be determined to have a less-than-significant individual and cumulative impact with regard to GHG emissions, projects must include BPS sufficient to reduce GHG emissions by 29 percent when compared to Business As Usual (BAU) GHG emissions. Per the SJVAPCD, BAU is defined as projected emissions for the 2002- 2004 baseline period. Projects which do not achieve a 29 percent reduction from BAU levels with BPS alone are required to quantify additional project-specific reductions demonstrating a combined reduction of 29 percent. Potential mitigation measures may include, but not limited to: on-site renewable energy (e.g. solar photovoltaic systems), electric vehicle charging stations, the use of alternative-fueled vehicles, exceeding Title 24 energy efficiency standards, the installation of energy-efficient lighting and control systems, the installation of energy- efficient mechanical systems, the installation of drought-tolerant

landscaping, efficient irrigation systems, and the use of low-flow plumbing fixtures.

It should be noted that neither the SJVAPCD nor the County provide project-level thresholds for construction-related GHG emissions. Construction GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change. As such, the analysis herein is limited to discussion of long-term operational GHG emissions.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
<b><u>IX. HAZARDS AND HAZARDOUS MATERIALS.</u></b>					
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

Hazardous materials such as engine motor oil, antifreeze coolant, propane, nitrogen gas, and diesel fuel may be used and stored on site. The San Joaquin County Environmental Health Department (EHD) requires the owner/operator to report to the California Environmental Reporting System (CERS) before any hazardous materials/waste can be stored or used onsite. The existing regulatory framework for the transport and use of any hazardous materials will ensure any impact is less than significant.

The project site is not included on the California Department of Toxic Substances Control EnviroStor database map, compiled pursuant to Government Code 65962.5 and, therefore, will have no impact on the safety of the public or the environment.

The project site is not located in an airport zone. The project site is located approximately 1.33 miles away from the Traffic Pattern Zone 7b (TPZ) of the comprehensive Airport Land Use Plan boundaries for the Stockton Metropolitan Airport. The project site is located approximately 10.0 miles away from of the nearest runway.

The scope of the proposed project indicates that no additional emergency services will be required to provide for safe evacuation and adequate access to emergency equipment. The San Joaquin County Fire Prevention Division will require Fire Apparatus Access Roads as a Condition of Approval for the project. As such, the project will not impair implementation of, or interfere with, County-adopted emergency response plans.

The project will have no impact on wildland fires as the project is located outside of a wildfire area.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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**X. HYDROLOGY AND WATER QUALITY.**

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact Discussion:**

The project will be served by an onsite well and septic system. Construction of an individual domestic water well will be under permit and inspection by the Environmental Health Department. The sewage disposal system must comply with the onsite wastewater treatment systems standards of San Joaquin County. The applicant states that the process waste water will be discharged to onsite for irrigation. The project site contains forty four (44) acres of orchards to be irrigated. The irrigation of the process waste water is subject to Waste Discharge Requirement permits from the California Regional Water Quality Control Board. Compliance with these requirements ensure that the proposed project's impact on these resources will be less than significant.

The proposed project's impact on ground and surface water will be mitigated with the required Water Supply Facilities Impact Mitigation Fee. This fee will reduce any impact the project has on ground and surface water to a less than significant with mitigation incorporated.

The proposed project does not propose any substantial alteration to a drainage pattern, stream or river. All necessary drainage improvements onsite will be required as conditions of the construction of the project. The project will not result in substantial soil erosion because the site will be paved and landscaped.

The proposed project plans call for storm water to be retained in an on-site retention pond. The Department of Public Works requires that drainage facilities be provided in accordance with the San Joaquin County Development Standards and the Department will determine the feasibility of the proposed retention pond. The project falls within the definition of a Regulated Project as defined in either the County Post-Construction Standards Manual or the County Phase II National Pollutant Discharge Elimination System (NPDES) permit and must comply with the following conditions:

- 1) A registered professional engineer shall design a system or combination of systems to infiltrate, treat, and/or filter the 85th percentile storm drainage as defined in the County's 2009 "Storm Water Quality Control Criteria Plan" (SWQCCP) or in the "California Association of Stormwater Quality Agencies" (CASQA) publications and comply with the conditions of the County Phase II National Pollutant Discharge Elimination System (NPDES) permit. Standard "Best management Practices" for the type of development proposed shall be incorporated into the system design. Plans and/or calculations of the proposed system shall be submitted to the County for review and approval.
- 2) A "Storm Water Pollution Prevention Plan" (SWPPP) must be submitted to Public Works for review. The post construction chapter of the SWPPP must identify expected pollutants and how they will be prevented from entering the storm system. The chapter shall also contain a maintenance plan, a spill plan, and a training plan for all employees on proper use, handling and disposal of potential pollutants.
- 3) Permit Registration Documents (PRD's) shall be filed with the State Water Resources Control Board (SWRCB) to comply with the State "General Permit for Storm Water Discharges Associated with Construction Activity". Coverage under the SWRCB General Construction Permit Order 2009-0009-DWQ shall be maintained throughout the duration of all phases of the project.
- 4) An annual report of operation and maintenance of any system shall be provided to the County as well as an annual system inspection fee.
- 5) A Maintenance Plan shall be submitted and the execution of a Maintenance Agreement with San Joaquin County shall be required for the owner/operator of stormwater controls prior to the release of the building permit.
- 6) Standard Best Management Practices, for the type of development proposed, shall be incorporated into the site storm drainage design.
- 7) A State Central Valley Flood Protection Board's Encroachment Permit shall be obtained for work done on French Camp Slough's channel and within 30 feet from the top of its banks.

