



The County of San Diego

Planning Commission Hearing Report

Date:	July 14, 2023	Case/File No.:	Rancho Guejito Wine Tasting Facility and Event Center PDS2020-MUP-20-001; PDS2020-ER-20-09-001
Place:	County Operations Center (COC) Hearing Room 5520 Overland Avenue San Diego, CA 92123	Project:	Major Use Permit for Wine Tasting Facility and Event Center
Time:	9:00 a.m.	Location:	17224 San Pasqual Valley Road
Agenda Item:	#2	General Plan:	Rural Lands (RL-40)
Appeal Status:	Appealable to the Board of Supervisors	Zoning:	Limited Agricultural (A70), General Agricultural (A72)
Applicant/Owner:	Rancho Guejito Corporation	Community:	North County Metropolitan Subregional Plan Area
Environmental:	Mitigated Negative Declaration	APN:	242-070-13-00; 242-070-15-00; 242-070-07-00; 242-070-08-00; 242-110-01-00; 242-070-11-00, 242-030-14-00; 242-030-15-00; 242-070-17-00; 242-070-16-00; 242-030-12-00; 242-030-38-00

A. OVERVIEW

The purpose of this staff report is to provide the Planning Commission with the information necessary to consider the proposed Major Use Permit (MUP) and environmental findings prepared in accordance with the California Environmental Quality Act (CEQA).

The Rancho Guejito Wine Tasting Facility and Event Center project (Project), submitted in December of 2022, is a proposed wine tasting facility and event venue on 5.5 acres of an approximately 404-acre site in the North County Metropolitan Regional Plan area. The requested MUP will expand an existing small winery that was previously permitted on the property to include a wine tasting facility and event center. The existing winery is currently operating and will remain active. The proposed tasting facility and event center will be in operation from 10:00am until 10:00pm seven days a week. The proposed wine tasting facility will be 4,283 square feet and the event center will include two structures: the event logistics and lounge suite which will be 1,519 square feet and a banquet barn which will be 3,700 square feet. The site is subject to the General Plan Regional Category Rural, Land Use Designation Rural Lands (RL-40). The property is zoned Limited Agricultural (A70) and General Agricultural (A72). Event venues are classified in the Zoning Ordinance as "Participant

Sports and Recreation: Outdoor” and are authorized in the A70 and A72 zone, upon approval of a MUP as laid out in Section 2705 of the Zoning Ordinance. The site is located north of San Pasqual Valley Road at 17224 San Pasqual Valley Road, in the North County Metropolitan Subregional Plan area. During processing of the application, the County received comments and concerns from stakeholders relating to noise and traffic from the proposed wine tasting facility and event venue.

The sections of this report describe the following: development proposal, analysis and discussion, public input, CEQA compliance and the Planning & Development Services (PDS) recommendation.

The Planning Commission is asked to consider the Project and either approve it as submitted, approve it with modifications, or deny it. PDS has found the Project to be consistent with the General Plan, Zoning Ordinance, and other applicable regulations, policies and ordinances with the inclusion of conditions in the MUP Form of Decision (Attachment B). Based on staff’s analysis, the findings can be made and PDS recommends adoption of the Mitigated Negative Declaration, and approval of the Project with the conditions noted in the MUP Form of Decision.

B. REQUESTED ACTIONS

This is a request for the Planning Commission to evaluate the proposed MUP for a wine tasting facility and event center, determine if the required findings can be made and, if so, take the following actions:

- a. Adopt the Environmental Findings, which includes the adoption of a Mitigated Negative Declaration (MND) (Attachment D)
- b. Grant PDS2020-MUP-20-001; PDS2020-ER-20-09-001, make the findings, and impose the requirements and conditions as set forth in the Form of Decision (Attachment B).

C. DEVELOPMENT PROPOSAL

1. Project Description

The applicant requests a MUP to allow a wine tasting facility and an event center on 5.5 acres of an approximately 404-acre site. The subject site is located at 17224 San Pasqual Valley Road in the North County Metropolitan Subregional Plan area within the unincorporated County (Figure 1 and Figure 2).

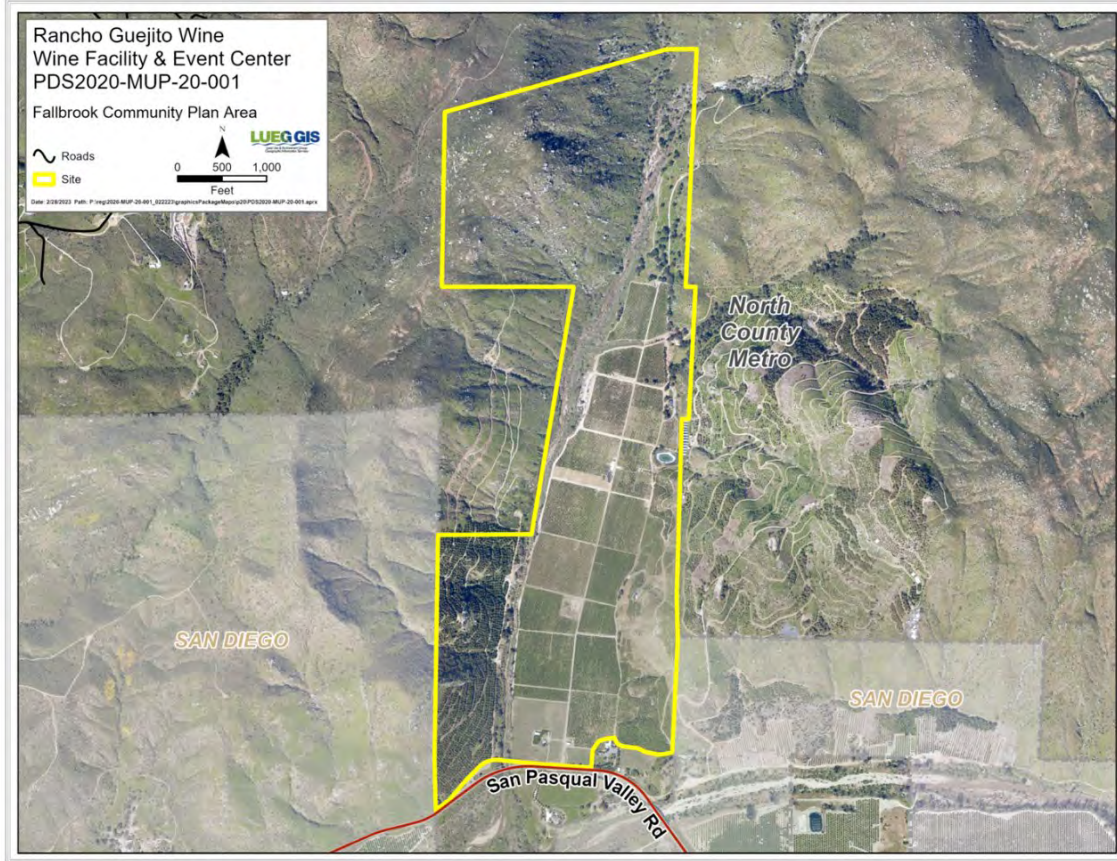


Figure 1: Vicinity Map

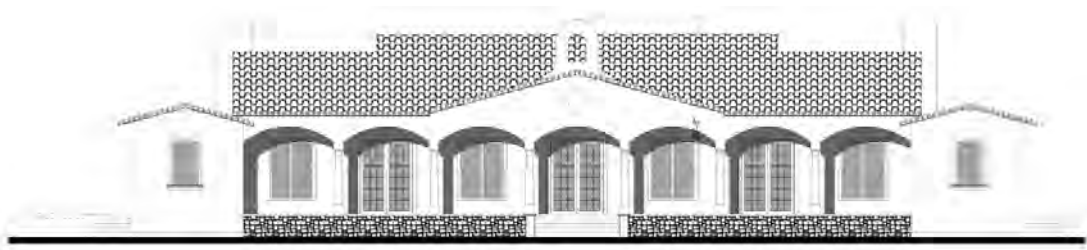


Figure 2: Proposed Wine Tasting Facility (Site Plan)



Figure 3: Proposed Event Center Lounge (Site Plan)

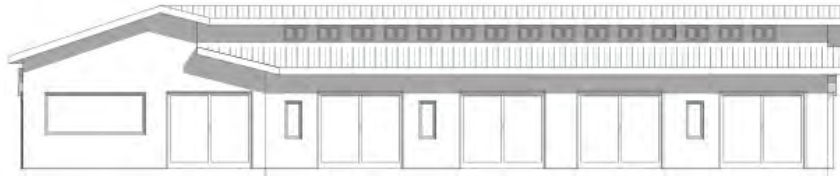


Figure 4: Proposed Event Center Barn (Site Plan)

This MUP seeks to include a wine tasting facility and an event center along with associated parking lots, outdoor areas, water storage tanks for fire protection, and stormwater treatment facilities.

The 4,283-square foot wine tasting facility will include a wine bar and seating area, offices, restrooms, merchandise display areas, wine storage and refrigeration, a commercial kitchen, and food storage area. Outdoor areas will include a 1,500-square-foot covered patio and lawn area for events. Tasting facility operations are conditioned to operate between the hours of 10:00am until 10:00pm seven days a week. For the wine tasting facility, there will be forty-one standard sized parking spaces, three handicap-accessible, and eighteen overflow spaces will be provided for the tasting facility. The standard sized and handicap accessible spaces will be on an asphalt surface, and the overflow spaces will be located on a semi-pervious surface (gravel). Additionally, the large fountain in front of the facility will be surrounded by permeable pavers, allowing this area to be used to drop off passengers. The Project's technical studies also analyzed an expansion of the wine tasting facility in the future. Although they are not proposing to construct the expansion at this time, the expansion could be built in the future and would add 1,612 square feet to the wine tasting facility. The wine tasting facility can accommodate 185 people, but if the expansion is added in the future, it would be able to hold up to 201 people.

The event center will include two buildings: a 1,519-square-foot event logistics and lounge suite area and a 3,700 square foot banquet barn. The logistics and lounge suite area will have restrooms, changing and lounging area, and a small kitchenette. Decks totaling 915 square feet will provide additional seating and lounging areas and will overlook a central plaza area. The banquet barn will include a catering kitchen to allow for food to be brought in by an off-site caterer, undergo final preparation, and be served. The event center will accommodate amplified music, seating, dancing, food serving areas, and other activities that are generally associated with weddings, quinceaneras, anniversary parties, corporate events, and other similar types of functions. Event center operations will be occur between 10:00am and 10:00pm seven days a week. For the event center, there will be thirty-five standard parking spaces, one handicap accessible, and ten overflow parking spaces will be provided for event attendees and service personnel. The standard and handicap spaces will be on asphalt, and the overflow spaces will be on permeable surface (gravel).

While the Project is limited to an approximately 5.5-acre area in the southern portion of the MUP boundary, the MUP will specify allowed activities within the remainder of the MUP area, including hayrides, picnicking, or related uses associated with the wine tasting operations. A Small Winery permit area currently exists within the MUP that was approved under an administrative permit. This MUP will exclude the area regulated by the administrative permit. Currently, this site has an existing small winery, a 19,500 square-foot parking area, an outdoor tasting area, and an outdoor event area. The outdoor event area only allows for the attendance for up to 250 people at any one time and the existing permit also limits the events being held at the site to up to two per week and eight events per month. In addition to this, when no events are taking place, the wine tasting area is limited to a maximum of 50 people at any one time. This MUP will allow for more occupants at the tasting facility

(up to 185, and up to 201 if the expansion is constructed) and the event center (up to 250) and will expand the hours of operation from 10:00am to 10:00pm seven days a week.

Earthwork will consist of balanced cut and fill of approximately 5,500 cubic yards, most of which is for the wine tasting facility and event center, the driveway, parking lot construction, and other associated structures. As an off-site improvement, the Project will widen State Route 78 (SR-78), also referred to as San Pasqual Valley Road, along the Project frontage to construct a two-way left-turn lane and a westbound acceleration lane taper on SR-78 between the westernmost driveway (Driveway #1) and the central driveway (Rockwood Grove/Driveway #2). Because access improvements are required to SR-78. Prior to construction, the Project applicant will submit a traffic control plan to Caltrans District 11 for review.

The Project site will obtain water solely from on-site groundwater wells for both potable use and for on-site irrigation of agriculture; the MUP area is not located within the service boundaries of the San Diego County Water Authority (SDCWA). The Project does not propose any increase in water usage as the water supply memorandum prepared determined that the agricultural crops within the Project footprint consume approximately 8.5 acre-feet of groundwater per year while the proposed project would consume approximately 5.20 acre-feet of groundwater per year. Potable water will be provided from the existing potable water well and system that serves the existing ranch house. The potable water system is separate from the irrigation wells and irrigation systems on the property and would meet all applicable County and State standards for well construction, storage, pipeline separation, water quality, and other applicable requirements. The Project has been conditioned to ensure ongoing maintenance and quality assurance of the potable water system. The State Water Resources Control Board, Division of Drinking Water will oversee the water quality of the potable water system.

The proposed septic system for the Project will be completed in phases. The septic for the wine tasting facility will be installed prior to the operation of the facility and would be located to the northwest and will be sized to accommodate the demand at buildout. This system for the wine tasting facility has been reviewed and approved by the County's Department of Environmental Health and Quality (DEHQ). The Project has been conditioned to obtain an on-site Wastewater Treatment System permit from DEHQ prior to the start of construction. An on-site wastewater treatment system for the event center was also reviewed and preliminarily approved by DEHQ and will also be required to obtain a permit prior to construction. This project also includes construction of a 37,000-gallon corrugated metal fire water storage tank north of the wine-tasting-event center complex to supply water to the fire protection system in case of emergencies.

2. Subject Property and Surrounding Land Uses

Lands surrounding the Project site include active agricultural operations and natural lands/open space. Two single-family residences are located south of the Project site, south of SR-78. Additional land uses surrounding the Project site include low-density, scattered residential uses. The topography of the site is sloped, as is the surrounding land. The site is located directly north of SR-78.

The General Plan Regional Category for the site is Rural, and the General Plan Land Use Designation is Rural Lands (RL-40), allowing for lower-density residential neighborhoods, recreation areas, agricultural operations, and related commercial uses that support rural communities. Zoning

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for the site is Limited Agricultural (A70) and General Agricultural (A72), which is intended for crop or animal agriculture.

Please refer to Attachment A – Planning Documentation, for maps of surrounding land uses and zoning designations. Figure 3 below also shows a map of surrounding zoning and land uses.

Table C-1: Surrounding Zoning and Land Uses

Location	General Plan	Zoning	Adjacent Streets	Description
North	Rural Lands (RL-40)	General Agricultural (A72)	N/A	Commercial Agriculture/ Residential
East	Rural Lands (RL-40), Open Space- Conservation (OS-C), City of San Diego	General Agricultural (A72), Open Space Use (S80), City of San Diego	N/A	Agriculture, Open Space Conservation, City of San Diego
South	Rural Lands (RL-40)	General Agricultural (A72)	SR-78 (San Pasqual Valley Road)	Residential
West	City of San Diego, Rural Lands (RL-40)	City of San Diego, Limited Agricultural (A70)	N/A	City of San Diego, Agriculture

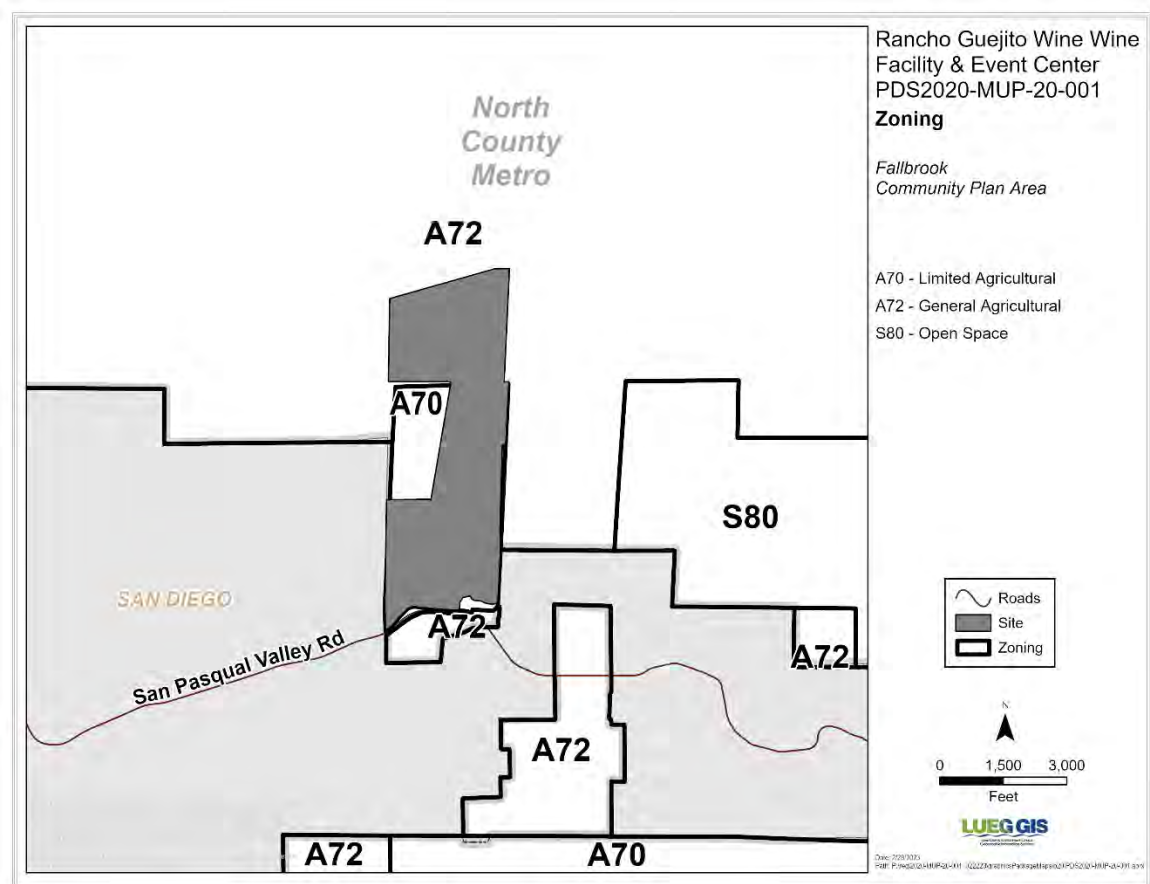


Figure 3: Surrounding land uses and designations

D. ANALYSIS AND DISCUSSION

The Project has been reviewed for conformance with all relevant ordinances and guidelines, including the San Diego County General Plan, the County Zoning Ordinance, and CEQA Guidelines. A discussion of the Project's consistency with applicable codes, policies, and ordinances, is described on the following pages.

1. Key Requirements for Requested Actions

- Is the Project consistent with the vision, goals, and policies of the General Plan?
- Is the Project consistent with the County's Zoning Ordinance?
- Is the Project consistent with other applicable County Regulations?
- Does the Project comply with CEQA?

2. Project Analysis

Major Use Permit Findings

In accordance with Section 7358 of the Zoning Ordinance, findings must be made relating to scale, bulk and coverage, availability of services, effects upon neighborhood character, and suitability of the site for the type of proposed use. Staff has analyzed the Project in relation to each of these findings.

The location, size, design, and operating characteristics of the Project will be compatible with adjacent uses, residences, buildings, and structures. Weddings and similar social gatherings are allowed uses under the Zoning Ordinance within the Limited Agricultural and General Agricultural Use Regulation upon approval of a MUP, and event facilities such as this are common within agricultural areas. Small wineries such as the existing winery onsite are also allowed uses under the Zoning Ordinance within the Limited Agricultural Use and General Agricultural Use Regulation upon approval of an Administrative Permit. The existing visual character and quality of the Project site and surrounding area can be characterized primarily as rural residential, with agricultural uses and small commercial operations, such as wineries, nurseries, and commercial agriculture. The proposed project will not significantly alter the landscape due to the presence of neighboring wineries such as Orfila and Cordiano in the San Pasqual Valley. Additionally, the region already hosts larger attractions like the San Diego Safari Park, which draws in approximately 2,000,000 visitors annually. Therefore, the proposed project will maintain the property's compatibility with the surrounding community.

The proposed use is consistent with the General Plan and Zoning designations. The Project is not located within the service boundaries of the San Diego County Water Authority (SDCWA) and will obtain water solely from on-site groundwater wells for both potable use and irrigation of the on-site agricultural use. The Project will use an on-site septic system. All other necessary public facilities and services are available to the site as detailed in the service availability letters submitted for the Project, and included in Attachment F.

Noise

During project processing, nearby residents expressed concern that noise from the wine tasting facility and event center will disturb the neighborhood. The Project was reviewed for compliance with the County of San Diego General Plan Noise Element (Noise Element) and County Noise Ordinance. Pursuant to the County Noise Ordinance and based on the zoning of the site, the Project is subject to a one-hour average of 45 decibel (dBA) noise standard during the most restrictive nighttime hours of 10:00 pm to 7:00 am, and a one-hour average of 50-dBA noise standard during the daytime hours of 7:00 am to 10:00 pm. The proposed project is also subject to the General Plan Noise Elements, which prohibits noise from the development to expose existing and foreseeable noise sensitive land uses (NSLU) like existing residents to noise levels that exceed the County's noise standards of 60 dBA CNEL or result in an increase of 10 dB over pre-existing ambient noise levels. Noise sources associated with the Project include music, people gathering on the wine tasting patios and central event center plaza, parking activities, and heating and air conditioning (HVAC) equipment. The Project is conditioned to allow operations at the tasting facility and event center between the hours of 10:00am and 10:00pm with only the HVAC running during the nighttime. Thus, activities associated with events would be subject to the daytime noise threshold of 50 dBA.

In the Noise Analysis prepared for the Project, it modeled the amplified music playing at both the tasting facility and event center simultaneously. The noise report also modeled the noise impacts to the surrounding occupied NSLU and nearest property lines, which is located at approximately 290 feet from the noise sources. The model demonstrates that noise levels from these sources would range from 40 to 50 dB(A) during hours of operation and 26 to 33 dB(A) during the nighttime hours which only has the HVAC operating at the modeled locations. Based on this information, the proposed project meets the County's noise ordinance with sound levels of 50 dB(A) at the nearest

property line and occupied sensitive receptors; therefore, impacts will be less than significant. In order to ensure the Project complies with the County's noise standards, the Project has been conditioned to require events to end at 10:00pm. Noise conditions also include positioning the speakers away from the closest residences, having a property representative available to address any noise-related complaints or concerns from the public, and including in the rental contract that any privately used sound system on the site must follow the noise standard of 50 dB(A) at the nearest residential property line, located at 290 feet away in the southeast direction while the nearest residence is 450 feet from the site. The Project is also conditioned to ensure on-going sound level compliance with the County's Noise Ordinance.

Additionally, the Project demonstrated compliance with the County's Noise Elements. The Project would not result in significant increase in traffic volume that would result in exposing the existing and future noise sensitive receptors to noise levels that exceed the County's noise standards. In the noise report, it measures the existing ambient noise levels to range between 54 dB and 64.1 dB(A). The County's Noise guidelines indicate that in areas where the existing noise level without the Project is above 60 dBA but below 65 dBA, a three-decibel increase is allowed in accordance with the Federal Transit Administration Standards. The existing traffic volume on San Pasqual Valley Road is 9,964 ADT, and based on the traffic report, the Project would generate 512 daily trips. A project would have to double the traffic volume on a roadway in order to have a significant direct noise increase of 3 dB(A) or more or to be major contributor to the cumulative traffic volumes. An increase of 512 trips on San Pasqual Valley Road would result in a noise increase of 0.2 dB, which would not be an audible change in noise levels. Therefore, the traffic noise level from the Project will not result in exposing existing or future noise sensitive receptors to noise levels that exceeds the County's General Plan Noise Elements noise standards.

Traffic

The Project will widen SR-78 along the Project frontage to construct a two-way left-turn lane and a westbound acceleration lane taper on SR-78 between the westernmost driveway (Driveway #1) and the central driveway (Rockwood Grove/Driveway #2). The easternmost driveway (Driveway #3) is gated and serves as access to an existing farmhouse and wine tasting area previously permitted. Widening of SR-78 will comply with the California Department of Transportation (Caltrans) safety regulations and Stormwater Management Program within the Caltrans' right-of-way. As part of the conditions of approval, a permit will be obtained from Caltrans for the improvements to be made within the Caltrans' right of way.

To address traffic during construction, the applicant is required to prepare and implement a traffic control plan to show specific methods for maintaining traffic flows, possible measures including but are not limited to: developing circulation and detour plans to minimize impacts to local street circulation through usage of signage and flagging, scheduling truck trips outside the range of peak morning and evening commute hours, and limiting lane closures during peak hours. This traffic control plan will be submitted to Caltrans for review and approval prior to the start of construction.

All site improvements and the driveway connection with SR-78 will be constructed consistent with all applicable County safety regulations.

Parking and Circulation

The Project includes adding 108 new parking spaces, and the Project has been conditioned to ensure all parking will be accommodated on-site. Forty-one standard sized parking spaces, three handicap-

accessible, and eighteen overflow spaces will be provided for the wine tasting facility. The standard sized and handicap accessible spaces will be on an asphalt surface, and the overflow spaces will be located on a semi-pervious surface (gravel).

Thirty-five standard parking spaces, one handicap accessible, and ten overflow parking spaces will be provided for the event center. The standard and handicap spaces will be on asphalt, and the overflow spaces will be a permeable surface (gravel).

The Project will provide 19 EV spaces with charging stations and 38 EV capable spaces, which involves installing conduit but not the charging station.

Lighting

The Project will use outdoor lighting and is not located within Zone A. Low voltage lighting will be installed where needed for safety and decorative purpose. The Project will implement outdoor lighting and glare controls to ensure compliance with the Light Pollution Code. For example, outdoor lighting associated with the Project will be low mounted, downward casting, and fully shielded to prevent glare. To ensure the safety of vehicles on SR-78, the exterior lighting will adhere to the guidelines set forth in the County's Light Pollution Code.

Cultural and Tribal Resources

PDS conducted a records search to assess cultural resources in the Project and surrounding area. They found 14 prehistoric archaeological sites, one multi-component archaeological site, and three historic buildings within a one-mile radius of the Project. However, no historic resources were found within the 5.5-acre project footprint itself, and the Project will not affect any resources in the surrounding area. The existing house, farm implement building, and sheds were determined not to be historic resources based on field surveys. Therefore, the Project will not cause any significant adverse changes to historical resources and will have no impact.

The records search also identified prehistoric and multi-component archaeological sites within the one-mile radius, but none within the 5.5-acre project footprint. The field survey did not find any cultural materials or landscape features (i.e., water source, bedrock outcrops) that indicate cultural resources within the Project footprint. The Project area has been heavily disturbed due to agricultural activities, which makes it unlikely to uncover cultural resources. Therefore, the Project will not significantly impact archaeological resources.

There are no dedicated cemeteries or recorded burials in the Project footprint or surrounding area. If any human remains are unexpectedly discovered during construction, specific procedures will be followed to handle them properly. Thus, the Project will not disturb any human remains, including those outside of dedicated cemeteries, and impacts will be less than significant.

Consultation with Native American tribes affiliated with the Project site was conducted and concluded. During consultation, it was identified that the Project site is within a potential Traditional Cultural Property (TCP). Both, the Luiseño and Kumeyaay tribes requested ethnographic research about their historical presence in the area be completed. An addendum to the Cultural Resources Survey Report was prepared, which showed that cultural sites associated with the Luiseño and Kumeyaay have been found in the region, but they are not located within the Project footprint or its surroundings. The Project will not impact any archaeological resources within the area. However,

there is potential for discovering previously unknown archaeological and/or tribal cultural resources. Implementation of mitigation, including tribal and archaeological monitoring will reduce potential impacts on archaeological and tribal cultural resources to a level that is less than significant. The monitoring mitigation measure includes the following: the Project Archaeologist and San Pasqual (Kumeyaay) and Luiseno Native American monitors will attend a meeting before construction begins and be present during ground disturbing activities, such as clearing vegetation, grading, or digging trenches; if any cultural resources are unexpectedly found during construction, the activities will be redirected away from the discovery until the resource is evaluated and significance determined; and after the monitoring is complete, a monitoring report will be prepared based on whether archaeological and/or tribal cultural resources were found.

Greenhouse Gas

For greenhouse gas (GHG) emissions, the Project will generate a less than significant amount of emissions during construction and operation of the Project. Although the Project will be using a negligible amount of propane to fuel the outdoor firepits and barbecues on an as needed basis, the rest of the Project will run on electric energy. The Project will not include natural gas appliances or plumbing for natural gas. Additionally, the Project will include rooftop solar for the proposed tasting facility and event center.

Vehicle Miles Traveled (VMT)

A Local Mobility Analysis and a Vehicle Miles Traveled (VMT) Analysis was prepared for the Project. The analysis prepared for the Project examined the nature of the trips generated by the Project, the Project's location to nearby attractions, and project features that will further reduce VMT. Considering that there are many wineries within the surrounding area, this project is not expected to substantially increase VMT since it will continue to capture trips that are currently being generated by people traveling to neighboring wineries like Orfila and Cordiano wineries. Also, adding an additional wine tasting and event facility located closer to San Diego communities will increase the likelihood that people will stay local and within the County boundaries and it will also divert trips that otherwise might go to wineries and event facilities outside the County and lead to an increase in VMT. The Project plans to allocate special parking spaces for carpoolers and shuttle/tour company vehicles that serve the proposed project and neighboring wineries. In addition, those who carpool or use shuttle/tour services will receive free tastings. These incentives are designed to promote carpooling and the use of shuttle/tour services, reducing parking demand and the number of vehicles in the area.

3. General Plan Consistency

The site is subject to the General Plan Regional Category Rural and Land Use Designation RL-40. The proposed project is consistent with the following relevant General Plan goals, policies, and actions as described in Table D-1.

Table D-1: General Plan Conformance

General Plan Policy	Explanation of Project Conformance
<p>Policy LU-5.3 Rural Land Preservation. Ensure the preservation of existing open space and rural areas (e.g., forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, and groundwater recharge areas) when permitting development under the Rural and Semi-Rural Land Use Designations.</p>	<p>The Project proposes to utilize 5.5 acres of the 404-acre MUP area for the tasting facility and event center that is compatible with the rural nature of the surrounding community. Therefore, the Project will conserve the unique natural features and maintain the character of the community.</p>
<p>Policy LU-6.5 – Sustainable Stormwater Management. Ensure that development minimizes the use of impervious surfaces and incorporates other Low Impact Development (LID) techniques as well as a combination of site design, source control, and stormwater best management practices, where applicable and consistent with the County's LID Handbook.</p>	<p>The Project has incorporated the required stormwater management features in accordance with the County's requirements, including splash blocks, riprap, and flow spreaders.</p>
<p>LU-7.1 Agricultural Land Development. Protect agricultural lands with lower-density land use designations that support continued agricultural operations.</p>	<p>The Project will continue to support agricultural operations on the property. Of the 404-acre MUP area, approximately 153.9 acres of it is in agricultural production, including wine grapes, avocados, and various types of citrus fruit.</p>
<p>COS-6.1 Economic Diversity. Support the economic competitiveness of agriculture and encourage the diversification of potential sources of farm income, including value added products, agricultural tourism, roadside stands, organic farming, and farmers markets.</p>	<p>The Project consists of the construction and operation of a winery and event center that is intended to support agricultural and vineyard operations on the property. Events and accessory uses of the winery are intended to financially support the agricultural operations of the site.</p>

4. Community Plan Consistency

The MUP was found to be consistent with the North County Metropolitan Subregional Plan goals, policies, and actions. The Project is consistent with the following North County Metropolitan Subregional Plan goals, policies, and actions as described in Table D-2.

Table D-2: Community Plan Conformance

North County Metropolitan Subregional Plan Policy	Explanation of Project Conformance
<p>AGRICULTURE 8. PROMOTE AGRICULTURE - OUTSIDE CITY SPHERES - Because A. agriculture is an important commercial activity in the North County Metropolitan Subregion and valuable commercial crops are being raised; B. row crops and nursery production are common to the maritime area climate, while orchards are scattered throughout the eastern portion of the Subregion. C. certain areas have viable commercial agriculture and soil; climate and other conditions are favorable for continuing success; and D. low density. Land Use General Plan Designations can be applied to protect agriculture in these outlying and undeveloped locations</p>	<p>The Project conforms to the North County Metropolitan Subregional Plan. The Project proposes an expansion to the existing agricultural grape production and winery.</p> <p>The Project will continue the existing commercial agriculture operations onsite as part of the proposed winery.</p>

5. Zoning Ordinance Consistency

The Project complies with all applicable zoning requirements of the Limited Agricultural (A70) and General Agricultural (A72) zones with the incorporation of conditions of approval as described in Table D-3 and Table D-4.

Table D-3: Zoning Ordinance Development Regulations

CURRENT ZONING REGULATIONS			CONSISTENT?
Use Regulation:	A70	A72	Yes, upon approval of a MUP.
Animal Regulation:	L	M	N/A
Density:	-	-	N/A
Lot Size:	40AC	10AC	Yes
Building Type:	C	C	Yes
Max. Floor Area	-	-	N/A
Floor Area Ratio	-	-	N/A
Height:	G	G	Yes
Lot Coverage:	-	-	N/A
Setback:	C	C	Yes
Open Space:	-	-	N/A
Special Area Regulations:	A	-	Yes, Project is expanding agricultural operation.

Table D-4: Zoning Ordinance Development Regulations Compliance Analysis

Development Standard	Proposed/Provided	Complies?
Section 2705 of the Zoning Ordinance allows for Participant Sports and Recreation: Outdoor upon issuance of a MUP.	The Project is for a wine tasting facility and event venue which is classified as Participant Sports and Recreation: Outdoor.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Upon approval of a MUP
Section 4600 of the Zoning Ordinance requires that the Project meet the "G" height requirement of 35 feet.	The proposed structures on-site do not exceed 35 feet in height.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 4800 of the Zoning Ordinance requires that the Project meet the "C" setback requirements of a 60-foot front yard setback, 15-foot interior side yard setback, 35-foot exterior side yard setback, and a 25-foot rear yard setback.	The proposed MUP area is located outside of all required setbacks.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Section 5100 of the Zoning Ordinance requires that the Project meet the "A" Special Area Designator for an Agricultural Preserve.	The proposed Project would be compatible with the on-site agricultural operations as the proposed use encourages continuation of the existing agricultural activities on the Project site.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

6. California Environmental Quality Act (CEQA) Compliance

The proposed Project has been reviewed for compliance with the California Environmental Quality Act (CEQA), and a Mitigated Negative Declaration (MND) was prepared and was available for a 32-day public review period from December 29, 2022 through February 6, 2023, on file with PDS under Environmental Log Number PDS2020-ER-20-09-001. The MND found that the Project, with incorporation of mitigation measures consisting of the installation of fencing and establishment of a Resource Avoidance Area for biological resources, the preparation and implementation of a traffic control plan, and construction monitoring for tribal cultural resources will not cause any significant effects on the environment. Mitigation measures for biological resources, transportation, and tribal cultural resources have been included in the conditions of approval for the Project. The Initial Study and MND can be found in Attachment C of this report.

7. **Applicable County Regulations**

Table D-5: Applicable Regulations

County Regulation Policy	Explanation of Project Conformance
a. County Consolidated Fire Code	The Project has been reviewed by the County Fire Protection District has been found to comply with the County Consolidated Fire Code. A Fire Protection Plan (FPP) was prepared in accordance with County guidelines.
b. Noise Ordinance	The Project as conditioned will not generate significant noise levels which exceed the allowable limits of the County Noise Element or Noise Ordinance.
c. Light Pollution Code	The Project will implement outdoor lighting and glare controls to ensure compliance with the Light Pollution Code.
d. Watershed Protection Ordinance (WPO)	A Stormwater Quality Management Plan (SWQMP) was prepared for the Project in compliance with the County's Watershed Protection Ordinance (WPO).
e. Multiple Species Conservation Program (MSCP)	Biological resources on the site were evaluated in a Biological Report. Potential impacts to arroyo toad will be avoided through implementation of conservation measures. The Project has been found to conform to the County's Multiple Species Conservation Program (MSCP).

E. COMMUNITY PLANNING GROUP (CPG)

The Project site is located within the boundary of the North County Metropolitan Community which does not have an associated Community Planning or Sponsor Group.

F. PUBLIC INPUT

The Project was noticed to surrounding property owners upon application submittal and during the MND public review period from December 29, 2022 to February 6, 2023.

During the MND public review period, staff received comments about amplified and live music coming from on-site speakers during special events held on the property. Additional conditions have been imposed on the Project to address concerns about noise. These conditions include positioning the speakers away from the nearest residence 450 feet away, having a representative available to address any-noise related complaints from the public, and including a requirement in the rental contract that any privately used sound system on the site must comply with the noise standard of 50 dB(A) at the nearest residential property line located 290 feet away in the southeast direction. These measures aim to ensure that the Project operates within the noise limits of the Noise Ordinance.

A noise analysis was also conducted for the Project and analyzed the worst-case scenario of the impact of amplified music playing simultaneously at both the wine tasting facility and event center. Based on the analysis, the noise levels generated on-site from amplified music would range from 40 to 50 dB(A) during the daytime hours. These levels meet the County's Noise Ordinance requirements, which specify a maximum sound level of 50 dB(A) at the property line. Additionally, the Project has several other conditions of approval in place to ensure noise levels from proposed operations do not significantly affect

noise levels experienced by nearby residences, such as including a plan detail that states no music, live or recorded will occur after 10:00pm.

Staff also received comments from Caltrans regarding drainage from the proposed Project. In response to these comments, staff revised the Final IS/MND to provide more detail based on the analysis completed in the Drainage Study dated November 8, 2021. These revisions have not altered any of the conclusions in the Draft IS/MND that was circulated for public review. Additionally, the Project applicant will be involved in further coordination with Caltrans if the Project progresses towards final engineering.

A concern about the safety of the turn into the Project from SR-78 when vehicles are leaving an event at the same time was made. There was also a comment suggesting a new left turn lane be installed on SR-78 for easier access to the Project. Traffic generated by the proposed project has been examined in the Local Mobility Analysis and included in the Project analysis section of this report. The Project would widen SR-78 to construct a two-way left turn lane and a westbound acceleration lane taper on SR-78 to address traffic. As a mitigation measure described in the Draft IS/MND, the applicant is required to develop and execute a traffic control plan that outlines specific strategies for maintaining traffic flows. In light of feedback received from Caltrans, the traffic control plan will be submitted to Caltrans for review and approval before the construction phase begins. Also, the Local Mobility Analysis conducted has determined that all intersections within the Project area will continue to operate at acceptable levels of service after the Project is constructed. Additionally, as part of the Project, widening SR-78 aims to enhance both the functionality and safety of the roadway within the local community.

A letter from the City of San Diego (City) expressed the need for further details regarding the groundwater well that will be used to supply water to the Project. They also emphasized that any proposed wells or replacement wells must provide written confirmation of compliance with the San Pasqual Valley Groundwater Sustainability Plan to ensure consistency. The requested information has been sent to the City. The Project has also been conditioned to coordinate with the City to ensure consistency with the San Pasqual Valley Groundwater Sustainability Plan.

Parking was another area where comments by the public were made. Neighbors sent in concerns about customers potentially parking off-site and blocking residential driveways along the shoulder of SR-78. As included in the Project analysis section of this report, the Project will include 108 parking spaces on-site for event attendees and service personnel. Additionally, this Project would reserve preferred spaces for those who carpool and for shuttle/tour company vehicles servicing wineries such as the proposed project and neighboring wineries. Other incentives include providing complimentary tastings for those who use shuttle/tour services or carpool. These incentives aim to encourage carpooling and the use of shuttle/tour services, which will help decrease the need for parking and reduce the number of vehicles traveling in the area.

Comments were received about glare coming from the Project's lighting. As addressed in the analysis of lighting included in the report above, nighttime lighting levels will be consistent with the County's Light Pollution Code to avoid hazardous conditions to vehicles traveling on SR-78, which requires all lighting to be fully shielded and pointed downward.

A comment was also received about impact to biological resources. Biological resources were analyzed and mitigation is required, including a measure to protect arroyo toad both during construction and in the post-project construction.

Tribal consultation has been conducted and concluded for the Project and an addendum to the Cultural Resources Survey Report was prepared in response to a request from the tribes that includes information

on the ethnohistorical and ethnographic background of the Project site and surrounding area. Staff responded to all questions and no further comments or concerns were received. The attached letters and responses from staff can be found in Attachment C, Environmental Documentation.

G. RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Adopt the Environmental Findings included in Attachment D, which includes the adoption of an MND pursuant to the CEQA Guidelines.
2. Grant MUP PDS2020-MUP-20-001, make the findings, and impose the requirements and conditions as set forth in the Form of Decision in Attachment B.

Report Prepared By:

Annica Ly, Project Manager
619-952-1193

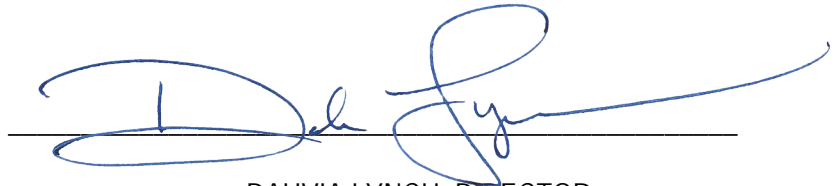
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Report Approved By:

Dahvia Lynch, Director
858-694-2962

Dahvia.Lynch@sdcounty.ca.gov

AUTHORIZED REPRESENTATIVE:



DAHVIA LYNCH, DIRECTOR

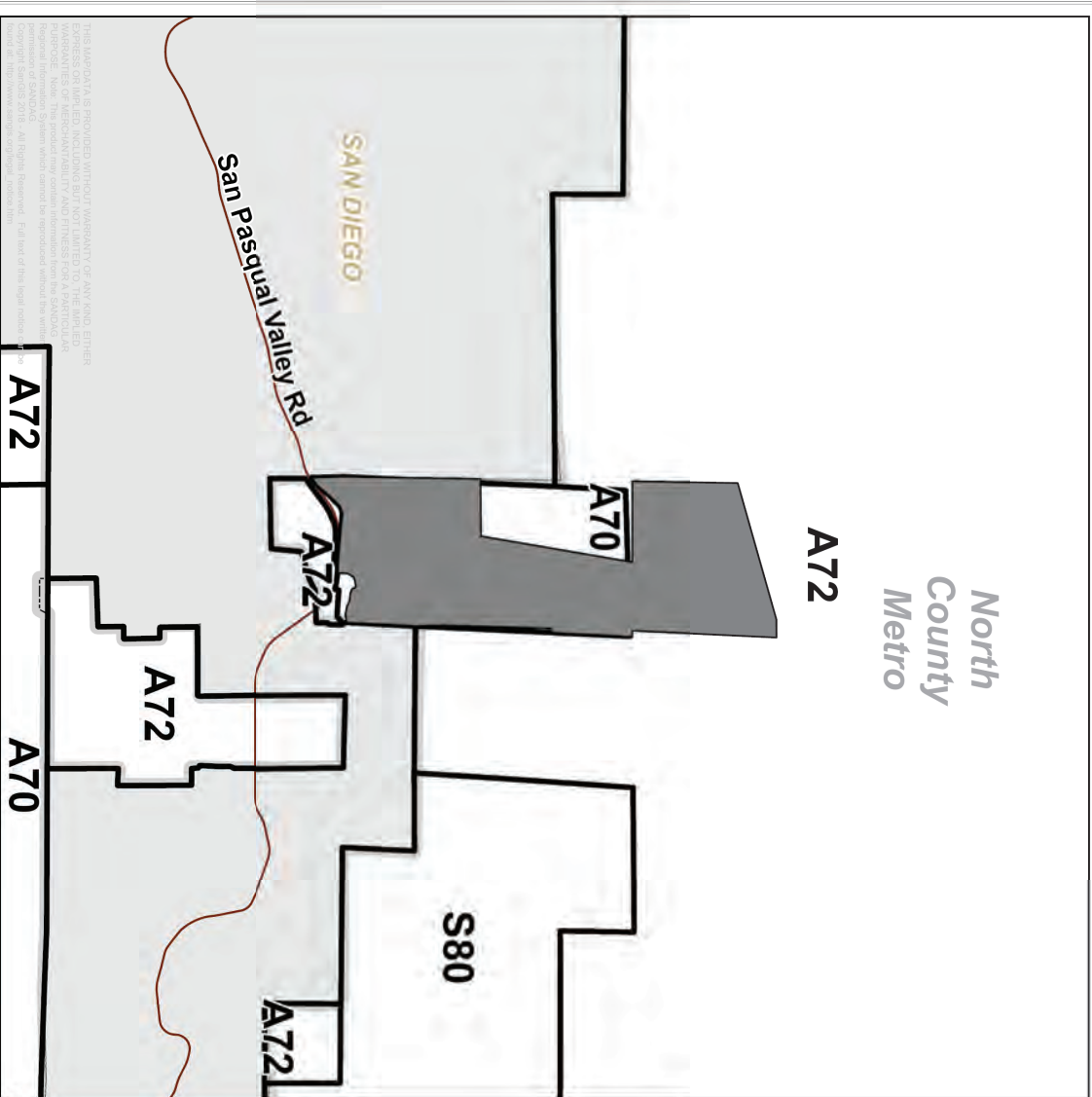
ATTACHMENTS:

- Attachment A – Planning Documentation
- Attachment B – Form of Decision Approving PDS2020-MUP-20-001
- Attachment C – Environmental Documentation
- Attachment D – Environmental Findings
- Attachment E – Public Documentation
- Attachment F – Service Availability Forms
- Attachment G – Ownership Disclosure

Attachment A – Planning Documentation

North
County
Metro

A72



Rancho Guejito Wine Wine
Facility & Event Center
PDS2020-MUP-20-001
Zoning

Fallbrook
Community Plan Area

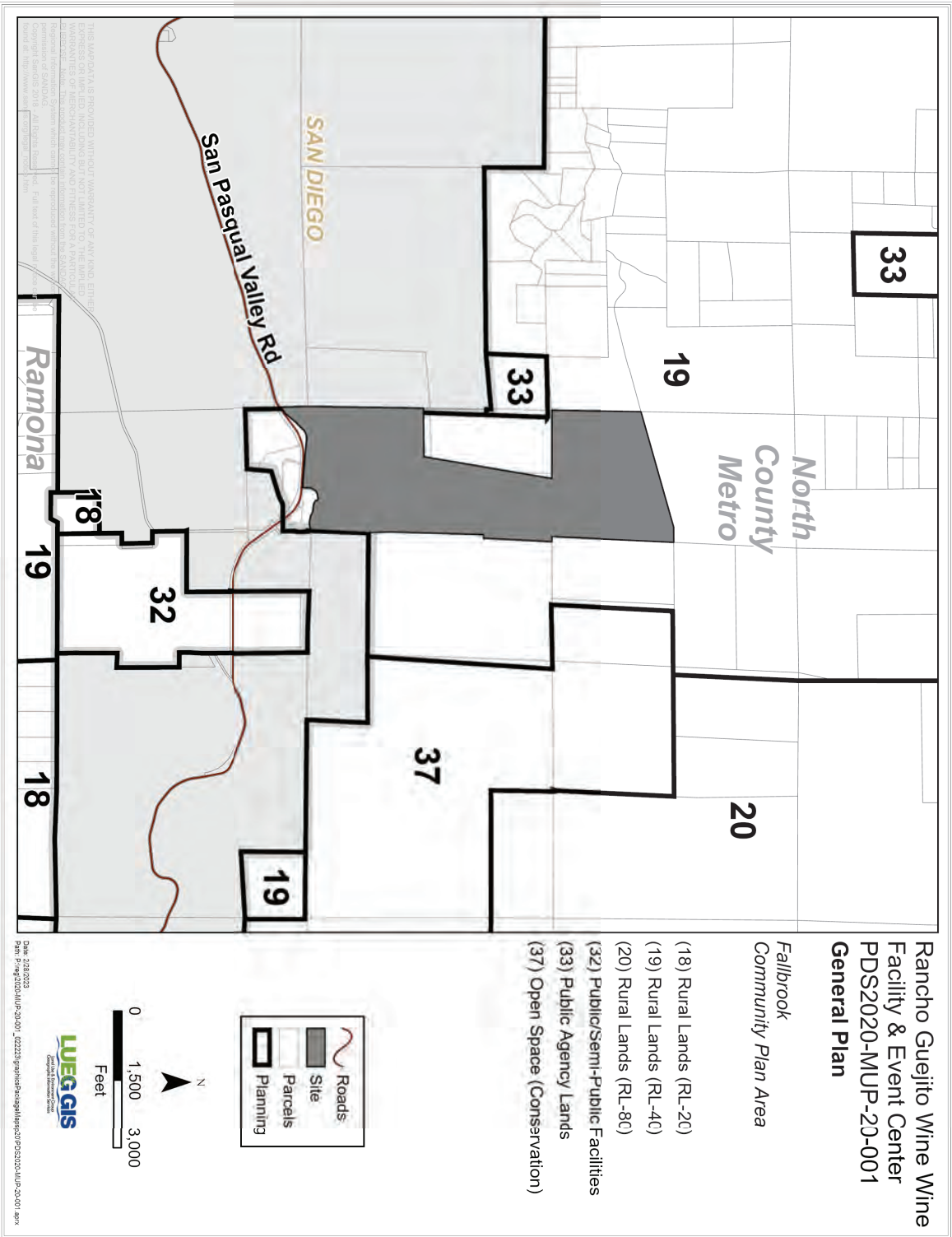
- A70 - Limited Agricultural
- A72 - General Agricultural
- S80 - Open Space

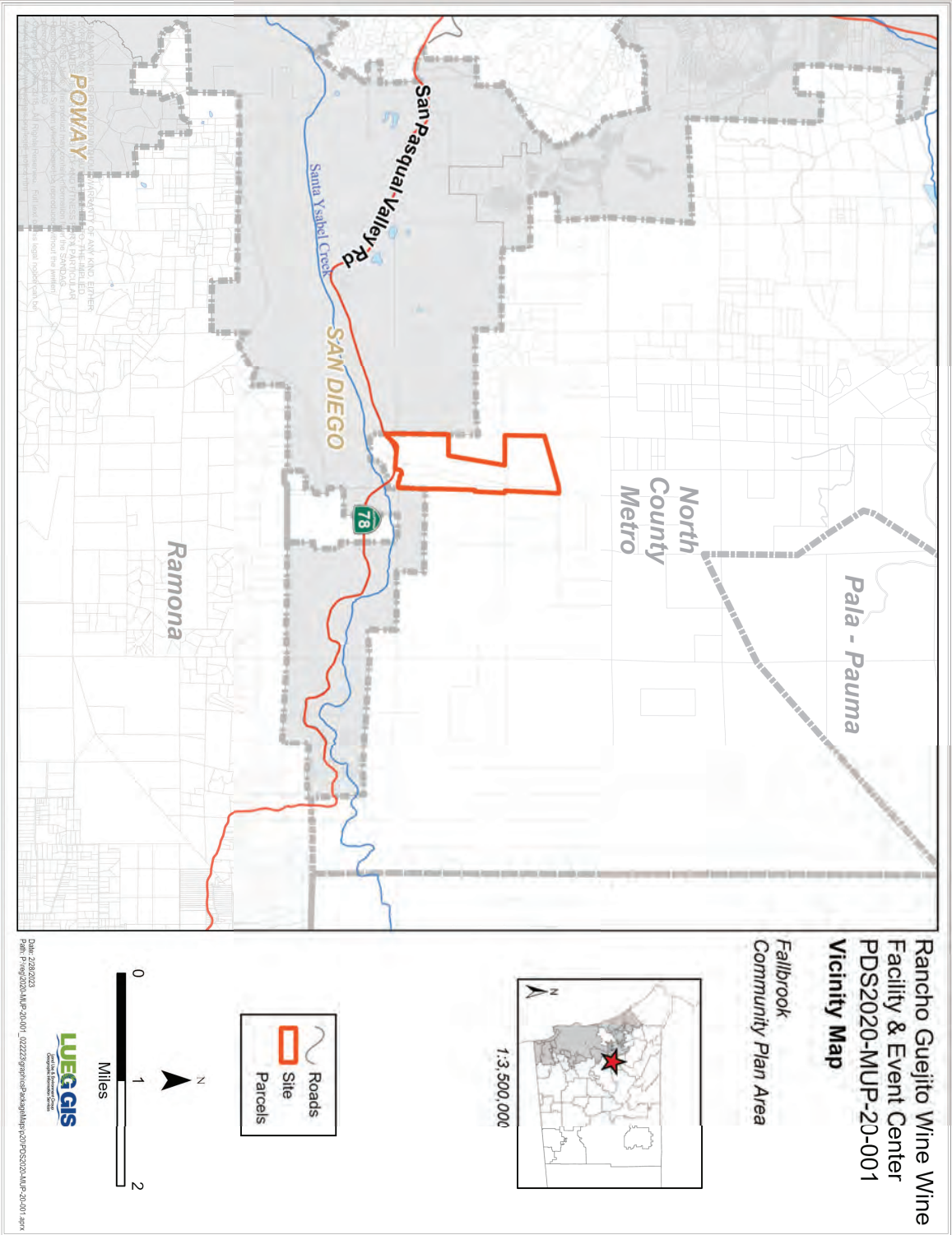


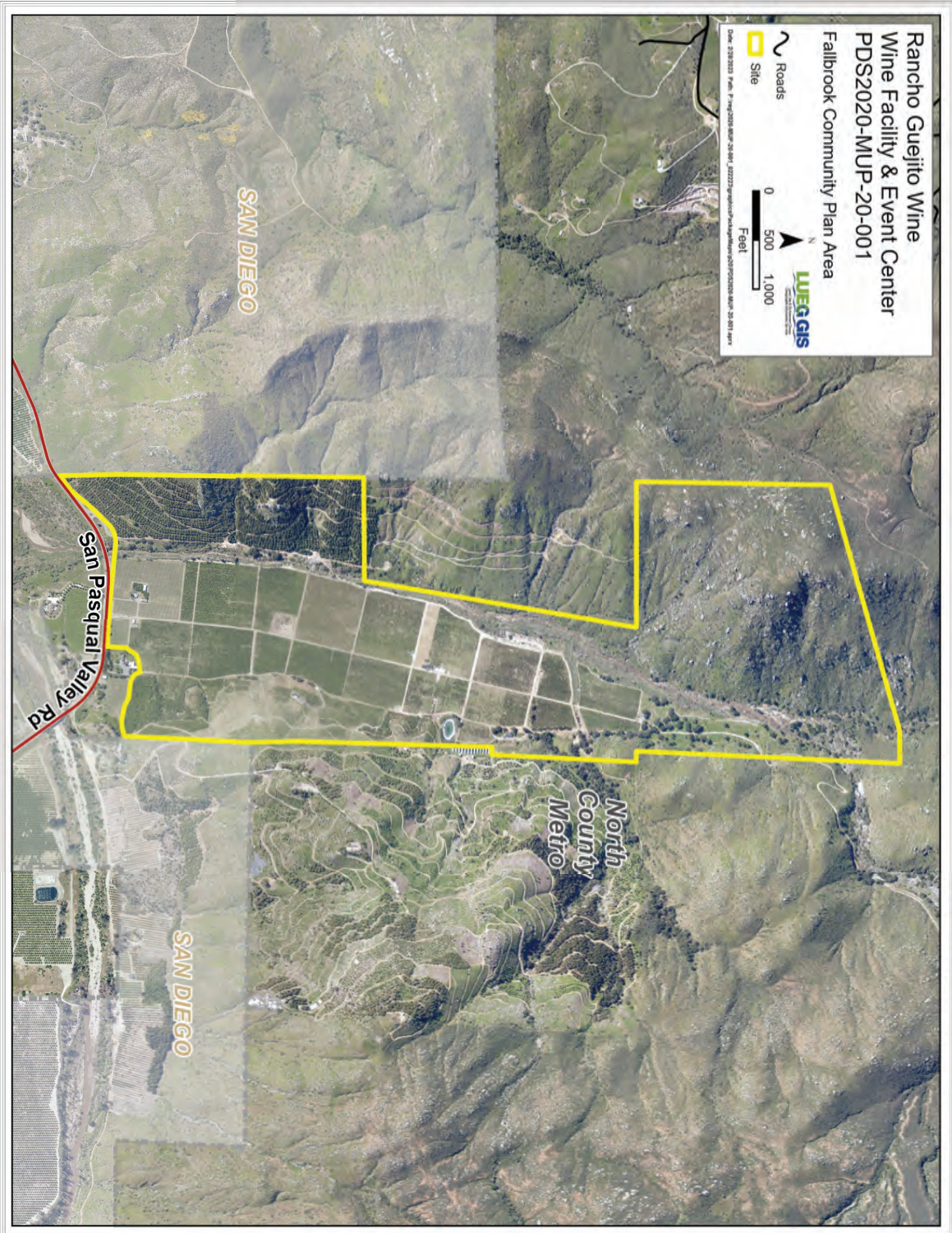
LUGGIS
Landscape Urban Planning & GIS

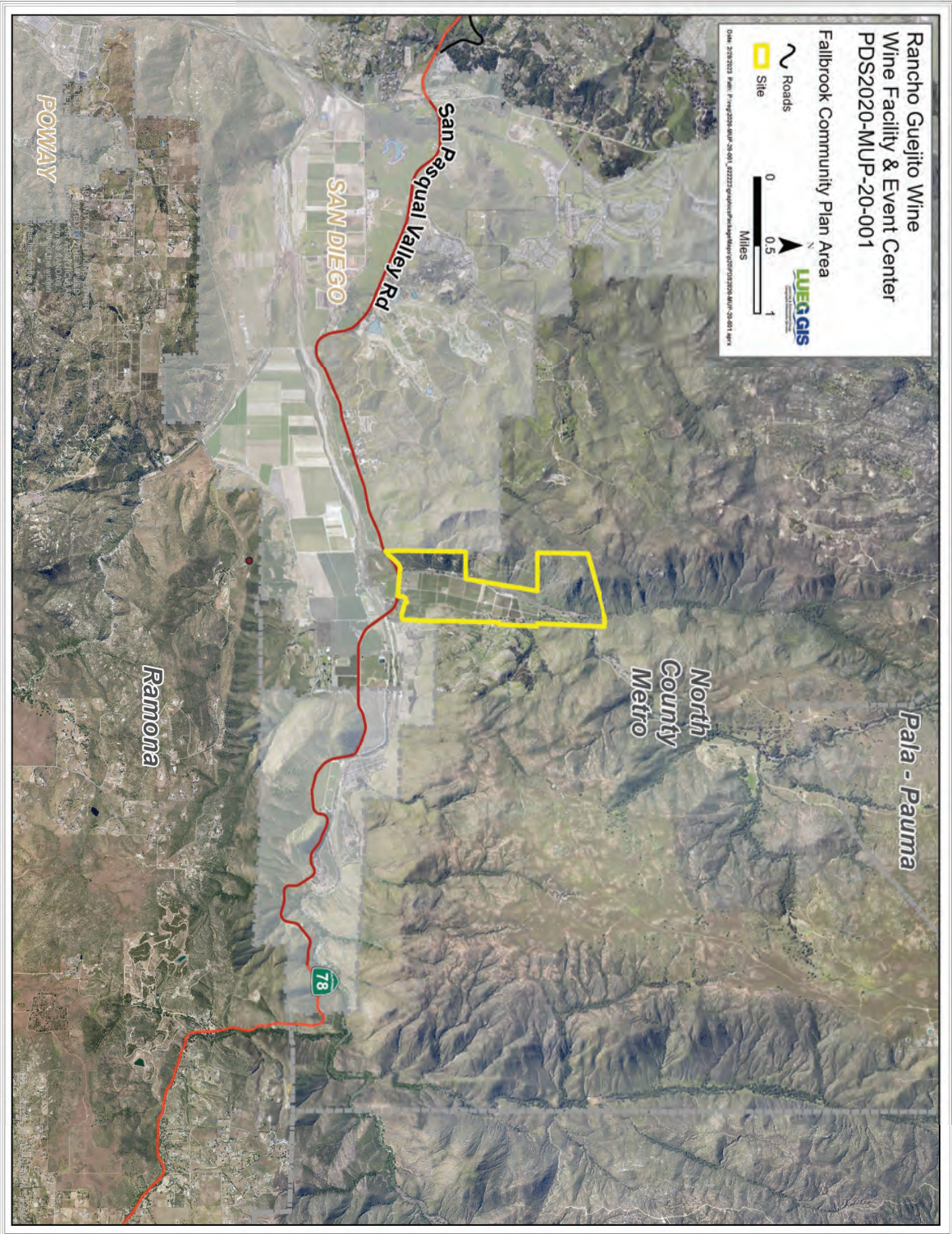
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LEGEND

EXISTING	20'x30'
EXISTING CONTOURS	1.50'
EXISTING PARCEL LINE	20'
EXISTING WATER LINE	12"
EXISTING WATER VALVE	12"
EXISTING EDGE OF PAYEMENT	12"
EXISTING SIDEWALK	12"
EXISTING CURB & CUTTER	12"
PROPOSED	
SLOPED SIDEWALK (TYP.)	12"
EARTHEN SHALE (SEE DETAIL F ON SHEET C-1)	12"
RIGHT OF WAY	12"
EXIST ELEVATION	12"
FINISH ELEVATION	12"
AC PAVING	12"
4" PCC SIDEWALK	12"
INTERLOCKING PAVERS	12"
DECOMPOSED GRANITE 000	12"
PROPOSED 2" FINE SERVICE	12"
6" FINE IMPACT ASSESS	12"
FIRE SERVICE DRIVE DEPARTMENT CONNECTION	12"
PROPOSED ELECTRICAL LINE	12"
40A PARKING SPACE (SEE DETAILS SH1-C-3)	12"
PROPOSED TRASH & RECYCLING	12"
PROPOSED FIRE TANK	12"
PROPOSED FENCE	12"

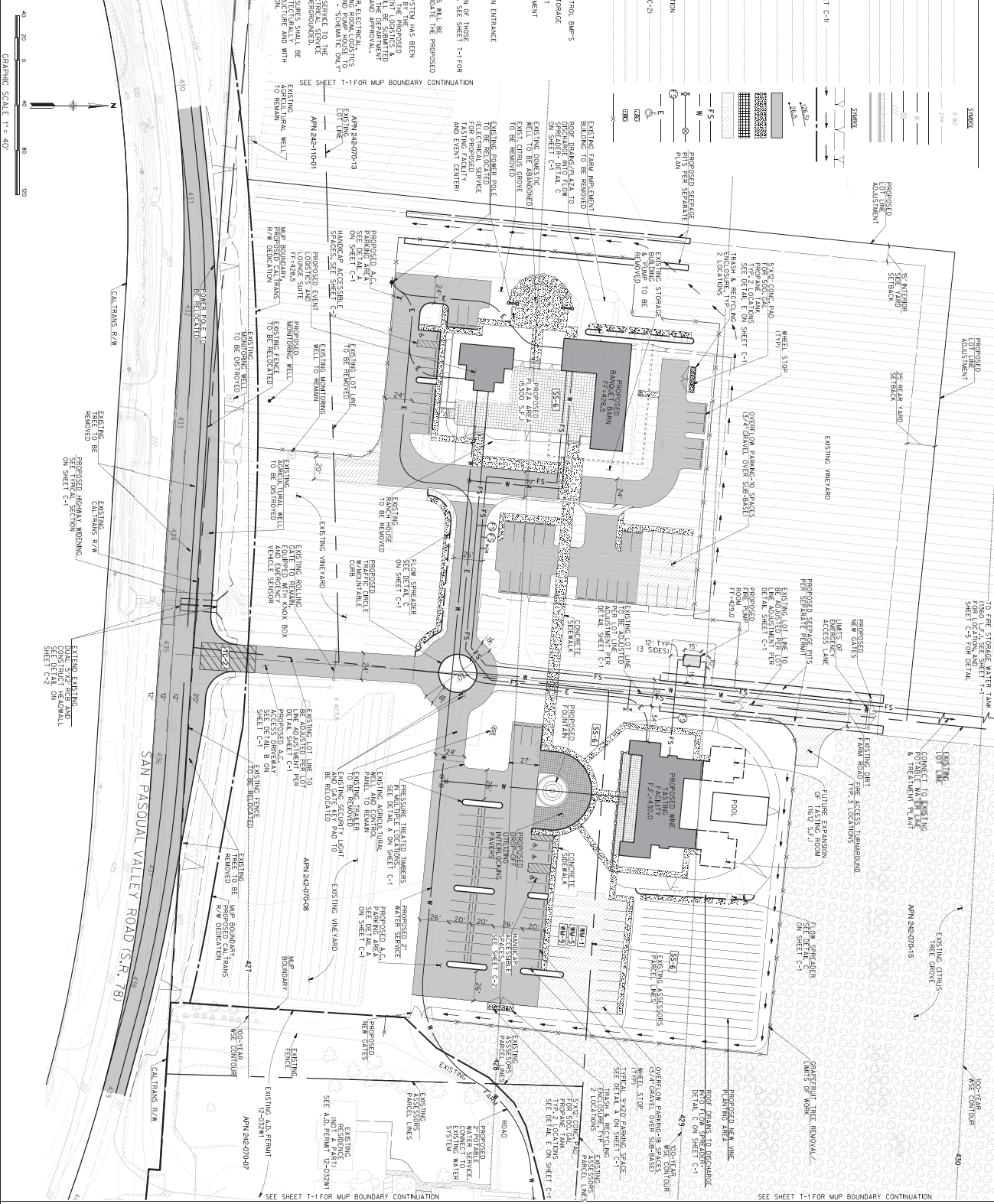
BMP LEGEND

MW-1	MATERIALS & WASTE MANAGEMENT CONTROL BMP'S
MW-2	MATERIAL DELIVERY & STORAGE
MW-3	SOLID WASTE MANAGEMENT
MW-4	SANITARY WASTE MANAGEMENT
MW-5	TEMPORARY SOURCE CONTROL BMP'S
ESC-1	STRAW MULCH
ESC-2	STABILIZED CONSTRUCTION ENTRANCE

- NOTES:**
1. PARCELS SHOWN ARE ONLY A PORTION OF THOSE INCLUDED WITHIN THE MAP BOUNDARY. SEE SHEET T-1 FOR FURTHER INFORMATION.
 2. EXISTING UTILITIES IN ADJACENT LOTS SHALL BE REMOVED/RECONSTRUCTED TO ACCOMMODATE THE PROPOSED FACILITIES SHOWN.
 3. A PRIVATE ON-SITE SEWER SYSTEM SYSTEM HAS BEEN INSTALLED BY THE DEVELOPER. THE PROPOSED DEPARTMENT OF PUBLIC HEALTH FOR THE PROPOSED LOWER SUITE AND BOUTIQUE BARN WILL BE SUBMITTED TO THE COUNTY OF SAN DIEGO FOR PROGRESSIVE AND APPROVAL.
 4. THE 100'-0" CONNECTION FOR WATER IDENTIFICATION AND CONDUIT SHALL BE INSTALLED TO THE PROPOSED 4" WATER MAIN. THE 100'-0" CONNECTION SHALL BE INSTALLED TO THE PROPOSED 4" WATER MAIN. THE 100'-0" CONNECTION SHALL BE INSTALLED TO THE PROPOSED 4" WATER MAIN.
 5. AN EXISTING POWER POLE PROVIDING SERVICE TO THE PROPOSED FACILITY SHALL BE REMOVED AND A NEW ONE SHALL BE INSTALLED AT THE NEW LOCATION TO BE UNDERGROUND.
 6. TRASH/RECYCLING & PROPOSED ENCLOSURES SHALL BE CONSTRUCTED WITH THE PROPOSED STRUCTURE AND WITH THE EXISTING TOPOGRAPHY/VEGETATION.