With the oversight of the Department of Public Works, any impact the project will have on storm water runoff will be less than significant.

The proposed project site is not in a tsunami or seiche zone. The project site is located in the Flood Zone X, which is defined as areas determined to be outside the 0.2 % annual chance of the 500-year flood plain. Therefore, there is no risk of release of pollutants due to inundation.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analyzed No Impact Prior EIR
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XI. LAND USE AND PLANNING.

Would the project:

- |  |                          |                          |                                     |                          |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Physically divide an established community?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The project site is not located in an established community. The nearest community is the City of Escalon which is 2.2 miles away to the east from the project site. The proposed project is consistent with all land use policies and regulations of the County Development Code and 2035 General Plan. Before a Deviation can be granted, four (4) findings must be made in the affirmative pursuant to Development Title section 9-824.5. If the Site Approval is approved, the applicant must obtain building permits from the Building Division of the Community Development Department. The Wineries & Wine Cellars - Winery, Small use type is a compatible use on agricultural zoned lands and may be conditionally permitted in the AG-40 (General Agriculture 40-acre minimum) zone subject to an approved Site Approval application.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Impact Prior EIR
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**XII. MINERAL RESOURCES.**

Would the project:

- |  |                          |                          |                                     |                          |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The project will not result in the loss of availability of a known mineral resource of a resource recovery site because the site does not contain minerals of significance or known mineral resources. San Joaquin County applies a mineral resource zone (MRZ) designation to land that meets the significant mineral deposits definition by the State Division of Mines and Geology. The project site in Linden has been classified as MRZ-1. The General Plan 2035 Volume II, Chapter 10-Mineral Resources, Table 10-7, defines MRZ-1 as "Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence." Therefore, the project will have less than a significant impact on the availability of mineral resources or mineral resource recovery sites within the region.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Impact Prior EIR
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**XIII. NOISE.**

Would the project result in:

- |   |                          |                          |                                     |                          |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) For a project within the vicinity of a private airstrip or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The nearest conforming single family residence is located approximately 440 feet south of the project site, on the south side of East State Route 120. Development Title Section 9-1025.9 lists the Residential use type as a noise sensitive land use. Development Title Section Table 9-1025.9 Part II states that the maximum sound level for

stationary noise sources during the daytime is 70 dB and 65dB for nighttime. This applies to outdoor activity areas of the receiving use, or applies at the lot line if no activity area is known. The proposed project would be subject to these Development Title standards.

There will be twelve (12) Small Scale Accessory Winery Events per year, four (4) Winery Release Events per year, and zero (0) Marketing events proposed. There will be is no outdoor amplified sound for these events. The project does not include any operations that would result in excessive ground-borne vibrations or other noise levels. Therefore, the project will not have any impact on vibrations or other noise levels.

The project site is not located in an airport zone. The project site is located approximately 1.33 miles away from the Traffic Pattern Zone 7b (TPZ) of the comprehensive Airport Land Use Plan boundaries for the Stockton Metropolitan Airport. The project site is located approximately 10.0 miles away from of the nearest runway. Due to the location, no impacts are expected.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analized No Impact	In The Prior EIR
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**XIV. POPULATION AND HOUSING.**

Would the project:

- |   |                          |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The project will not induce substantial population growth in the area either directly or indirectly as it does not create a significant number of new jobs. The proposed project would not displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere because the project site is currently undeveloped.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analized No Impact	In The Prior EIR
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**XV. PUBLIC SERVICES.**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- |                          |                          |                          |                                     |                          |                          |
|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| Fire protection?         | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Police protection?       | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Schools?                 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Parks?                   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The San Joaquin County Fire Division states that the California Fire Code (CFC) will be applicable to the proposed project and there will be no impact to public services. No additional public facilities will be required.

XVI. RECREATION.

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Impact Prior EIR
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Impact Discussion:**

This project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, because the project will not generate any new residential units and the impacts to parks generated by the employees of this project will be minimal. This project does not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment, because the type of project proposed will not result in an increased demand for recreational facilities.