PARKING SUMMARY

STANDARD PARKING	76 SPACES
ACCESSIBLE PARKING	4 SPACES
OVERFLOW PARKING	28 SPACES
TOTAL	108 SPACES



MAJOR USE PERMIT
 PDS2020-MUP-20-001; PDS2020-ER-20-09-001
 (PREVIOUSLY ADMINISTRATIVE PERMIT AD12-032)
RANCHO GUEJITO WINE TASTING FACILITY & EVENT CENTER

17224 SAN PASQUAL VALLEY ROAD
 ESCONDIDO, CA 92027

JOB NO.	14675-0
COUNTY PLAN CHECK NO.	
REVISION	3/19/21
REVISION	1/24/22

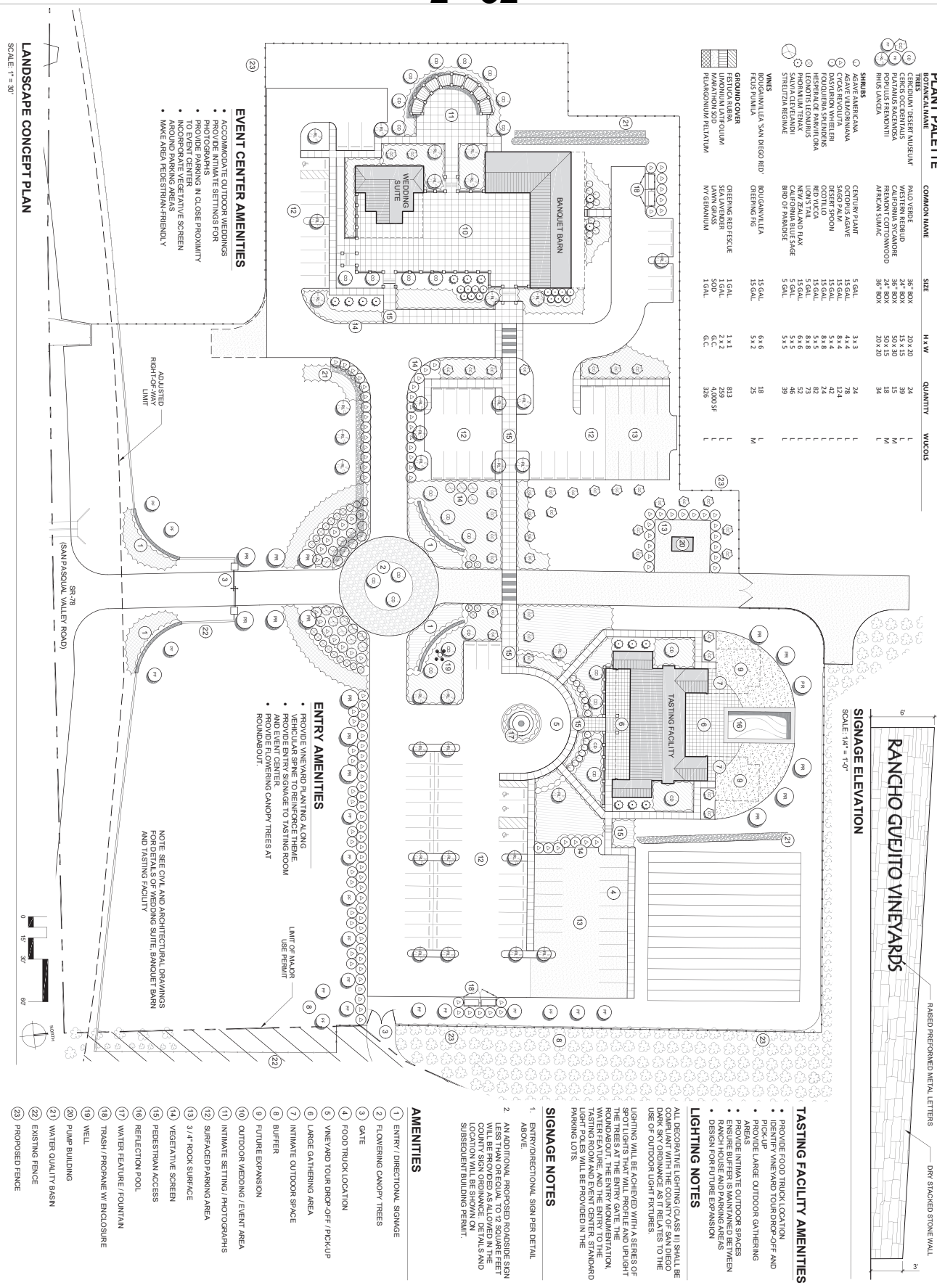
RICK
ENGINEERING COMPANY

5620 FERNS ROAD
 SAN DIEGO, CA 92110
 (619) 444-2910
 (FAX) 619 291 4165

Escondido • San Marcos • San Luis Obispo
 Orange • Redwood • Tucson • Phoenix
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PLANT AND UTILITY PLAN

C-3



PLANT PALETTE

PLANT NAME	COMMON NAME	SIZE	H x W	QUANTITY	WIGGS
1. CERISEAU	DESERT MUSEUM	35" BOX	20 x 20	24	L
2. CECILIA	DESERT MUSEUM	24" BOX	15 x 15	39	M
3. POPULUS	FREMONT	24" BOX	50 x 15	18	M
4. RHUS	LANCANA	35" BOX	20 x 20	34	L
SHRUBS					
5. AGAVE	AMERICANA	5 GAL.	2 x 3	24	L
6. CYDUS	REVOLUTA	5 GAL.	2 x 2	124	L
7. DASYLIRION	WHEELER	15 GAL.	5 x 4	42	L
8. HEPTAPLOIDE	PARVIFLORA	5 GAL.	5 x 5	82	L
9. LEONOTIS	LEONARDUS	5 GAL.	8 x 8	73	L
10. SALVIA	CLEVERLANDII	5 GAL.	5 x 5	46	L
11. STREPTIZIA	REGINAE	5 GAL.	5 x 5	39	L
WMS					
12. BOUTANAVILLA	SPAN DIEGO RED	15 GAL.	6 x 6	18	L
13. POLYTAHUA	CHRYSEUM	15 GAL.	5 x 2	25	L
GROUND COVER					
14. LINDHAYIA	LATIFOLIUM	1 GAL.	1 x 1	813	L
15. MAHONIA	SUD	500	2 x 2	259	L
16. PLEURANTHUS	PETALATUM	1 GAL.	6 C.	4,000 SF	L
17. GERANIUM	LY GERANIUM	1 GAL.	6 C.	326	L

- EVENT CENTER AMENITIES**
- ACCOMMODATE OUTDOOR WEDDINGS
 - PROVIDE INTIMATE SETTINGS FOR
 - PROVIDE PARKING IN CLOSE PROXIMITY TO EVENT CENTER
 - INCORPORATE VEGETATIVE SCREEN AND PARKING SCREENS
 - MAKE SIGNAGE STRIKINGLY RIBBOLY

- ENTRY AMENITIES**
- PROVIDE VIEWWARD PLANTING ALONG VEHICLE ENTRY
 - PROVIDE ENTRY SIGNAGE TO TASTING ROOM
 - PROVIDE FLOWERING CANOPY TREES AT ROUNDABOUT

LANDSCAPE CONCEPT PLAN
SCALE: 1" = 30'

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

RANCHO GUEJITO VINEYARDS

RAISED PREPARED METAL LETTERS
DRY STACKED STONE WALL

TASTING FACILITY AMENITIES

- PROVIDE FOOD TRUCK LOCATION
- IDENTIFY VINEYARD TOUR DROP-OFF AND PICKUP AREAS
- PROVIDE LARGE OUTDOOR GATHERING AREAS
- PROVIDE INTIMATE OUTDOOR SPACES FOR WEDDINGS
- PROVIDE BENCHES FOR VINEYARD VISITORS
- PROVIDE BENCHES FOR VINEYARD VISITORS
- DESIGN FOR FUTURE EXPANSION

LIGHTING NOTES

ALL DECORATIVE LIGHTING (CLASS III) SHALL BE COMPLIANT WITH THE COUNTY OF SAN DIEGO LIGHTING REGULATIONS. LIGHT FIXTURES TO THE USE OF OUTDOOR LIGHT FIXTURES.

SIGNAGE NOTES

1. ENTRY/DIRECTIONAL SIGN PER DETAIL ABOVE.
2. AN ADDITIONAL PROPOSED ROADSIDE SIGN WILL BE PROVIDED AS ALLOWED IN THE COUNTY SIGN ORDINANCE. DETAIL S AND LOCATION WILL BE SHOWN ON SUBSEQUENT BUILDING PERMIT.

AMENITIES

1. ENTRY/ DIRECTIONAL SIGNAGE
2. FLOWERING CANOPY TREES
3. GATE
4. FOOD TRUCK LOCATION
5. VINEYARD TOUR DROP-OFF/ PICKUP
6. LARGE GATHERING AREA
7. INTIMATE OUTDOOR SPACE
8. BUFFER
9. FUTURE EXPANSION
10. OUTDOOR WEDDING/ EVENT AREA
11. INTIMATE SETTINGS/ PHOTOGRAPHS
12. SURFACED PARKING AREA
13. 3/4" ROCK SURFACE
14. VEGETATIVE SCREEN
15. PHERESTRAN ACCESS
16. REFLECTION POOL
17. WATER FEATURE/ FOUNTAIN
18. TRASH/ PROPANE W/ ENCLOSURE
19. WELL
20. BUMP BUILDING
21. WATER QUALITY BASIN
22. EXISTING FENCE
23. PROPOSED FENCE

SCALE: 1" = 30'

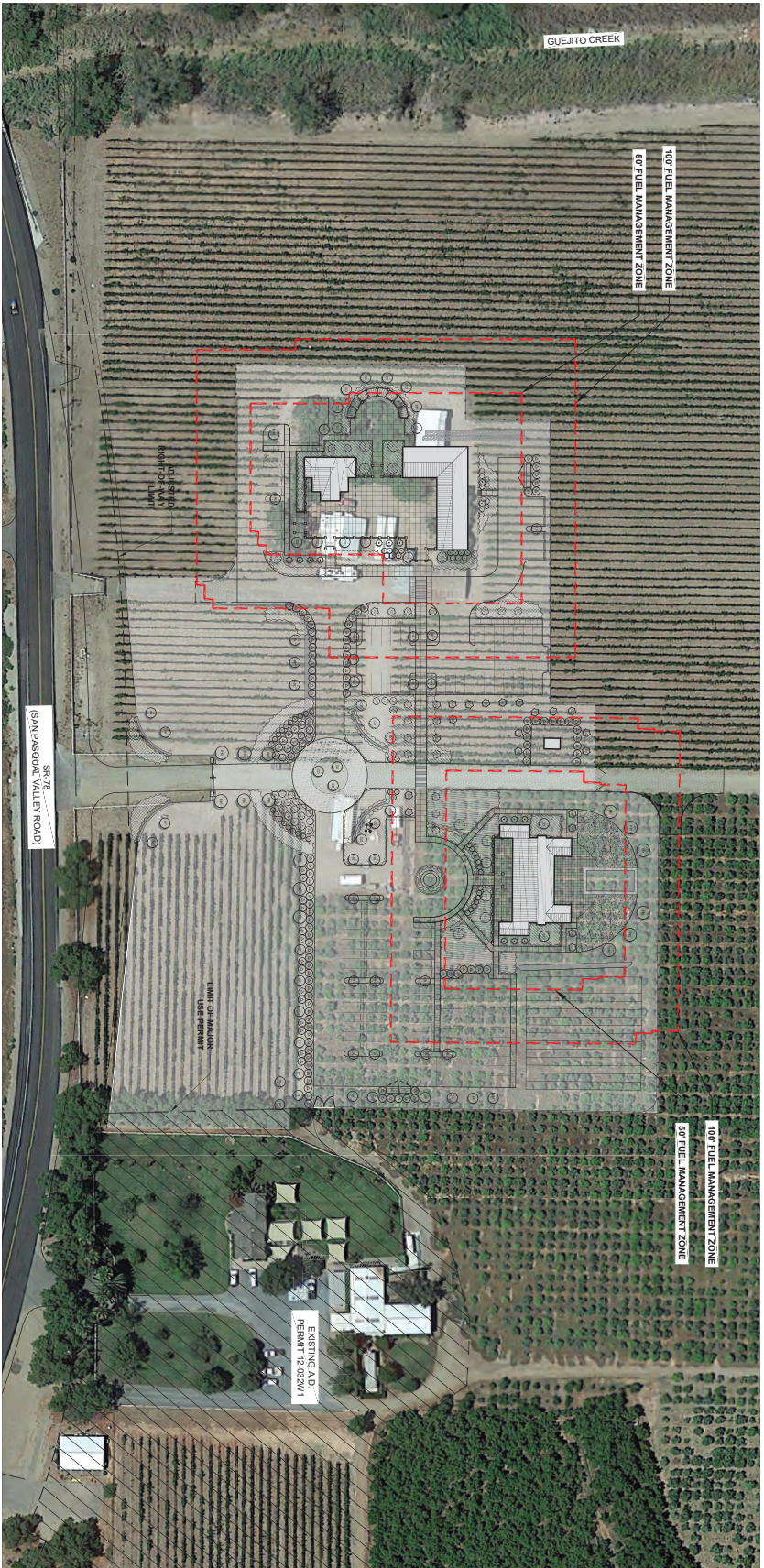
LANDSCAPE CONCEPT PLAN



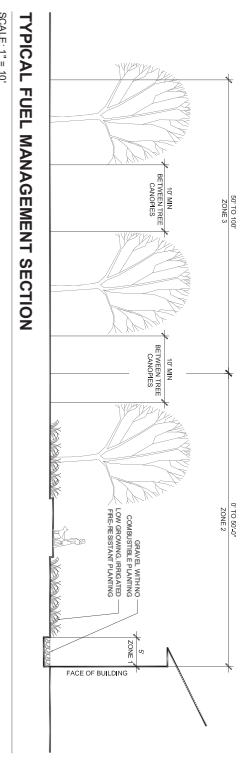
MAJOR USE PERMIT
PDS2020-MUP-20-001; PDS2020-ER-20-09-001
(PREVIOUSLY ADMINISTRATIVE PERMIT AD12-032)
RANCHO GUEJITO WINE TASTING FACILITY & EVENT CENTER
17224 SAN PASQUAL VALLEY ROAD
ESCONDIDO, CA 92027

JOB NO. 145772
COUNTY PLAN CHECK NO.

REVISION	3/19/21
REVISION	12/22



FUEL MANAGEMENT PLAN / EXISTING VEGETATION
SCALE: 1" = 50'



- FUEL MODIFICATION NOTES**
- 1.) 100' FUEL MODIFICATION ZONE SHALL BE DESIGNATED AROUND ALL STRUCTURES AND SHALL BE MAINTAINED TO CLEAR AND/OR MAINTAIN THE VEGETATION.
 - 2.) ZONE 1, THE FIRST 5' FROM THE STRUCTURE FACE OF WALL, OUTWARD SHALL BE GRAVEL WITH NO COMBUSTIBLE PLANTING.
 - 3.) ZONE 2, THE AREA WITHIN 50' OF THE STRUCTURES SHALL BE CLEARED OF VEGETATION THAT IS NOT FIRE-RESISTANT AND REPLANTED WITH LOW-GROWING, IRRIGATED FIRE-RESISTANT PLANTS. TREES ARE PERMITTED PROVIDED THE HORIZONTAL CLEARANCE BETWEEN TRUNKS IS AT LEAST 10'.
 - 4.) ZONE 3, THE AREA BETWEEN 50' AND 100' OF THE STRUCTURES SHALL REMOVE ALL DEAD AND DYING VEGETATION AND REPLANTED WITH FIRE-RESISTANT IRRIGATED PLANTS. TREES ARE PERMITTED PROVIDED THE HORIZONTAL DISTANCE BETWEEN TREE CANOPIES ARE NOT LESS THAN 10'.
 - 5.) ALL ZONES SHALL BE COMPLIANT WITH THE DEFENSIBLE SPACE SECTION OF THE CONSOLIDATED FIRE CODE.

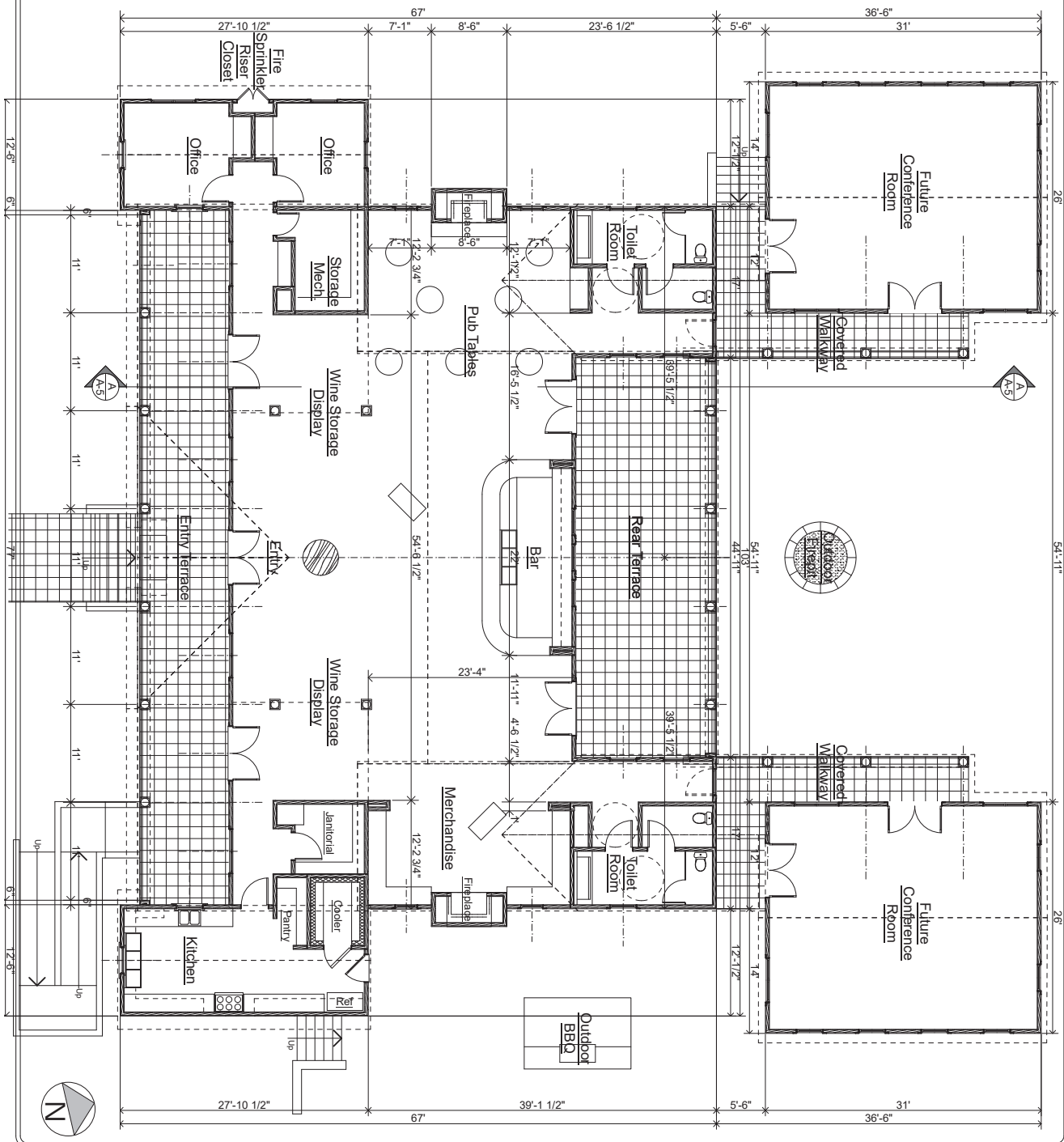
TRUCK
 RANCHO GUEJITO WINE TASTING FACILITY & EVENT CENTER
 5500 BAKER ROAD
 ESCONDIDO, CA 92027
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**future footage analysis:
(with Future Conference
Rooms)**

New Floor Area = 5,895 sq. ft.
New Front Covered Patio Area = 788 sq. ft.
New Rear Covered Patio Area = 712 sq. ft.
Total Footprint = 7,395 sq. ft.

Initial Footage analysis:

New Floor Area = 4,283 sq. ft.
New Front Covered Patio Area = 788 sq. ft.
New Rear Covered Patio Area = 712 sq. ft.
Total Footprint = 5,783 sq. ft.



A-1	DATE	NOV. 4 2019
	SHEET	3 OF 14
	SCALE	AS SHOWN
	PROJECT	WINE TASTING FACILITY

Rancho Guejito Vineyards
Escondido, California 92027
WINE TASTING FACILITY FLOOR PLAN

Plans Drawn for:
Carnik Residential Design
Nick Dorendorf
Phone : (619) 277-2883
Fax : (619) 4569524 carnikrd@gmail.com

Plans Prepared by:
Michael T. Atwell
RESIDENTIAL DESIGN / COMPLETE DRAFTING SERVICES
6727 Walmer Street, San Diego, CA 92122
Phone: (858) 405-4272

roof material notes :

- SLOPING ROOFING** ICC - ESR # 817 CLASS 'A' FIRE RATED
 US TILE BY BORGAL TWO-PHASE MISSION, PALERMO BLEND (FOR BID PURPOSES) INSTALL PER MANUFACTURER'S SPECIFICATIONS.
- VALLEY FLASHING:** 26 GAUGE MINIMUM CORROSION RESISTANT METAL INSTALLED FULL LENGTH OF VALLEY
 36" WIDE SINGLE LAYER OF NO. 22 ASTM C-94 SHEET RUNNING OF VALLEY
- ROOF GUTTERS:** ANY ROOF GUTTERS SHALL BE PROVIDED WITH MEANS TO PREVENT OVERFLOW OF WATER FROM THE GUTTERS AND DERRIS (COUNTY BUILDING CODE 92.1.7.65(A.4))

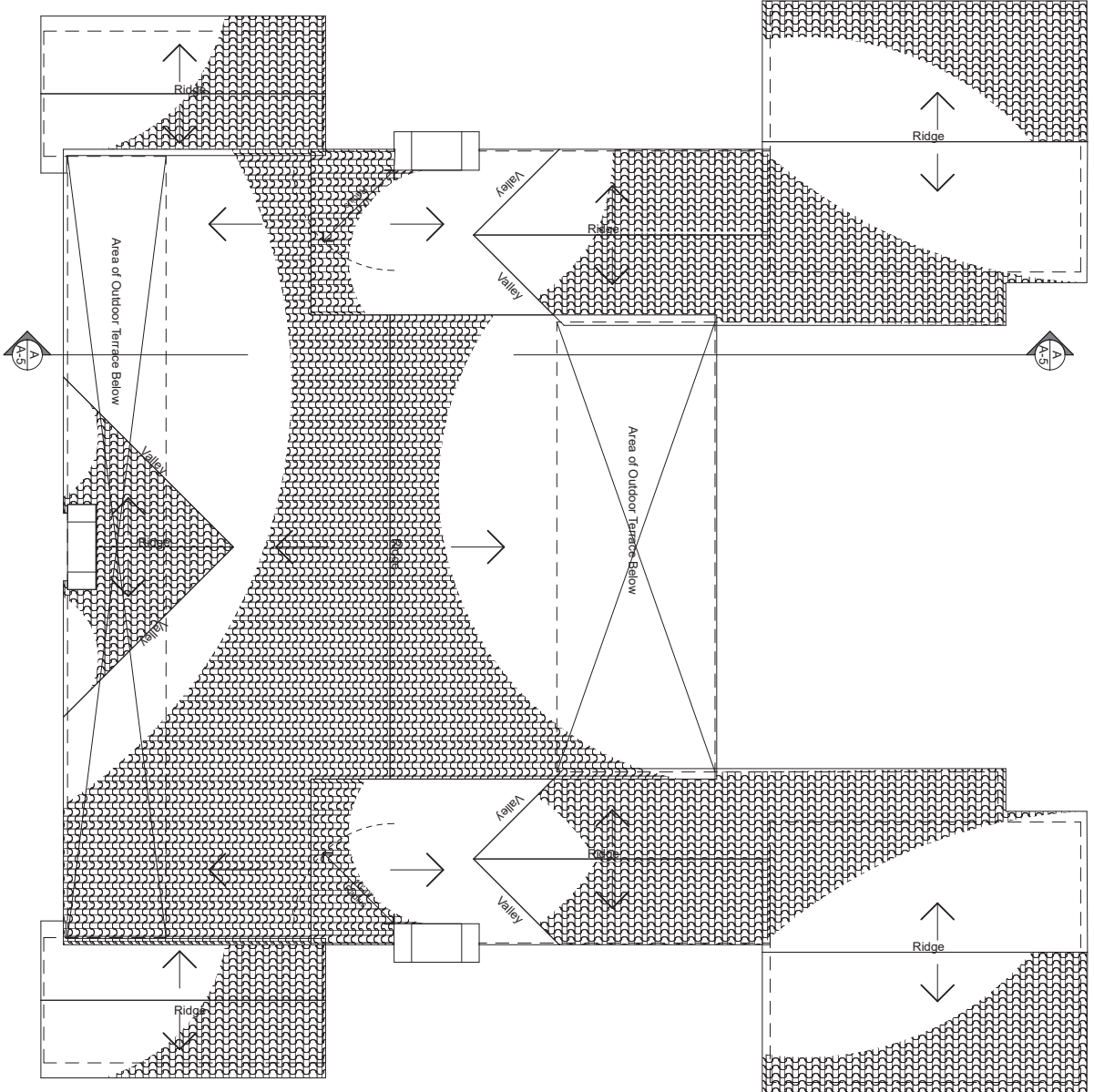
VENTS: ALL VENTS ROOF, FOUNDATION, COMBUSTION AIR, ETC.) SHALL BE PROTECTED WITH 1/2" MINIMUM THICKNESS OF COMBUSTIBLE CORROSION RESISTANT MESH. COMBUSTIBLE CORROSION RESISTANT MESH SHALL BE PROTECTED BY LOUVERS AND 1/8" NON-ATOMIC VENT TO BE BRANDBRAND APPROVED FIRE RESISTANT VENTS PER UL 181.

roof drains & scuppers :

1. Overflow drains shall be the same size as the roof drain and be located a minimum of 2' above the low point of the roof.
2. Overflow drains shall have an opening area three times the size of the roof drain; have a minimum opening of 1/4" per 100 sq ft of roof area; and be located 2' above the low point of the roof.
3. Overflow drains and scuppers must have separate outlets from the roof drain/scuppers.

roof notes :

1. ALL VENT STACKS AND OTHER MISC. ROOF PENETRATIONS SHALL BE PAINTED TO MATCH ROOF TILE COLOR.
2. ALL ROOFING TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS.
3. ALL FLAT ROOFS TO BE INSTALLED W/ 1/4" PER 1'-0" SLOPE (MINIMUM) TYPICAL.
4. ALL SLOPING ROOFS TO BE 3:12 TYPICAL.
4. ALL ROOFING TO BE CLASS 'A' FIRE ASSEMBLIES TYPICAL.



A-2
 SHEET
 3'-0" x 11'-0"
 NOV. 4 2019
 MTA
 DATE
 NO. 10

Rancho Guejito Vineyards
 Escondido, California 92027
 WINE TASTING FACILITY ROOF PLAN

Plans Drawn for:
Carnik Residential Design
 Nick Dorendorf
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 Fax : (619) 4569524 carnikrd@gmail.com

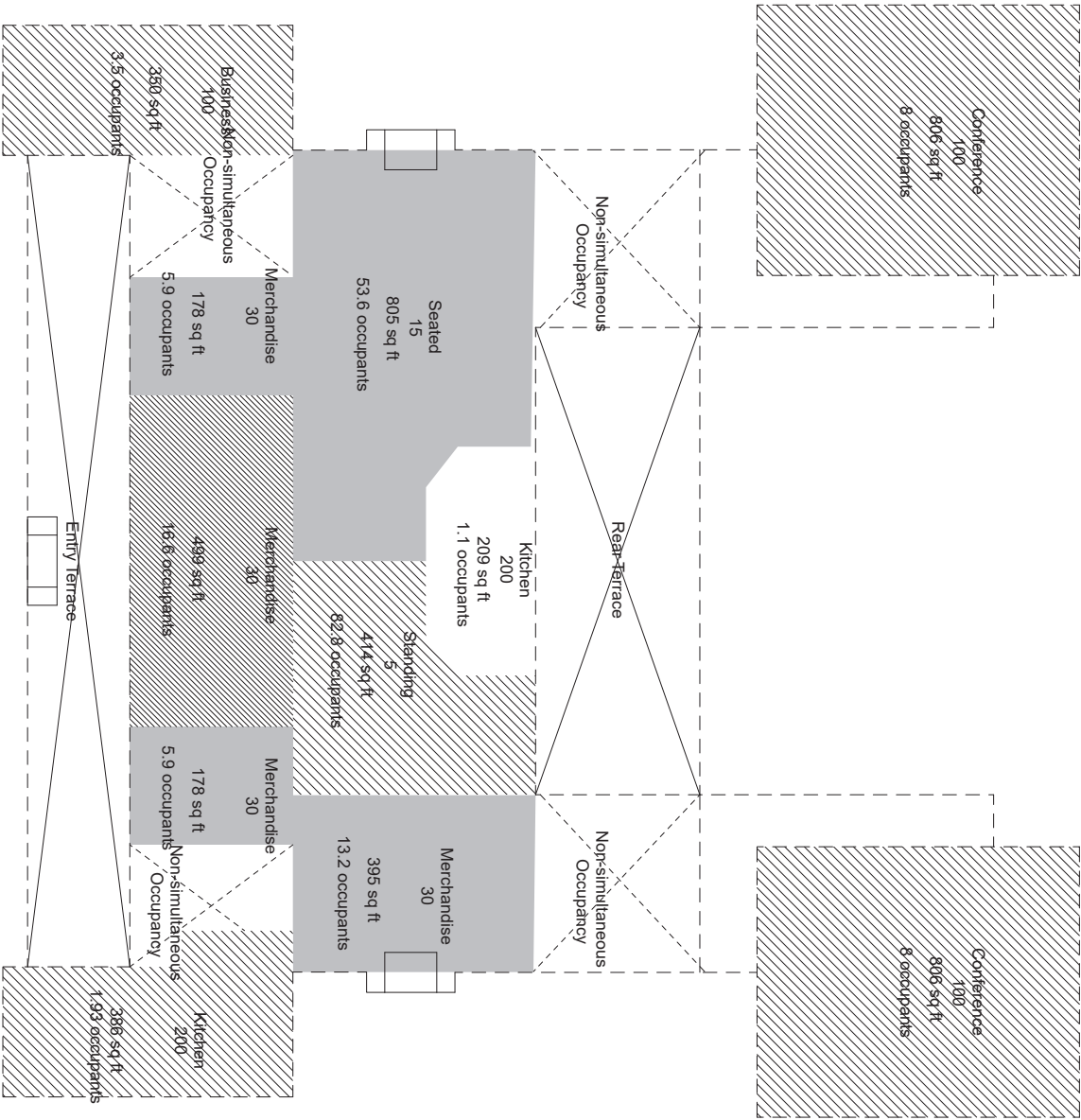
Plans Prepared by:
Michael T. Atwell
 RESIDENTIAL DESIGN /COMPLETE DRAFTING SERVICES
 6727 Wilmer Street, San Diego, CA 92122
 Phone: (858) 405-4272

occupancy basis:

- Business = 100 sq. ft per person
- Kitchen = 200 sq. ft per person
- Fixed Seating Area = 15 sq. ft per person
- Standing Area = 5 sq. ft per person
- Merchandise = 30 sq. ft per person
- Conference = 100 sq. ft per person

occupancy analysis:

- Business = 350 sq ft, so 3.5 occupants
 - Kitchen = 595 sq ft, so 3.03 occupants
 - Fixed Seating Area = 805 sq. ft, so 53.6 occupants
 - Standing Area = 414 sq. ft, so 82.8 occupants
 - Merchandise = 1,250 sq. ft, so 41.6 occupants
 - Conference = 1,612 sq. ft, so 16.12 occupants
- TOTAL 200.65 total occupants**



A-3
OF SHEETS

DATE: NOV. 4 2019
SCALE: 3/16" = 1'-0"
SHEET: 200/200

MTA
CHECKED

Rancho Guejito Vineyards
Escondido, California 92027

WINE TASTING FACILITY OCCUPANT LOAD

Plans Drawn for:
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Plans Prepared by:
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Phone: (858) 405-4272

REVISION	NO.

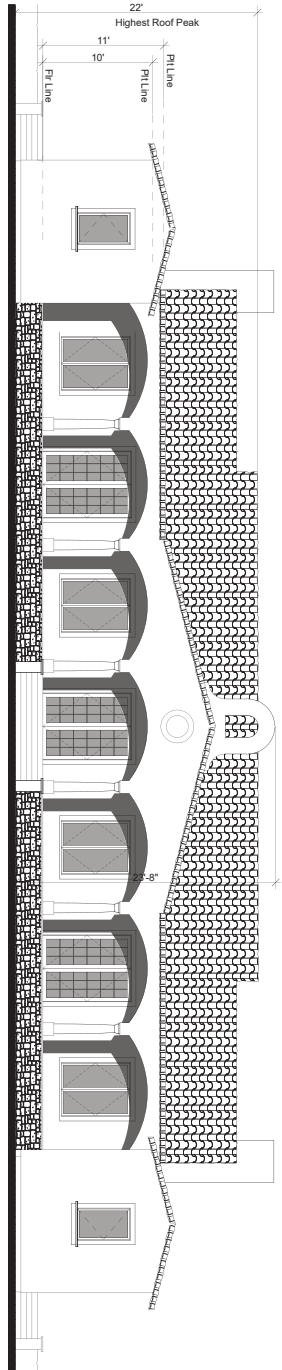
elevation general notes :

SLOPING ROOFING CLASS "A" FIRE RATED
 ICC - ESR # 1017
 US TILE BY BOPAL
 TWO-PIECE MISSION, PALEMO BLEND (FOR BID PURPOSES)
 INSTALL PER MANUFACTURER'S SPECIFICATIONS.

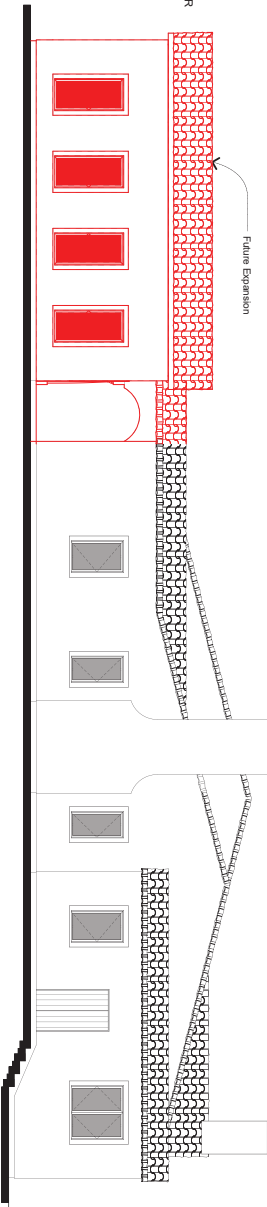
ROOF DRAIN & OVERFLOW DRAINS: CLASS "A" FIRE RATED
 1/6 OZ. COPPER DRAINS AS MANUFACTURED BY THUNDERBIRD PRODUCTS.
 INSTALL PER MANUFACTURER'S RECOMMENDATIONS. SUBMIT MANUFACTURER'S LITERATURE FOR ARCHITECT'S APPROVAL.

CEMENT FLASHING: 26 GAUGE MINIMUM GALVANIZED STEEL. ALL EXPOSED METAL WORK SHALL BE PRIMED AND PAINTED TO MATCH ADJACENT SURFACES.
 'STUCCO' - 7/8" CEMENT PLASTER (3-COAT SCRATCH, BROWN AND COLOR COAT O/ 1/8" BLDG PAREN) FINISH TO BE SMOOTH SKIP TROWEL FINISH.

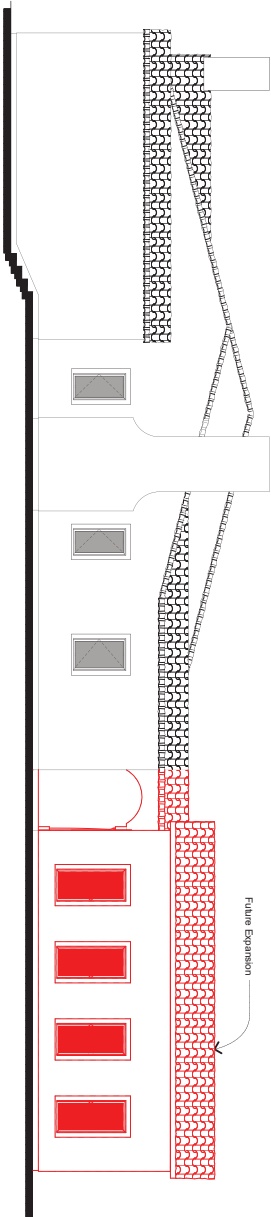
STUCCO WEEP SCREED: 7/8 P.V.C. #831-7/8 WEEP SCREED AS MANUFACTURED BY "PLASTIC COMPONENTS" PHONE: 1-800-327-7077. OR APPROVED EQUAL. INSTALLED 6" ABOVE GRADE. 4" ABOVE FINISH PAVING.



south elevation (front)



west elevation (left side)



east elevation (right side)

MTA
 ORCULO
 DATE
 NOV. 4 2019
 3'10" = 1'-0"
 200 NO.
 SHEET
A-4
 OF
 SHEETS

Rancho Guejito Vineyards
 Escondido, California 92027
 WINE TASTING FACILITY ELEVATIONS

Plans Drawn for:
Carnik Residential Design
 Nick Dorendorf
 Phone : (619) 277-2883
 Fax : (619) 4569524 carnikrd@gmail.com

Plans Prepared by:
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 Phone: (858) 405-4272

REVISION	38

elevation general notes :

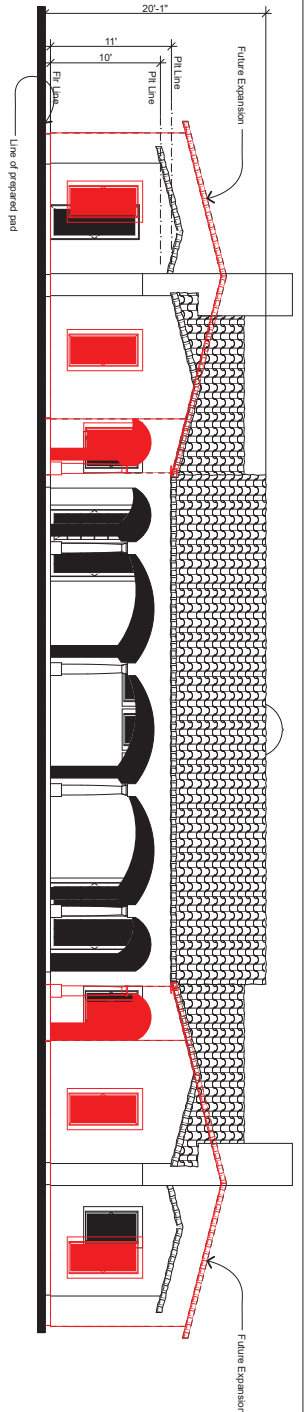
SLOPING ROOFING
 ICC - ESR # 1017
 CLASS "A" FIRE RATED
 US TILE BY AGORA
 TWO-PIECE MISSION, PALERMO BLEND (FOR BID PURPOSES)
 INSTALL PER MANUFACTURER'S SPECIFICATIONS.

ROOF DRAIN & OVERFLOW DRAINS:
 1/2" COPPER DRAINS AS MANUFACTURED BY THUNDERBIRD PRODUCTS.
 INSTALL PER MANUFACTURER'S RECOMMENDATIONS. SUBMIT MANUFACTURER'S LITERATURE FOR ARCHITECT'S APPROVAL.

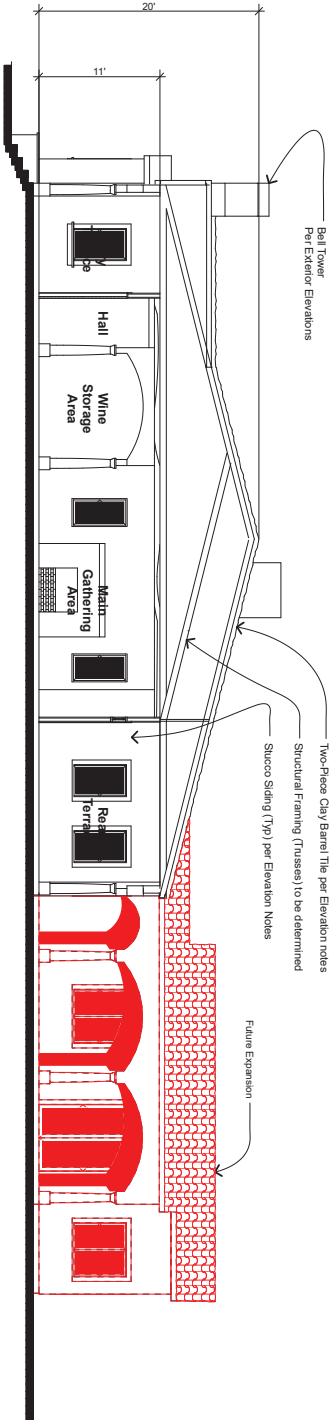
METAL FLASHING:
 26 GAUGE MINIMUM GALVANIZED STEEL. ALL EXPOSED METAL WORK SHALL BE PRIMED AND PAINTED TO MATCH ADJACENT SURFACES.

CEMENT PLASTER
 STUCCO - 7/8" CEMENT PLASTER, 3 COAT, SCRATCH, BROWN AND COLOR COAT @ 1/8" BLDG PAPER. FINISH TO BE SMOOTH SWP TROWEL FINISH.

STUCCO WEEP SCREEN
 7/8" PVC #631-78 WEEP SCREEN AS MANUFACTURED BY PLASTIC COMPONENTS - PHONE: 1-800-327-7077. OR APPROVED EQUAL. INSTALLED 6" ABOVE GRADE, 4" ABOVE FINISH PAVING.



north elevation (rear)



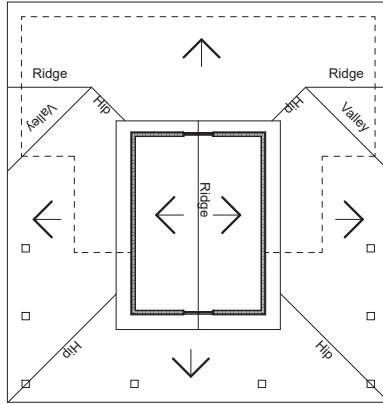
building section "A"

A-5 OF SHEETS	DATE	NOV 4 2019
	SCALE	3/16" = 1'-0"
	SHEET	26 OF 30
	PROJECT	WINE TASTING FACILITY ELEVATIONS

Rancho Guejito Vineyards
 Escondido, California 92027
 WINE TASTING FACILITY ELEVATIONS

Plans Drawn for:
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 Nick Dorendorf
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Plans Prepared by:
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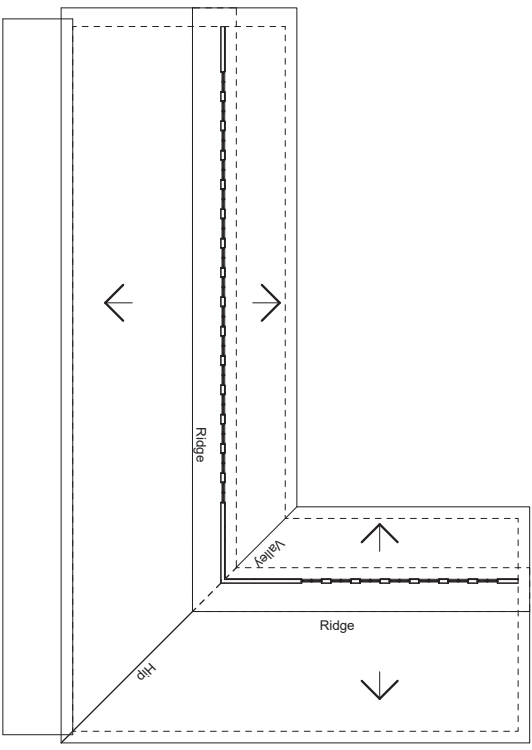
- roof notes :**
1. ALL VENT STACKS AND OTHER MISC. ROOF PENETRATIONS SHALL BE PAINTED TO MATCH ROOF-TILE COLOR.
 2. ALL ROOFING TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS.
 3. ALL FLAT ROOFS TO BE INSTALLED W/ 1/4" PEAK 1"-2" SLOPE (MINIMUM) TYPICAL.
 4. ALL SLOPING ROOFS TO BE 3:12 TYPICAL.
- ALL ROOFING TO BE CLASS 'A' FIRE ASSEMBLIES, TYPICAL.

roof material notes :

- SLOPING ROOFING:**
 ICC - ESR# 1017 CLASS 'A' FIRE RATED
 US-TILE BY BORAL PALERNO BLEND (FOR BID PURPOSES)
 TWO-PIECE MISSION INSTALL PER MANUFACTURER'S SPECIFICATIONS.
- VALLEY FLASHING:**
 26 GAUGE MINIMUM CORROSION RESISTANT METAL INSTALLED 3/8" WIDE SINGLE LAYER OF NO. 27 ASTM CAP SHEET RUNNING FULL LENGTH OF VALLEY
- ROOF GUTTERS:**
 ANY ROOF GUTTERS SHALL BE PROVIDED WITH VENTS TO PREVENT BACKFLOW OF LEAKS AND DEBRIS. (COUNTY BUILDING CODE 92.1.705A.4)
- VENTS:**
 ALL VENTS, ROOF FOUNDATION, COMBUSTIONAIR, ETC.) SHALL COMPLY WITH THE FOLLOWING (COUNTY BUILDING CODE 92.1.705A.1) PROTECTED BY DOWNERS AND 1/8" NON-COMBUSTIBLE CORROSION RESISTANT MESH SCREENS. ALL VENTS SHALL BE BRASS AND APPROVED FIRE RESISTANT VENTS PER PLAN.

roof drains & scuppers :

1. Overflow drains shall be the same size as the roof drain and be installed with the flow indicated 'Z' above the low point of the roof.
2. Overflow scuppers shall have an opening area three times the area of the roof drain. The scupper shall be a minimum height of 4" be installed in an adjacent parapet wall with the inlet flow located 'Z' above the low point of the roof.
3. Overflow drains and scuppers must have separate outlets from the roof drain/scupper.