XVII. TRANSPORTATION.

Would the project:

a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities?

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Impact Prior EIR
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<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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d) Result in inadequate emergency access?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Impact Discussion:**

The proposed project will not conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadways, etc., because the conditions of approval will mitigate any impact on roads. The proposed winery facility is located on the north side of East State Route 120, and will operate twelve (12) hours per day, seven (7) days a week, with six (6) employees per shift, and forty (40) customers per day. The winery proposes to have twelve (12) Small-scale Accessory Events per year with a maximum of eighty (80) attendees, and four (4) Wine Release Events per year with a maximum of 150 attendees. The hours of operation for these events will be from 10 a.m. to 9:30 p.m., seven (7) days per week. It is anticipated that the customer, vendor, and employee trip count will be approximately 80 trips per day, which is below the threshold of requiring a traffic study by the Department of Public Works. A referral was sent to the San Joaquin County Department of Public Works and California Department of Transportation (Caltrans) on May 30, 2019 in which responses letters were received dated July 5<sup>th</sup> and July 2<sup>nd</sup>, 2019, respectively. The letters stated that the project will not degrade the level of service along adjacent roadways and/or

intersections to an unacceptable level.

Caltrans includes the requirement to install a two-way left turn lane along the frontage of East State Route 120. The Department of Public Works states that the East State Route 120 Road driveway designs include that the driveway approach shall be improved in accordance with Caltrans requirements prior to issuance of the occupancy permit. (Development Title Section 9-1145.5) With these conditions from the Department of Public Works, any traffic impacts will be reduced to a less than significant level.

The proposed project has a twenty five (25) foot wide two-way access driveway from East State Route 120 and will provide for adequate access for emergency equipment.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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XVIII. TRIBAL CULTURAL RESOURCES.

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Impact Discussion:**

The project site has already been disturbed with agricultural use and is developed with an existing residence, accessory structures and a barn. Therefore, it does not appear that tribal cultural resources would be encountered during the proposed development for the small winery. The proposed project is not within an area of any known tribal cultural resource with cultural value to a California Native American Tribe. A referral was sent on May 30, 2019 to Katherine Perez of the North Valley Yokuts Tribe for review. No response has been received. At the time development, if Human burials are found to be of Native American origin, the developer shall follow the procedures pursuant to Title 14, Division 6, Chapter 3, Article 5, Section 15064.5(e) of the California State Code of Regulations.

If, in the course of development, concentrations of prehistoric or historic-period materials are encountered, all work in the vicinity of the find shall halt until an archaeologist can evaluate the materials and make recommendations for further action. If human remains are encountered, all work shall halt in the vicinity and the County Coroner shall be notified immediately. At the same time, a qualified archaeologist shall be contacted to evaluate the finds. If Human Burials are found to be of Native American origin, steps shall be taken pursuant to Section 15064.5(e) of Guidelines of the California Environmental Quality Act.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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**XIX. UTILITIES AND SERVICE SYSTEMS.**

Would the project:

- |   |                          |                          |                                     |                          |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The project will utilize an onsite well, a private septic system, and onsite storm water drainage facilities, therefore the project will not require new public facilities.

The project will utilize an individual domestic water well which will be constructed under permit and inspection by the San Joaquin County Environmental Health Department at the time of development. Compliance with these requirements ensure that the proposed project's impact on these resources will be less than significant.

The project will utilize an onsite sewage disposal system that will comply with the onsite wastewater treatment systems standards of San Joaquin County built under permit and inspection of the Environmental Health Department.

The proposed project is a small winery business that will generate pomace and waste water from pressed grapes that will be spread on-site as a soil amendment. The scope of the project does not suggest it will generate solid waste in excess of State or local standards and will comply with regulations related to solid waste. Discharges of winery waste water and residual solids to land is subject to regulation in individual Waste Discharge Requirements from the California Regional Water Quality Control Board.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed In The Prior EIR
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**XX. WILDFIRE.**

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- |  |                          |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

- |  |                          |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The project will have no impact on wildland fires as the project is located outside of a wildfire area.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	Analyzed No Impact	In The Prior EIR
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**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

- |  |                          |                          |                                     |                          |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**Impact Discussion:**

The proposed project does not appear to have the potential to significantly degrade the overall quality of the region's environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. There are no identified historic or prehistoric resources identified on this site. No archaeological or paleontological resources have been identified in the project area.

The project is not expected to have cumulatively considerable impacts. Less than significant impacts to air quality, biological resources, traffic, and hydrology have been identified. Any impacts will be adequately addressed through conditions of approval and mitigation measures included in this study.

The project does not have environmental effects which will cause substantial adverse effects on human beings.

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.