A-8
 SHEET
 OF
 SHEETS

Rancho Guejito Vineyards
 Escondido, California 92027
EVENT CENTER ROOF PLAN

Plans Drawn for:
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 Nick Dorendorf
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 Fax : (619) 4569524 carnikrd@gmail.com

Plans Prepared by:
Michael T. Atwell
 RESIDENTIAL DESIGN /COMPLETE DRAFTING SERVICES
 6727 Welmer Street, San Diego, CA 92122
 Phone: (858) 405-4272

REVISION	
DATE	
BY	

elevation general notes :

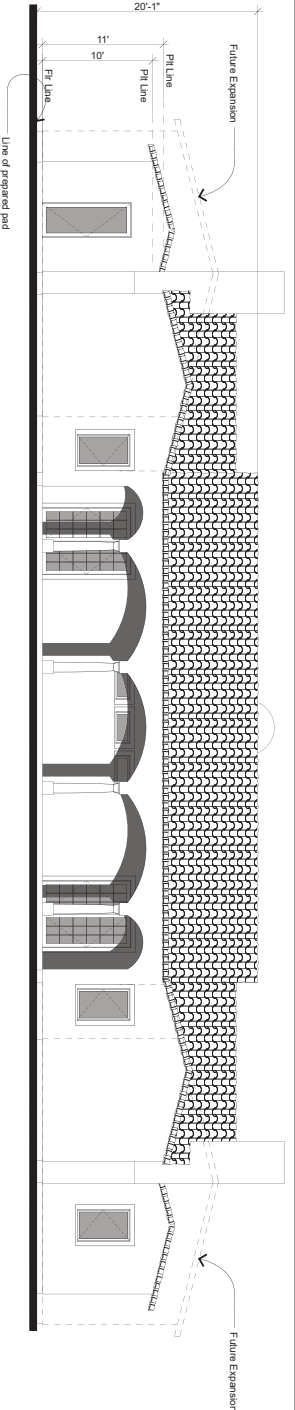
SLOPING ROOFING
 ICC - ESR # 1017
 CLASS "A" FIRE RATED
 US TILE BY BORGAL
 TWO-PIECE MISSION, PALERMO BLEND (FOR BID PURPOSES)
 INSTALL PER MANUFACTURER'S SPECIFICATIONS.

ROOF DRAIN & OVERFLOW DRAINS:
 1/2" COPPER DRAINS AS MANUFACTURED BY THUNDERBIRD PRODUCTS.
 INSTALL PER MANUFACTURER'S RECOMMENDATIONS. SUBMIT MANUFACTURER'S LITERATURE FOR ARCHITECT'S APPROVAL.

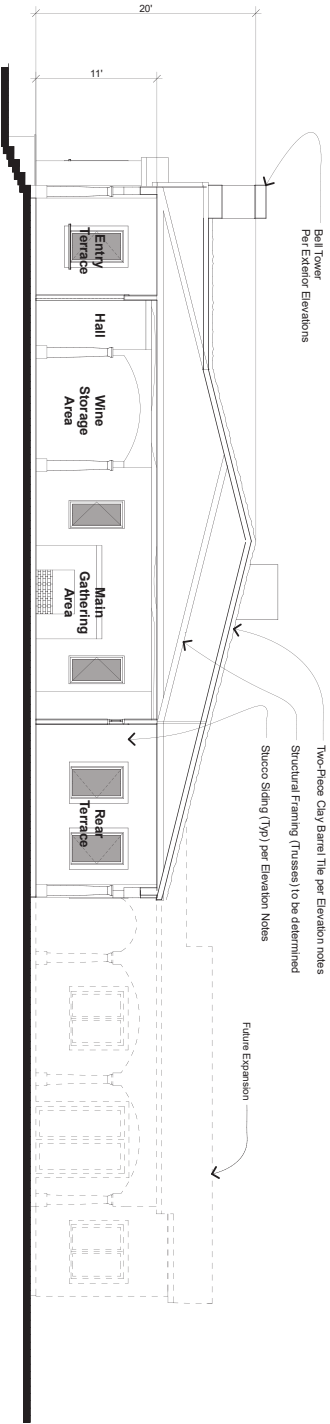
METAL FLASHING:
 26 GAUGE MINIMUM GALVANIZED STEEL. ALL EXPOSED METAL WORK SHALL BE PRIME AND PAINTED TO MATCH ADJACENT SURFACES.

CEMENT PLASTER
 *STUCCO - 7/8" CEMENT PLASTER, 3 COAT, SCRATCH, BROWN AND COLOR COAT @ 1/8" BLDG PAPER. FINISH TO BE SMOOTH SWP TROWEL FINISH.

STUCCO WEEP SCREED
 7/8" P/C #631-78 WEEP SCREED AS MANUFACTURED BY PLASTIC COMPONENTS - PHONE: 1-800-327-7077. OR APPROVED EQUAL. INSTALLED 6" ABOVE GRADE, 4" ABOVE FINISH PAVING.



north elevation (rear)



building section "A"

A-5
 SHEET
 3'-0" x 11'-0"
 NOV 4 2019
 MTA
 ORC/LOD
 208 NO.

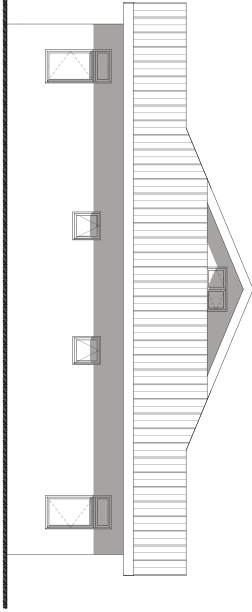
Rancho Guejito Vineyards
 Escondido, California 92027
 WINE TASTING FACILITY ELEVATIONS

Plans Drawn for:
Carnik Residential Design
 Nick Dorendorf
 Phone : (619) 277-2883
 Fax : (619) 4569524 carnikrd@gmail.com

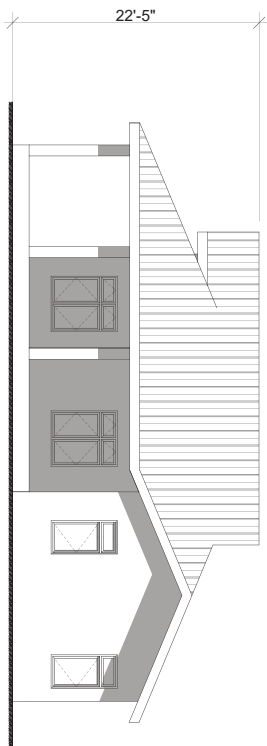
Plans Prepared by:
Michael T. Atwell
 RESIDENTIAL DESIGN / COMPLETE DRAFTING SERVICES
 6727 Wilmer Street, San Diego, CA 92122
 Phone: (858) 405-4272

REVISION	NO.

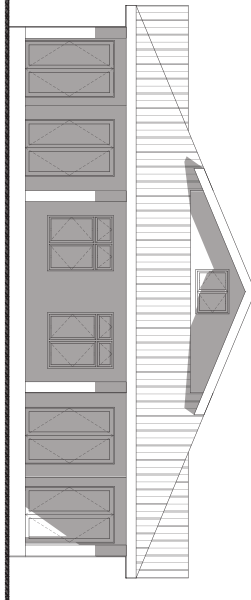
EVENT CENTER LOUNGE WEST ELEVATION
SCALE 3/8" = 1'-0"



EVENT CENTER LOUNGE NORTH ELEVATION
SCALE 3/8" = 1'-0"



EVENT CENTER LOUNGE EAST ELEVATION
SCALE 3/8" = 1'-0"



EVENT CENTER LOUNGE SOUTH ELEVATION
SCALE 3/8" = 1'-0"



A-9
SHEET

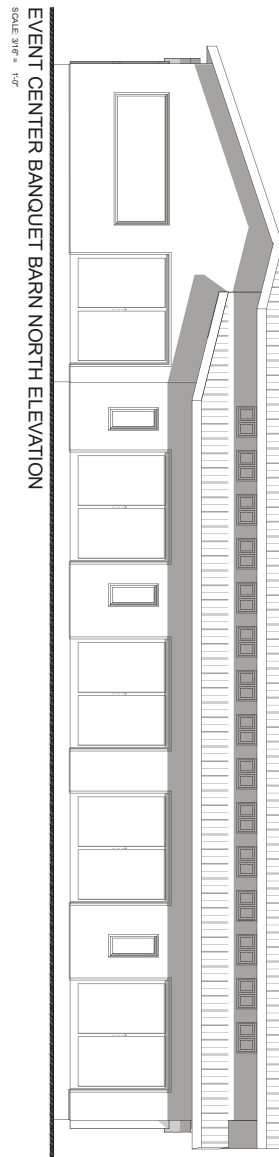
Rancho Guejito Vineyards
Escondido, California 92027

EVENT CENTER LOUNGE ELEVATIONS

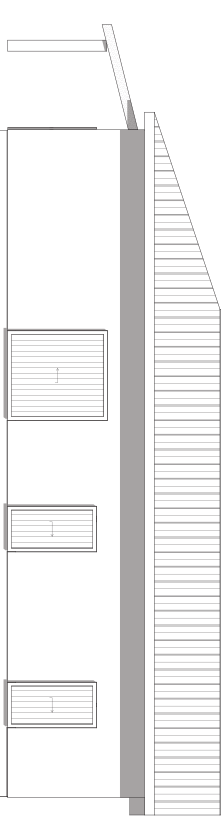
Plans Drawn for:
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Phone : (619) 277-2883
Fax : (619) 4569524 carnikrd@gmail.com

Plans Prepared by:
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Phone: (858) 405-4272

NO.	DATE	DESCRIPTION



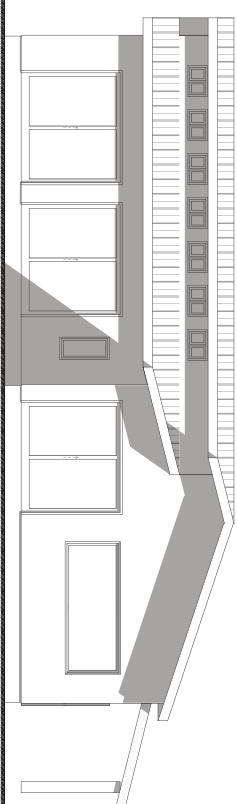
EVENT CENTER BANQUET BARN NORTH ELEVATION
SCALE 3/16" = 1'-0"



EVENT CENTER BANQUET BARN EAST ELEVATION
SCALE 3/16" = 1'-0"



EVENT CENTER BANQUET BARN SOUTH ELEVATION
SCALE 3/16" = 1'-0"



EVENT CENTER BANQUET BARN WEST ELEVATION
SCALE 3/16" = 1'-0"

A-10
OF SHEETS

DATE: 11/11/19
SCALE: 1/8" = 1'-0"
DRAWN BY: MWA
CHECKED BY: MWA

Rancho Guejito Vineyards
Escondido, California 92027

EVENT CENTER BANQUET BARN ELEVATIONS

Plans Drawn for:
Carnik Residential Design
Nick Dorendorf

Phone : (619) 277-2883
Fax : (619) 4569524 carnikrd@gmail.com

Plans Prepared by:
Michael T. Atwell
RESIDENTIAL DESIGN /COMPLETE DRAFTING SERVICES

6727 Welmer Street, San Diego, CA 92122
Phone: (858) 405-4272

NO.	DATE	DESCRIPTION

**Attachment B – Form of Decision Approving
PDS2020-MUP-20-001**



County of San Diego
PLANNING & DEVELOPMENT SERVICES

DAHVIA LYNCH
Director

5510 OVERLAND AVENUE, SUITE 110, SAN DIEGO, CALIFORNIA 92123
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017
www.sdcounty.ca.gov/pds

July 14, 2023

PERMITEE: RANCHO GUEJITO WINE TASTING FACILITY AND
EVENT CENTER
MAJOR USE PERMIT: PDS2020-MUP-20-001
E.R. NUMBER: PDS2020-ER-20-09-001
PROPERTY: 17224 SAN PASQUAL VALLEY ROAD
APN(S): 242-070-13-00; 242-070-15-00; 242-070-07-00; 242-070-08-00;
242-110-01-00; 242-070-11-00, 242-030-14-00; 242-030-15-00;
242-070-17-00; 242-070-16-00; 242-030-12-00; 242-030-38-00

DECISION OF THE PLANNING COMMISSION

This Major Use Permit for MUP-20-001 consists of twenty-one (21) sheets including site plan, conceptual landscape plan, and elevations dated January 24, 2022. This permit authorizes the expansion of an existing Small Winery permit area to include a wine tasting facility and an event center. The existing winery is currently operating and will remain active. The proposed tasting facility and event center will be in operation from 10:00am until 10:00pm seven days a week. This permit authorizes the proposed use pursuant to Sections 2705 and 6910 of the Zoning Ordinance.

The granting of this permit also approves the Preliminary Grading Plan dated January 24, 2022 consisting of one (1) sheet. In accordance with the [Section 87.207 of the County Grading Ordinance](#), Environmental Mitigation Measures or other conditions of approval required and identified on this plan, shall be completed or implemented on the final engineering plan before any improvement or grading plan can be approved and any permit issued in reliance of the approved plan. Any Substantial deviation therefrom the Preliminary Grading Plan may cause the need for further environmental review. Additionally, approval of the preliminary plan does not constitute approval of a final engineering plan. A final engineering plan shall be approved pursuant to [County of San Diego Grading Ordinance \(Sec 87.701 et. al.\)](#).

MAJOR USE PERMIT EXPIRATION: This Major Use Permit shall expire on **July 14, 2025** at 4:00 p.m. (or such longer period as may be approved pursuant to Section 7376 of The Zoning Ordinance of the County of San Diego prior to said expiration date) unless construction or use in reliance on this Major Use Permit has commenced prior to said expiration date.

.....

SPECIFIC CONDITIONS: Compliance with the following Specific Conditions shall be established before the property can be used in reliance upon this Major Use Permit. Where specifically indicated, actions are required prior to approval of any grading, improvement, building plan and issuance of grading, construction, building, or other permits as specified:

ANY PERMIT: *(Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).*

GEN#1–COST RECOVERY

INTENT: In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, existing deficit accounts associated with processing this permit shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **DOCUMENTATION:** The applicant shall provide evidence to Planning & Development Services, Zoning Counter, which shows that all fees and trust account deficits have been paid. No permit can be issued if there are deficit trust accounts. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall verify that all fees and trust account deficits have been paid.

GEN#2–RECORDATION OF DECISION

INTENT: In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by this permit. **DESCRIPTION OF REQUIREMENT:** The applicant shall sign, notarize with an ‘all purpose acknowledgement’ and return the original recordation form to PDS. **DOCUMENTATION:** Signed and notarized original recordation form. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder’s Office. **MONITORING:** The PDS Zoning Counter shall verify that the Decision was recorded and that a copy of the recorded document is on file at PDS

CULT#1 - ARCHAEOLOGICAL AND TRIBAL MONITORING

INTENT: In order to mitigate for potential impacts to undiscovered buried archaeological resources and human remains, an Archaeological Monitoring Program and potential Data Recovery Program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA). **DESCRIPTION OF REQUIREMENT:** A County Approved Principal Investigator (PI) known as the “Project Archaeologist,” shall be contracted to perform archaeological monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The archaeological monitoring program shall include the following:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego

Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American monitors shall also evaluate fill soils to determine that they are clean of cultural resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.

- b. The Project Archeologist shall provide evidence that a San Pasqual (Kumeyaay) and Luiseño Native American has been contracted by the property owner or their representative to perform Native American Monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds or bonded separately.

DOCUMENTATION: The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, copy of the Tribal monitoring contract, cost estimate, and MOU to [PDS, PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** [PDS, PPD] shall review the contracts or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, PPD] for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

CULT#2 - CULTURAL RESOURCES TREATMENT AGREEMENT AND PRESERVATION PLAN

INTENT: In order to mitigate for potential impacts to Traditional Cultural Properties, develop and enter into a Cultural Resources Treatment Agreement and Preservation Plan with culturally-affiliated Tribes. **DESCRIPTION OF REQUIREMENT:** A single Cultural Resources Treatment Agreement and Preservation Plan shall be developed between the applicant or their representative, and culturally-affiliated Tribes. The Cultural Resources Treatment Agreement and Preservation Plan shall be reviewed and agreed to by the County prior to final signature and authorization. The Cultural Resources Treatment Agreement and Preservation Plan shall include but is not limited to the following:

- a. Parties entering into the agreement and contact information.
- b. Responsibilities of the Property Owner or their representative, Principal Investigator, archaeological monitors, San Pasqual (Kumeyaay) and Luiseño Native American monitors, and consulting tribes.
- c. Requirements of the Archaeological Monitoring Program including unanticipated discoveries. The requirements shall address grading and grubbing requirements

including controlled grading and controlled vegetation removal in areas of cultural sensitivity, and analysis of identified cultural materials.

- d. Excavated soils. No soils are proposed for export. Consultation with the culturally-affiliated tribes shall occur should excavated soils need to be exported offsite.
- e. Treatment of identified Native American cultural materials. Any identified Native American cultural materials with the exception of Native American human remains and associated grave goods (described in item g below) are to be reburied onsite. The Treatment Agreement and Preservation Plan shall identify a suitable location for reburial of cultural materials should they be encountered and recovered during construction monitoring. Should the reburial area be required, the location shall be recorded on Department of Parks and Recreation (DPR) forms, and an open space easement shall be dedicated for the protection of the resources in perpetuity. If the proposed reburial location is not required, then neither recordation on DPR forms, nor dedication of an open space easement over the proposed location is required.
- f. Deed restriction. Details of the requirement for a deed restriction for reburial of identified Native American cultural materials. The requirements shall address protection of Native American cultural materials, access, and responsibilities for management and maintenance of the open space.
- g. Treatment of Native American human remains and associated grave goods. Consultation with the Most Likely Descendant (MLD) pursuant to Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered. The Treatment Agreement and Preservation Plan shall identify a suitable location for reburial of human remains, sacred items, and funerary items, should they be encountered and recovered during construction monitoring. Should the reburial area be required, the location shall be recorded on Department of Parks and Recreation (DPR) forms, and an open space easement shall be dedicated for the protection of the resources in perpetuity. If the proposed reburial location is not required, then neither recordation on DPR forms, nor dedication of an open space easement over the proposed location is required.
- h. Confidentiality of cultural information including location and data.
- i. Negotiation of disagreements should they arise during the implementation of the Agreement and Preservation Plan.
- j. Regulations that apply to cultural resources that have been identified or may be identified during project construction.

DOCUMENTATION: A copy of the implemented agreement shall be submitted to the [PDS, PPD] for approval. **TIMING:** Prior to approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** The [PDS, PPD] shall review the implemented agreement for compliance with this condition.

ROADS#1–ENCROACHMENT PERMIT

INTENT: In order to ensure that improvements for the proposed *storm drain, headwall, all drainage infrastructure* comply with the [County of San Diego Public Road Standards](#), and [The Caltrans Facility Standards and Requirements](#) an encroachment permit(s) shall be obtained and implemented. **DESCRIPTION OF REQUIREMENT:** A permit shall be obtained from CALTRANS for the improvements to be made within the Caltrans' right-of-way. A copy of the permit and evidence from the issuing agency that all requirements of the permit have been met shall be submitted to the [PDS, LDR]. **DOCUMENTATION:** The applicant shall obtain the encroachment permit(s) and provide a copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, to the [PDS, LDR]. The applicant should contact the CALTRANS Permit Office at (619) 688-6843 for additional details. **TIMING:** Prior to the approval of any plan, issuance of any County permit, and prior to occupancy or use of the premises in reliance of this permit, the encroachment permit shall be obtained. **MONITORING:** The [PDS, LDR] shall review the permit for compliance with this condition and the applicable improvement plans and implement any conditions of the permit in the County improvement plans.

ROADS#2–CALTRANS' ENCROACHMENT PERMIT

INTENT: In order to ensure that improvements for the connection between the private road easement and *San Pasqual Valley Road (SR 78)* comply with the [County of San Diego Public Road Standards](#) and [The Caltrans Facility Standards and Requirements](#), an encroachment permit from CALTRANS shall be obtained and implemented. **DESCRIPTION OF REQUIREMENT:** A permit shall be obtained from CALTRANS for the improvements to be made within the public right-of-way. A copy of the permit and evidence from the issuing agency that all requirements of the permit have been met shall be submitted to the [PDS, LDR]. **DOCUMENTATION:** The applicant shall obtain the encroachment permit and provide a copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, to the [PDS, LDR]. The developer shall obtain an encroachment permit from CALTRANS authorizing access onto *San Pasqual Valley Road (SR 78)*. This will allow CALTRANS to set conditions such as sight distance and road improvements. The applicant should contact the CALTRANS Permit Office at (619) 688-6843 for additional details. **TIMING:** Prior to the approval of any plan, issuance of any County permit, and prior to occupancy or use of the premises in reliance of this permit, the encroachment permit shall be obtained. **MONITORING:** The [PDS, LDR] shall review the permit for compliance with this condition and the applicable improvement plans and implement any conditions of the permit in the County improvement plans.

ROADS#3 DEBRIS MANAGEMENT PLAN (DMP)

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov, **DESCRIPTION OF REQUIREMENT:** To divert (recycle, reuse, repurpose) 100% of excavated soils, trees, stumps, rocks, and associated vegetation and soils from the following types of projects: (1) non-residential excavation

and grading projects; (2) residential projects that require Major Grading permits. Grading projects greater than 5,000 cubic yards shall prepare a Debris Management Plan (DMP) prior to plan approval. All documentation must be submitted and approved by a DPW Compliance Official. Specific requirements are as follows:

- a. Prior to Grading plan approval, a Debris Management Plan (DMP) is required, consisting of:
 - The type of project.
 - The total cubic yardage for the project.
 - The estimated weight of grading or land clearing debris, by material type, that the project is expected to generate.
 - The estimated maximum weight of grading or land clearing debris that can feasibly be diverted via reuse, salvage, or recycling.
 - The estimated weight of grading or land clearing debris that is planned to be disposed of in a landfill.
 - The name of the facility (or facilities) which debris will be exported to.

- b. During grading activities, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed, must be prepared and retained onsite. The Daily Log must include all export receipts from an inert processing facility, green material processing operation, a C&D processing facility, or other vendor or disposal or transfer station facility that accepted grading material from the approved grading project. If material was reused onsite, other forms of documentation (such as photos) will be accepted in lieu of receipts. Daily logs shall include:
 - Identify the project location.
 - Log the date that material was transported off site.
 - Log the type of graded or cleared material.
 - Estimated material weight, tonnage, or cubic yards.
 - Name of entity transporting the material.
 - Name of the receiving facility or exporter, and detailing whether the material was salvaged, recycled, or disposed of in a landfill.
 - Daily log entries shall correspond to receipts by materials transporter or receiving facility. If grading contractor exported materials off-site, receipts shall be compiled within 90 days of the receipts.
 - Daily logs shall include separate entries for each occurrence of materials reused on site.
 - Daily logs and all receipts shall be maintained at the project site and made available to any County Inspector for compliance with this condition.

- c. Exemption:
 - Excavated soil and land-clearing debris that is contaminated by disease or pests are not required to be reused on- or off-site, provided that: (1) the County Agricultural Commissioner has made a determination of disease or pest

contamination and permittee follows commissioner's direction for recycling or disposal of the material, (ii) the materials are generated in a known pest and/or disease quarantine zone identified by the California Department of Food and Agriculture, or (iii) the materials are otherwise not required to be reused under the CalGreen Code

DOCUMENTATION: The applicant shall prepare the Debris Management Plan (DMP) and submit the plan for review and approval by the DPW Recycling Compliance Official. During grading operations, a daily log shall be prepared and kept on-site. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. Templates for all forms required are available at:

https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.html.

TIMING: Prior to approval of any plan or issuance of any permit, the Debris Management Plan shall be prepared and submitted to the DPW Recycling Official [DPW CO] for review and approval. **MONITORING:** The [DPW, CO] shall review and approve the DMP documents for the project. The [DPW, CO], shall forward the approval of the DMP to [PDS, LDR] for compliance with this condition.

LNDSCP#1–LANDSCAPE DOCUMENTATION PACKAGE

INTENT: In order to provide adequate Landscaping that addresses screening, a landscape plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Plans shall be prepared pursuant to the [COSD Water Efficient Landscape Design Manual](#) and the [COSD Water Conservation in Landscaping Ordinance](#), the [COSD Parking Design Manual](#), and the COSD Grading Ordinance. All Plans shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer, and include the following information:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s) -of-way shall be maintained by the landowner(s) shall be submitted to PDS.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.

- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the [County's Light Pollution Code](#).
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Parking areas shall be landscaped and designed pursuant to the [Parking Design Manual](#) and the County Zoning Ordinance Section 6793.b
- i. Additionally, the following items shall be addressed as part of the Landscape Documentation Package: plans shall be in substantial conformance with Sheet's L-1, L-2, and L-3 of the conceptual landscape plan submitted with the Plot Plan on March 19, 2021.

DOCUMENTATION: The applicant shall prepare the Landscape Plans using the [Landscape Documentation Package Checklist](#) (PDS Form #404), and pay all applicable review fees. **TIMING:** Prior to approval of any plan, issuance of any permit, and prior to use of the premises in reliance of this permit, the Landscape Documentation Package shall be prepared and approved. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Documentation Package for compliance with this condition.

GEN#3–CERTIFICATE OF COMPLIANCE BOUNDARY ADJUSTMENT

INTENT: In order to ensure the structures are compliant with parcel setbacks, access requirements, and County Policy G-3, a boundary adjustment must be completed.

DESCRIPTION OF REQUIREMENT: The applicant shall submit an application for a Certificate of Compliance and obtain an approved Certificate of Compliance.

DOCUMENTATION: The applicant shall submit an application for a Certificate of Compliance and obtain an approved Certificate of Compliance for the boundary adjustment.

TIMING: The applicant shall obtain an approved Certificate of Compliance for a boundary adjustment prior to approval of any plan. **MONITORING:** The PDS Zoning Counter or [PDS, LDR] shall verify that the Certificate of Compliance has been recorded to the satisfaction of the Director of PDS and the County Surveyor.

GRADING PERMIT: *(Prior to approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits).*

PLN#1–PLAN CONFORMANCE

INTENT: In order to implement the required mitigation measures for the project, the required Grading and Improvement Plans shall conform to the approved Conceptual Grading and Development Plan pursuant to Section 87.207 of the County Grading Ordinance.

DESCRIPTION OF REQUIREMENT: The Choose an item. shall conform to the approved Conceptual Grading and Development Plan, which includes all of the following mitigation measures: BIO, TRAFFIC, and TRIBAL CULTURAL. All conditions, requirements, mitigation measures and information stated on the sheets of the plans shall be made conditions of the permit's issuance and shall be implemented pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) of this Permit. No deviation of the requirements can be made without modification of this permit.

DOCUMENTATION: The applicant shall submit the grading plans and improvement

plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the notes and items shall be placed on the plans as required. **MONITORING:** The [DPW, ESU, DPR, TC, or PDS, BD for Minor Grading] shall verify that the grading and/or improvement plan requirements have been implemented on the final grading and/or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

STRMWTR#1–EROSION CONTROL

INTENT: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [State Construction General Permit, Order No. 2009-00090-DWQ](#), or subsequent order and the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), and all other applicable ordinances and standards for this priority project.

DESCRIPTION OF REQUIREMENT: The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Quality Management Plan (SWQMP) and Erosion Control Plan including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the [County of San Diego Grading Ordinance Section 87.304](#). The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to [PDS, LDR] authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County PDS and/or DPW by the date agreed.

DOCUMENTATION: The applicant shall process an Erosion Control Plan and provide the letter of agreement and any additional security and/or cash deposit to the [PDS, LDR].

TIMING: Prior to approval of any grading or improvement plan or construction permit, and prior to use of the property in reliance of this permit, the Erosion Control Plan shall be approved, and the agreement and securities shall be executed. **MONITORING:** The [PDS, LDR] shall ensure that the Erosion Control Plan adequately satisfies the requirements of the conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. [DPW, PDC] shall use the securities pursuant to the agreement to implement and enforce the required stormwater and erosion control measures pursuant to this condition during all construction phases if there are open and valid permits for the site.

DRNG#1–WAIVER AND RELEASE LETTERS

INTENT: In order to notify adjacent property owners downstream, (i.e., the existing farmhouse located at APN: 242-070-07-00), of the project site that there will be changes to the drainage features that could have effects on their property; and to comply with

County Flood Damage Prevention Ordinance (Title 8, Division 11), County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq. letter(s) of permission shall be obtained. **DESCRIPTION OF REQUIREMENT:** A recorded waiver and release letter shall be obtained from each property owner impacted by significant changes (including diversion and concentration) in downstream flow characteristics resulting from grading, private roads, or other improvements. **DOCUMENTATION:** The applicant shall obtain the letters of approval from each downstream neighbor, have them recorded by the County Recorder, and then submit them to the [PDS, LDR] for review and approval. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the letters shall be obtained. **MONITORING:** The letters of permission shall be reviewed by the [PDS, LDR] for compliance with this condition.

ROADS#4–TRAFFIC CONTROL PLAN

INTENT: In order to mitigate below levels of significance for temporary traffic impacts, a traffic control plan shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Have Registered Civil Engineer or licensed Traffic Control Contractor prepare a Traffic Control Plan (TCP) to the satisfaction of the Director of Department of Public Works (DPW). **DOCUMENTATION:** The applicant shall have the TCP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Traffic]. **TIMING:** Prior to or at any grading and/or improvement plans and issuance of any Grading, Construction, or Excavation Permits and prior to use of the premises in reliance of this permit, a TCP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the TCP for compliance with this condition.

ROADS#5–HAUL ROUTE PLAN

INTENT: In order to ensure roads are not damaged by heavily loaded trucks on the route identified during the construction phase (or subsequent operations). A Haul Route Plan (HRP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** A HRP shall be prepared that addresses the following, but is not limited to: haul routes, truck types and capacity, number of trips per day, estimated quantity of import & export, destination, duration of the haul, and hours of operation.

- a. The implementation of the HRP shall be a condition of any grading, construction, or excavation permit issued by the County. The applicant is responsible for the road maintenance (sweeping as necessary) and repair of any damage caused by them to the on-site and offsite County maintained roads that serve the property either during construction or subsequent operations.
- b. The applicant will repair those portions of the roads that are damaged by the heavy loaded trucks. An agreement shall be executed, to require (1) a cash deposit for emergency traffic safety repairs; (2) long-term security for road maintenance and repair of any damage caused by the project to the County maintained roads that serve the project during construction phase on the route identified; and (3) All the roads identified on the haul route plan shall be returned to the existing condition or better.

- c. Prior to the import/export, all affected property owners in the residential neighborhood shall be notified; no equipment or material storage on public roads will be allowed, and sweeping to be performed at the end of each week or more frequently depending on hauling schedule.

DOCUMENTATION: The applicant shall have the HRP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Road Maintenance]. The applicant shall also execute a secured agreement for any potential damages caused by heavy trucks on road mentioned above. The agreement and securities shall be approved to the satisfaction of the [DPW, Road Maintenance]. **TIMING:** Prior to or at issuance of any grading and/or improvement plans and issuance of any Grading, Construction, or Excavation Permits and prior to use of the premises in reliance of this permit, a HRP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the HRP for compliance with this condition.

AIR#1-CONSTRUCTION EXHAUST EMISSIONS

INTENT: In order to mitigate for diesel exhaust emissions and criteria air pollutants. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the California Air Resources Board's (CARB's) Air Toxic Control Measure 13:

- a. Idling time for heavy-duty construction equipment shall not exceed 5 minutes unless more time is required per engine manufacturers' specifications or for safety reasons

DOCUMENTATION: The applicant or designee shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of construction and grading. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

AIR#2-FUGITIVE DUST

INTENT: In order to mitigate for fugitive dust during construction activities.

DESCRIPTION OF REQUIREMENT: The project applicant or designee shall implement the following measures to mitigate fugitive dust compliant with San Diego Air Pollution Control District (SDAPCD) Rule 55 and County Code Section 87.428 (Grading Ordinance):

- a. All haul/dump trucks entering or leaving the site with soil or fill material must maintain at least two (2) feet of freeboard or cover loads of all haul/dump trucks securely.
- b. Areas recently disturbed by dozer/scrapper passes and any unpaved roads within the project limits will be watered a minimum of three (3) times daily.
- c. Grading activities will be terminated in winds in excess of 25 miles per hour (mph).
- d. Dust and debris at public street access points shall be cleaned regularly using sweepers and water trucks.
- e. Dirt storage piles will be stabilized by chemical binders, tarps, fencing, or other suppression measures.

- f. Internal construction-roadways will be stabilized by paving, chip sealing or applying stabilizing chemicals after rough grading.
- g. Apply non-toxic soil stabilizers to inactive, exposed surfaces when not in use for more than 3 days.
- h. A 15-mph speed limit on unpaved surfaces shall be enforced.

DOCUMENTATION: The applicant or designee shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of construction and grading. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

AIR#3-CONSTRUCTION ARCHITECTURAL COATINGS

INTENT: In order to reduce emissions of volatile organic compounds (VOC). **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following SDAPCD's Rule 67:

- a. The project shall use architectural coatings with a VOC content of 100 grams per liter (g/l) or less for exterior coatings and 50 g/l or less for interior coatings.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following action shall occur throughout the duration of the construction activities involving the application of architectural coatings. **MONITORING:** The [DLPU, BI] shall make sure that the construction contractor complies with the Air Quality requirement of this condition. The [DLPU, BI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

BUILDING PERMIT: (Prior to approval of any building plan and the issuance of any building permit).

ROADS#6-DEBRIS MANAGEMENT REPORT (DMR)

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcountry.ca.gov. **DESCRIPTION OF REQUIREMENT:** Prior to Rough Grade Inspection and release, and prior to issuance of any building permit, a Final Debris Management Report must be submitted for review and approval by the DPW Recycling Compliance Official. The report shall include:

- Project name.
- List of total weight, tonnage, or cubic yards of materials, by type, which was recycled, salvaged, or disposed of in a landfill.
- Provide copies of receipts for export facilities, haulers, or materials reused on site.

- Signed self-certification letter (see template).

DOCUMENTATION: Prior to Rough Grade Release and prior to issuance of any building permit, a final report shall be prepared and submitted for review and approval to the DPW Recycling Compliance Official. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. Templates for all forms required are available at: https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.html.

TIMING: Prior to building permit issuance, and Rough Grading release, the Debris Management Final Report shall be prepared and submitted to DPW Recycling Official [DPW CO] for review and approval. **MONITORING:** The [DPW, CO] shall review and approve the DMR documents for the project. The [DPW, CO], shall forward the approval of the DMR to [DPW, PDCI] and [PDS, Building PCC] for compliance with this condition.

DEH#1-WASTEWATER TREATMENT SYSTEMS AND POTABLE WATER

INTENT: In order to ensure potable water is provided for the project and the onsite wastewater treatment systems meet DEHQ requirements. **DESCRIPTION OF REQUIREMENT:** The following conditions of approval shall apply per the Department of Environmental Health and Quality:

- The applicant must establish a Small Water System to provide potable water to the venue.
- The applicant will coordinate with the State Water Resources Control Board, Division of Drinking Water to ensure ongoing maintenance and quality assurance of the potable water system.
- The applicant must obtain an updated layout approval for both proposed onsite wastewater treatment systems prior to entering plan check with Planning and Development Services for building permit issuance for the respective structure(s). Issuance of a Septic Permit is required prior to Building Permit issuance. For details on this please contact Scott Rosecrans at 619-208-0337 or via email at Scott.rosecrans@sdcounty.ca.gov
- The applicant must submit plans for the proposed commercial kitchen/kitchenette to the Food & Housing Division (FHD) prior to building permit or septic permit issuance. For details on the FHD plan check process please contact 858-505-6659 or via email at FHDPlanCheckLUEG@sdcounty.ca.gov
- The existing onsite wastewater treatment system serving the farmhouse must have the septic tank and any seepage pits pumped clean and collapsed/backfilled before or immediately following the destruction/removal of the home.

DOCUMENTATION: The applicant or designee shall comply with the requirements of this condition. **TIMING:** These condition shall be satisfied prior to building permit issuance. **MONITORING:** Compliance with this condition shall be confirmed by DEHQ and monitored by the PDS Code Enforcement Division.

GHG#1-OPERATION AIR QUALITY AND GREENHOUSE GAS EMISSIONS

INTENT: In order to reduce emissions of criteria pollutants and greenhouse gases from mobile and energy sources. **DESCRIPTION OF REQUIREMENT:** In an effort to develop a sustainable project, the project shall:

- a. Construct all new buildings to be natural gas prohibitive (i.e., fully electric).

- b. Install 19 electric vehicle (EV) capable spaces with Electric Vehicle Supply Equipment and 38 EV capable spaces in accordance with the Tier 2 Standards of the CalGreen Code.
- c. Install photovoltaic solar (PV) panels on the project rooftop following the completion of building design and architectural plans.
- d. Allocate special parking spaces and provide special parking spaces for carpoolers and shuttle/tour company vehicles that serve the proposed project and neighboring wineries

DOCUMENTATION: The applicant shall comply with the requirements of this condition.

TIMING: Prior to approval of any building plan or the issuance of any building permit, these design measures shall be implemented on the building plans and landscape plans.

MONITORING: The [PDS, BPPR] and [DPW, PC] shall review the site plan and applicant documents to ensure these conditions have been met.

OCCUPANCY: *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

GEN#4-INSPECTION FEE

INTENT: In order to comply with Zoning Ordinance Section 7362.e the inspection fee shall be paid. **DESCRIPTION OF REQUIREMENT:** Pay the inspection fee at the [PDS, ZC] to cover the cost of inspection(s) of the property to monitor ongoing conditions associated with this permit. In addition, submit a letter indicating who should be contacted to schedule the inspection. **DOCUMENTATION:** The applicant shall provide a receipt showing that the inspection fee has been paid along with updated contact information [PDS, PCC]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The [PDS, ZC] shall process an invoice and collect the fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

PLN#2-SITE PLAN IMPLEMENTATION

INTENT: In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. **DESCRIPTION OF REQUIREMENT:** The site shall conform to the approved MUP plot plan and the building plans. This includes, but is not limited to: improving all on-site parking areas trails, parks and driveways, installing all required design features, painting all structures with the approved colors, trash enclosures are properly screened, required and approved signage is installed and located properly, and all temporary construction facilities have been removed from the site. **DOCUMENTATION:** The applicant shall ensure that the site conforms to the approved plot plan and building plans. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall conform to the approved plans. **MONITORING:** The [PDS, BI] and [DPR TC, PP] shall inspect the site for compliance with the approved Building Plans.

ROADS#7–ANNEX TO LIGHTING DISTRICT

INTENT: In order to promote orderly development and to comply with the Street Lighting Requirements of the [County of San Diego Board Policy I-18](#) and [The County of San Diego Public Road Standards](#), the property shall transfer into the Lighting District.

DESCRIPTION OF REQUIREMENT: Allow the transfer of the property subject of this permit into Zone A of the San Diego County Street Lighting District without notice or hearing and pay the cost to process such transfer. **DOCUMENTATION:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [PDS, LDR]. The applicant shall provide the receipt to [PDS, PCC]. **TIMING:** Prior to occupancy of the first structure built in association with this permit or use in the premises in reliance of this permit, the fee shall be paid. **MONITORING:** The [PDS, LDR] shall calculate the fee pursuant to this condition and provide a receipt of payment for the applicant.

STRMWTR#2–PROVISION OF STORMWATER DOCUMENTATION TO PROPERTY OWNER

INTENT: In order to promote orderly development and to comply with the [County Watershed Protection Ordinance \(WPO\) No.10410, County Code Section 67.801 et. seq.](#), stormwater documentation shall be provided to property owner. **DESCRIPTION OF REQUIREMENT:** Demonstrate that copies of the following documents are provided to the property owner and initial occupants:

- a. A copy of the project's approved SWQMP (with attached Operation & Maintenance Plan).
- b. A copy of project's recorded Maintenance Notification Agreement and/or Stormwater Facilities Maintenance Agreement and/or Private Road Maintenance Agreement showing the BMPs pertaining to the property.
- c. Sample copies of the following:
 - 1) A Letter for Privately Owned Stormwater Treatment Control Best Management Practices Operation and Maintenance Verification.
 - 2) One Operation and Maintenance Verification Form for each type of Private Treatment Control BMP.

DOCUMENTATION: The applicant shall submit a letter stating that the above documentation has been submitted to the property owner and initial occupants. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit; provision of stormwater documents shall be completed. **MONITORING:** The [PDS, LDR] and [DPW, WPP] shall review the letter provided by the applicant for consistency with the condition and County Standards.

LNDSCP#2–CERTIFICATION OF INSTALLATION

INTENT: In order to provide adequate Landscaping that addresses screening, and to comply with the [COSD Water Efficient Landscape Design Manual](#), the [COSD Water Conservation in Landscaping Ordinance](#), the [Parking Design Manual](#), and the COSD Grading ordinance, all landscaping shall be installed. **DESCRIPTION OF REQUIREMENT:** All of the landscaping shall be installed pursuant to the approved

Landscape Documentation Package. This does not supersede any erosion control plantings that may be applied pursuant to [Section 87.417 and 87.418 of the County Grading Ordinance](#). These areas may be overlapping, but any requirements of a grading plan shall be complied with separately. The installation of the landscaping can be phased pursuant to construction of specific buildings or phases to the satisfaction of the [PDS, LA, PCC] [DPR, TC, PP]. **DOCUMENTATION:** The applicant shall submit to the [PDS, LA, PCC], a Landscape Certificate of Completion from the project California licensed Landscape Architect, Architect, or Civil Engineer, that all landscaping has been installed as shown on the approved Landscape Documentation Package. The applicant shall prepare the Landscape Certificate of Completion using the Landscape Certificate of Completion Checklist, PDS Form #406. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the landscaping shall be installed. **MONITORING:** The [PDS, LA] shall verify the landscape installation upon notification of occupancy or use of the property, and notify the [PDS, PCC] [DPR, TC, PP] of compliance with the approved Landscape Documentation Package.

FIRE#1–FIRE PROTECTION PLAN

INTENT: In order to assure fire safety in compliance with the County of San Diego Consolidated Fire Code the site shall be maintained in conformance with the approved Fire Protection Plan (FPP). **DESCRIPTION OF REQUIREMENT:** The following measures approved in the Fire Protection Plan shall be implemented and maintained:

- a.** All gates shall be equipped with a Knox box and an emergency key-operated switch which can override all command functions and open the gate.
- b.** All structures shall be identified by street address numbers. Numbers shall be 8 inches in height with a 1-inch stroke and shall contrast with the background. Numbers shall be located 6 to 8 feet above grade.

DOCUMENTATION: The applicant shall provide documentation photographs that demonstrate compliance with these measures. **TIMING:** Prior to occupancy of the first structure built in association with this permit, the FPP requirements shall be implemented.

MONITORING: The [PDS, PCC] shall verify that the mitigation measures have been initially implemented pursuant to the approved building plans and the FPP.

ONGOING: *(Upon establishment of use the following conditions shall apply during the term of this permit).*

PLN#3–SITE CONFORMANCE

INTENT: In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the approved landscape plan(s), building plans, and plot plan(s). This includes, but is not limited to maintaining the following: all parking, trails, parks and driveways areas, watering all landscaping at all times, painting all necessary aesthetics design features, and all lighting wall/fencing and required signage. Failure to conform to the approved plot plan(s); is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703. **DOCUMENTATION:** The property owner and permittee shall conform to the approved plot plan. If the permittee or property

owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

ROADS#8–PRIVATE ROAD MAINTENANCE

INTENT: In order to ensure that the offsite private roads are maintained and not damaged during construction, the applicant shall assume responsibility. **DESCRIPTION OF REQUIREMENT:** The applicant is responsible for maintenance and repair, in case of damage caused by this project to the on-site and offsite private roads that serve the property during either construction or subsequent operations. **DOCUMENTATION:** The applicant shall assume responsibility pursuant to this condition. **TIMING:** Upon establishment of use, the following conditions shall apply during the term of this permit. **MONITORING:** *The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.*

NOISE#1-NOISE REQUIREMENT [PDS, FEE X2]

INTENT: In order to reduce the impacts of the exterior sound levels from the project site on the adjacent parcels and to comply with the County of San Diego Noise Ordinance 36.404 as evaluated in the County of San Diego Noise Guidelines for Determining Significance, the following design measures shall be implemented on the building plans and in the site design. **DESCRIPTION OF REQUIREMENT:** The following design elements and noise attenuation measures shall be implemented and made conditions of its issuance:

1. Include a plan detail that states the following: “Hours of operations for the events would be limited to 10:00 am to 10:00 pm, where no music, live or recorded would occur after 10:00 pm”.
2. Amplified music may be located in the exterior areas on the patio north of the tasting facility and the central plaza area of the event center.
3. Speakers shall be turned away from the closest residences, which are located west and south of the project site.
4. The terms of the standard rental contract to be used by the project shall contain specific requirements that any private amplified sound systems operated on the site shall comply with the noise standard of 50 dB(A) Leq at the nearest residential property lines.
5. A property representative shall be on call during events to respond to public complaints and concerns related to noise.

General Note: If substantial new information and/or major project design changes occur to what was previously assessed, then additional noise review may be necessary to ensure noise ordinance compliance.

DOCUMENTATION: The applicant shall place the design elements, or notes on the building plans and submit the plans to [PDS, BPPR] for review and approval. **TIMING:** Prior to issuance of any building permit, the design elements and noise attenuation measures shall be incorporated into the building plans. **MONITORING:** The [PDS, BPPR] shall verify that the specific note(s), and design elements, and noise attenuation measures have been placed on all sets of the building plans and made conditions of its issuance.

NOISE#2. ON-GOING SOUND LEVEL COMPLIANCE: [PDS, CODES] [OG]

INTENT: In order to comply with the applicable sections of Title 3, Division 6, Chapter 4 (County of San Diego Noise Ordinance), the site shall comply with the requirements of this condition. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the following requirements: Major Use Permit associated activities shall comply with the one-hour average sound level limit property line requirement pursuant to the County Noise Ordinance, Section 36.404. **DOCUMENTATION:** The property owner(s) and applicant shall conform to the ongoing requirements of this condition. Failure to conform to this condition may result in disturbing, excessive or offensive noise interfering with a person's right to enjoy life and property and is detrimental to the public health and safety pursuant to the applicable sections of Chapter 4, therefore, may result in citations from the Code Compliance Division until the noise levels from the operations comply with the Noise Ordinance Section 36.404. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, CODES] is responsible for enforcement of this permit.

FIRE#2–ON-GOING FIRE PROTECTION

INTENT: In order to comply with the County of San Diego Consolidated Fire Code the site shall comply with the approved Fire Protection Plan (FPP) and Evacuation Plan (EP). **DESCRIPTION OF REQUIREMENT:** The following measures approved in the FPP and EP shall be implemented and maintained:

- a. Fuel Modification Zones of 100 feet from all structures shall be maintained at all times.
- b. 50 feet of hardscaping surrounding each Firepit shall be maintained at all times. Use of outdoor Firepits shall not be permitted on Red Flag Warning days.
- c. In order to support quick evacuation during a wildland fire, when guests arrive via bus(es), the bus(es) shall be required to stay on premises for the entirety of the event to which the guests are attending.

DOCUMENTATION: The applicant shall comply with the requirements of the FPP and EP and this condition for the life of this permit. **TIMING:** Upon establishment of the use, the conditions of the FPP and EP shall be complied with for the term of this permit. **MONITORING:** The [PDS, PCC] shall verify that the mitigation measures have been implemented pursuant to the approved building plans, FPP and EP. The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

FIRE#3–ON-GOING FIRE PROTECTION EVACUATION PLAN

INTENT: In order to comply with the County of San Diego Fire Code Sections 96.1.4703 and 96.1.4707, the site shall comply with the approved Fire Evacuation Plan.

DESCRIPTION OF REQUIREMENT: The measures approved in the Evacuation Plan shall be implemented and maintained.

DOCUMENTATION: The applicant shall comply with the requirements of the FPP and this condition for the life of this permit. **TIMING:** Upon establishment of the use, the conditions of the FPP shall be complied with for the term of this permit. **MONITORING:** The [PDS, PCC] shall verify that the mitigation measures have been implemented pursuant to the approved building plans and the FPP. The [PDS, Code Enforcement Division] is responsible for enforcement of this permit. The [fire agency] shall be responsible for long-term implementation of fire clearing requirements.

Project Grading Plan Notes:

PRE-CONSTRUCTION GRADING AND/OR IMPROVEMENTS: *(Prior to any clearing, grubbing, trenching, grading, or any land disturbances.)*

CULT#GR-1 - ARCHAEOLOGICAL MONITORING – PRECONSTRUCTION MEETING

INTENT: In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program shall be implemented.

DESCRIPTION OF REQUIREMENT: The County approved Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American Monitors shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American Monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The Project Archaeologist, and San Pasqual (Kumeyaay) and Luiseño Native American monitors shall also evaluate fill soils to determine that they are clean of cultural resources. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources and as outlined in the Treatment Agreement and Preservation Plan. **DOCUMENTATION:** The applicant shall have the contracted Project Archeologist and San Pasqual (Kumeyaay) and Luiseño Native Americans attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall confirm the attendance of the approved Project Archaeologist.

BIO#1–ARROYO TOAD PRE- AND POST-CONSTRUCTION CONSERVATION

INTENT: In order to avoid potential impacts to Arroyo Toad, which are a listed species pursuant to the Endangered Species Act (ESA), conservation measures shall be implemented. **DESCRIPTION OF REQUIREMENT:** The applicant implement the following conservation measures to ensure compliance with the federal ESA:

- A. Prior to project initiation and during the non-breeding season, temporary arroyo toad exclusionary fencing shall be installed in a manner that prevents individuals from entering work areas during the breeding season and for the duration of project construction. In areas without water flows, the fence will consist of woven nylon fabric or similar material at least 0.6-m (2-ft) high, staked firmly to the ground. In

areas where soils are suitable for aestivation, the lower 0.3 m (1 ft) of material will stretch outward along the ground and be secured with a continuous line of sandbags to prevent burrowing beneath the fence. Doubling this line (i.e., stacking sand or gravel bags two-deep) may reduce maintenance and should be considered to improve the integrity of the fencing. In areas where soils are not suitable for aestivation, (i.e., hardpack soils), fencing may be buried to reduce maintenance concerns and improve the integrity of the fencing over time. The fenced areas shall include room for all staging and stockpiling, as warranted. The fencing will prevent potential arroyo toad movement into the Project Site from Guejito Creek in the event work extends into the breeding season. This would require the installation of temporary exclusionary fencing around the perimeter of the Project Site boundaries including the water tank and temporary trench which would extend south to the Project Site. Based on final project design features, temporary wire mesh may also be warranted and installed across the existing box culvert located adjacent to the southern boundary to prevent potential movements of the arroyo toad north toward the Project Site during the breeding season. A qualified arroyo toad biological monitor will oversee the location and installation of the temporary exclusionary fencing.

- B. Conduct at least six (6) consecutive night surveys for the arroyo toad within the Project Site following installation of the temporary exclusionary fencing and active irrigation. If no arroyo toads are detected, construction activities will proceed. If an arroyo toad is detected, an arroyo toad translocation program that has been approved by the Service will be implemented. The program will include the following requirements:
1. Arroyo toads found within the project area will be captured and translocated, by the CFWO-approved arroyo toad biologist, to an area approved by the Service prior to construction. In addition, any arroyo toads captured will be checked for a Passive Integrated Transponder (PIT) tag with a PIT-tag reader by the CFWO-approved arroyo toad biologist. The CFWO-approved arroyo toad biologist will maintain a complete record of all arroyo toads encountered and relocated in association with the project. The date, time of capture, specific location of capture (using Geographic Positioning Systems), PIT-tag code, approximate size, age, and health of the individuals will be recorded and provided in both hard copy and digital format to the CFWO within two weeks of the translocation.
 2. When capturing and translocating arroyo toads from the project area, the CFWO approved arroyo toad biologist will minimize the amount of time that animals are held in captivity. Captured arroyo toads will be maintained in a manner that does not expose them to temperatures or any other environmental conditions that could cause injury or undue stress. To avoid transferring disease or pathogens between aquatic habitats during the course of the capturing and translocating arroyo toads, the CFWO-approved arroyo toad biologist will follow the Declining Amphibian Population Task Force's Fieldwork Code of Practice (DAPTF 1998), or newer version when available. If available, all translocated arroyo toads will be placed in the vicinity of accessible water to allow individuals the

opportunity to rehydrate. Arroyo toads will be placed within vegetative cover located adjacent to the active channel to provide protection against predation. Under no circumstance will arroyo toads be actively buried or placed within a mammal burrow. The following additional guidelines will also be followed during translocation:

- a. All arroyo toads will be translocated.
 - b. Arroyo toads will not be sedated.
 - c. Gloves will be worn by the biologist when handling arroyo toads and changed between individuals.
 - d. Arroyo toads will be placed individually in separate dual-purpose arthropod/small animal containers (7 inches x 6 inches x 6.5 inches) unless large numbers are captured (e.g., emergents that can be housed together).
 - e. Moist, sandy or sandy/loam substrate from the capture site will be placed in terrariums including detritus and small woody debris, if available.
 - f. A small amount of river/creek water will be placed in the terrariums to keep the soil saturated during transportation.
 - g. A spray bottle filled with river/creek water will be used during transportation to spray arroyo toads, if needed.
 - h. Air temperature and humidity will be monitored during transportation.
 - i. Vibrations, noise, and other stress factors will be minimized during transportation.
 - j. In the absence of surface water, de-chlorinated water will be added to the animal container sufficient to saturate the soil to allow individuals the opportunity to rehydrate prior to release.
 - k. Arroyo toads will not be handled for longer than 15 minutes.
3. American bullfrogs (*Lithobates catesbeiana*) or other exotic animal species that prey upon or compete with arroyo toads for resources will be excluded, destroyed, or otherwise permanently removed from the habitat by the CFWO-approved arroyo toad biologist if encountered.
- C. A qualified arroyo toad biological monitor will provide an environmental briefing for all construction workers. The briefing will focus on presenting how to identify the arroyo toad, implications for non-compliance with the federal ESA, a card handout including a species photograph and measures to implement in the event an individual is detected.
 - D. A qualified arroyo toad biological monitor will be present during initial ground disturbing activities to ensure that no arroyo toads are impacted as a result of project implementation.

- E. A qualified arroyo toad biological monitor will assess the temporary exclusionary fencing at least once a week during project construction to ensure that fencing is secure and devoid of breaches.
- F. A final letter report will be prepared summarizing the results of the monitoring efforts and compliance with the federal ESA.
- G. If arroyo toads are detected after the initial survey effort within the temporary exclusionary fenced work area or during implementation of the preceding conservation measures, all work will cease, until the project biologist implements the measures identified in the translocation program.
- H. The project proponent will coordinate with the Wildlife Agencies to identify best management practices (BMPs) to minimize impacts to arroyo toads from on-going agricultural operations.

DOCUMENTATION: The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

BIO#2-RESOURCE AVOIDANCE [PDS, FEE X2]

INTENT: In order to avoid impacts to migratory birds and raptors, which are sensitive biological resources pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of migratory bird nesting habitat or 500 feet of raptor nesting habitat during the breeding season of the migratory bird or raptor within RAA as indicated on these plans. The breeding season is defined as occurring between February 1 and August 31. The Director of PDS [PDS, PPD] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no migratory birds or raptors are present in the vicinity of the brushing, clearing, or grading as demonstrated by a survey completed no more than 72-hours prior to grading or clearing. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

DURING CONSTRUCTION: *(The following actions shall occur throughout the duration of the grading construction).*

1. CULT#GR-2 - ARCHAEOLOGICAL MONITORING – DURING CONSTRUCTION

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American Monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

- a. **Monitoring.** During the original cutting of previously undisturbed deposits, the Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American Monitors shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the San Pasqual (Kumeyaay) and Luiseño Native American Monitors. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the San Pasqual (Kumeyaay) and Luiseño Native American Monitors.
- b. **Inadvertant Discoveries.** In the event that previously unidentified potentially significant cultural resources are discovered:
 1. The Project Archaeologist or the San Pasqual (Kumeyaay) or Luiseño Native American monitors, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources.
 2. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist and culturally-affiliated tribes as identified in the Treatment Agreement and Preservation Plan.
 3. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the project archaeologist, tribal monitor(s), and the tribal representative(s) to discuss the significance of the find. Optionally, the County Archaeologist may attend the meeting to discuss the significance of the find.
 4. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the project archaeologist, tribal monitor(s), and the tribal representative(s) to discuss the significance of the find. Optionally, the County Archaeologist may attend the meeting to discuss the significance of the find.
 5. Construction activities shall not resume in the area of discovery until an agreement has been reached by all parties as to appropriate mitigation. Work shall be allowed to continue outside of the buffer area and shall be monitored.

6. Isolates and clearly non-significant deposits shall be minimally documented in the field. The isolates and/or non-significant deposits shall be reburied onsite as identified in the Treatment Agreement and Preservation Plan.
7. Treatment and avoidance of the newly discovered resources shall be consistent with the Treatment Agreement and Preservation Plan entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity.
8. If cultural resources are identified, one or more of the following treatments, in order of preference, shall be employed:
 - a. Preservation in place of the Cultural Resources, if feasible. Preservation in place means avoiding the resources, leaving them in place where they were found with no development affecting the integrity of the resources.
 - b. Reburial of the resources on the project property. The measures for reburial shall include, at least, the following:
 - Measures and provisions to protect the future reburial area from any impacts in perpetuity.
 - Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with the exception that sacred items, burial goods, and Native American human remains are excluded.
 - Any reburial process shall be culturally appropriate.
 - Listing of contents and location of the reburial shall be included in the confidential appendix of the Monitoring Report.
 - The Monitoring Report shall be filed with the County under a confidential cover and is not subject to Public Records requests.
 - c. If preservation in place or reburial is not feasible, a Research Design and Data Recovery Program (Program) shall be prepared by the Project Archaeologist in consultation with the Tribe, and the San Pasqual (Kumeyaay) and Luiseño Native American Monitors and approved by the County Archaeologist prior to implementation. There shall be no destructive or invasive testing on sacred items, burial goods, and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Monitoring Report.

Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the Planning & Development Services Director for decision. The Planning & Development Services Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe.

- c. **Human Remains.** If any human remains are discovered:

1. The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
 2. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the San Pasqual (Kumeyaay) and/or Luiseño Native American monitors.
 3. If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).
 4. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
 5. The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.
 6. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- d. **Tribal Cultural Resources.** If tribal cultural resources are discovered, the Project Archaeologist shall conduct consultation with culturally-affiliated tribes to determine the most appropriate mitigation. Should the two parties not be able to reach consensus, then the County Archaeologist shall consider the concerns of the culturally-affiliated tribe and the Project Archaeologist, and the Director of Planning & Development Services shall make a final decision regarding appropriate mitigation.
- e. **Fill Soils.** The Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American monitors shall evaluate fill soils to determine that they are clean of cultural resources.
- f. **Monthly Reporting.** The Project Archaeologist shall submit monthly status reports to the Director of Planning and Development Services starting from the date of the Notice to Proceed to termination of implementation of the archaeological monitoring program. The report shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.

DOCUMENTATION: The applicant shall implement the Archaeological Monitoring Program pursuant to this condition. **TIMING:** The following actions shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the monitoring duties of this condition. The [DPW, PDCI] shall contact the [PDS, PPD] if the Project Archeologist or applicant fails to comply with this condition.

DPW RECYCLING - GRADING MATERIAL DIVERSION:

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements.

DESCRIPTION OF REQUIREMENT: For all grading projects >5,000 cubic yards, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed must be retained onsite. The Daily Log must include all export receipts or other vendor or disposal or transfer station facility information that accepted grading material from the approved grading project. **DOCUMENTATION:** Daily Logs shall be prepared and kept on-site for inspection and include the following:

- A. Identify the project location.
- B. Log date that material was transported off the site
- C. Log type of grading or clearing material
- D. Weight of the material or its approximate tonnage or cubic yards
- E. Name of the party transporting the materials
- F. Name of the receiving facility or exporter, and whether the material was disposed of in a landfill, salvaged for future use off-site, or recycled.
- G. Each log entry shall correspond with a receipt issued by the party that transported the material off-site or by facility that accepted the materials. If the materials were hauled by the grading contractor, export receipts shall be compiled within 90 days of the date of the log entry.
- H. The Daily Log shall include separate entries for each occurrence of materials reused on-site.
- I. The Daily Log and all receipts shall be maintained at the project site and made available to any County inspector responsible to ensure compliance with this requirement

TIMING: The following actions and logs shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall ensure that the grading contractor is preparing and maintaining the daily logs on-site. The [DPW, PDCI] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition.

NOISE#3. TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].

INTENT: In order to minimize temporary construction noise for grading operations associated with the project subdivision and to comply with County Noise Ordinance 36.408 and 36.409. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures:

- a. Turn off equipment when not in use.
- b. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- c. Use equipment with effective mufflers

- d. Configure movement path to minimize the use of back up alarm.
- e. Equipment staging areas should be placed at locations away from noise sensitive receivers.

DOCUMENTATION: The applicant shall comply with the temporary construction noise measures of this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the construction noise control measures of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

ROUGH GRADING: *(Prior to rough grading approval and issuance of any building permit).*

CULT#GR-3 - ARCHAEOLOGICAL MONITORING – ROUGH GRADING

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities that require monitoring:

- a. **No Archaeological Resources Encountered.** If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed, and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site and any comments from the San Pasqual (Kumeyaay) and Luiseño Native American Monitors must be included in the Negative Monitoring Report.
- b. **Archaeological Resources Encountered.** If archaeological resources were encountered during the earth disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the reburial and/or repatriation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the Archaeological Monitoring Report to [PDS, PPD] for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center and any culturally-affiliated Tribe who requests a copy. **TIMING:** Upon completion of all earth-disturbing activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed. **MONITORING:** [PDS, PPD] shall review the report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

DPW RECYCLING - GRADING MATERIAL DIVERSION:

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support

construction and demolition project compliance with State waste diversion requirements. **DESCRIPTION OF REQUIREMENT:** At the conclusion of the grading activities and prior to the release of Rough Grade Inspection, and prior to issuance of any building permit, the Final Debris Management Report (DMR) must be prepared and submitted for review and approval. **DOCUMENTATION:** The DMR final report (see template) shall be prepared and submitted for review and approval by the [DPW, CO] and shall include:

- A. Project name.
- B. List of total weight, tonnage, or cubic yards of materials, by type, which was recycled, salvaged, or disposed of in a landfill.
- C. Provide copies of receipts for export facilities, haulers, or materials reused on site.
- D. Signed self-certification letter (see template).

TIMING: The final report shall be prepared and submitted at Rough Grade inspection.

MONITORING: The [DPW, PDCI] shall ensure that the grading contractor has prepared and submitted the final report to [DPW, CO]. The [DPW, PDCI] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition.

FINAL GRADING RELEASE: *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

CULT#GR-4 - ARCHAEOLOGICAL MONITORING – FINAL GRADING

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following, if applicable:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all Native American cultural materials in order of preference have been conveyed as follows:
 - (1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been reburied.

or

- (2) Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

- d. Evidence that all historic cultural materials have been conveyed as follows:

Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- e. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the archaeological monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

DOCUMENTATION: The applicant’s archaeologist shall prepare the final report and submit it to [PDS, PPD] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC) and any culturally-affiliated Tribe who requests a copy.

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** [PDS, PPD] shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, [PDS, PPD] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete, and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PPD] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

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MAJOR USE PERMIT FINDINGS

Pursuant to Section 7358 of the Zoning Ordinance, the following findings in support of the granting of the Major Use Permit (MUP) are made:

- (a) *The location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures with consideration given to*

- 1. *Harmony in scale, bulk, coverage, and density*

The location, size, design, and operating characteristics of the proposed project will be compatible with adjacent uses, residences, buildings, and structures. Weddings and similar social gatherings are allowed uses under the Zoning Ordinance within the Limited Agricultural Use and General Agricultural Regulation upon approval of a MUP, and event facilities such as this are common within agricultural areas. Small wineries such as this are also allowed uses under the Zoning Ordinance within the Limited Agricultural and General Agricultural Use Regulation upon approval of an Administrative Permit. The existing visual character and quality of the project site and surrounding area can be characterized primarily as rural residential, with agricultural uses and small commercial operations, such as wineries, nurseries, and commercial agriculture. The proposed

project will not significantly alter the landscape; therefore, the proposed project will maintain the property's compatibility with the surrounding community.

Density

The proposed project is a MUP for an event venue and does not propose residential uses. The project is not subject to the density requirements.

2. *The availability of public facilities, services, and utilities*

All necessary public facilities and services are available as detailed in the service availability letters submitted for the project. The project will be served by an on-site septic system and will be served onsite potable water system for water service. Fire service will be provided by the County Fire Protection District. As such, all necessary public facilities and services are available.

3. *The harmful effect, if any, upon desirable neighborhood character:*

The proposed project is a MUP to expand an existing Small Winery permit to include a new wine tasting facility and an event center along with associated parking lots, outdoor areas, water storage tanks for fire protection, and stormwater treatment facilities.

Lands surrounding the project site include active agricultural operations and natural lands/open space. Two single-family residences are located south of the project site, south of San Pasqual Valley Road. Additional land uses surrounding the project site include low-density, scattered residential uses. The topography of the site is sloped, as is the surrounding land. The site is located directly off California SR-78.

When considering that potential visual, traffic, noise and lighting impacts have been addressed during the discretionary review process through design considerations and conditions of approval, and all potential impacts have been adequately addressed, it has been demonstrated that the proposed project will not have harmful effect upon desirable neighborhood character.

4. *The generation of traffic and the capacity and physical character of surrounding streets:*

The Project will widen SR-78 along the project frontage to construct a two-way left-turn lane and a westbound acceleration lane taper on SR-78 between the westernmost driveway (Driveway #1) and the central driveway (Rockwood Grove/Driveway #2) Widening of SR-78 will comply with the California Department of Transportation (Caltrans) safety regulations and Stormwater Management Program within the Caltrans' right-of-way. As part of the conditions of approval, a permit will be obtained from Caltrans for the improvements to be made within the Caltrans' right of way.

To address traffic during construction, the applicant is required to prepare and implement a traffic control plan to show specific methods for maintaining traffic flows, possible measures including but are not limited to: developing circulation and detour plans to minimize impacts to local street circulation through usage of signage and flagging, scheduling truck trips outside the range of peak morning and evening commute hours, and limiting lane closures during peak hours. This traffic control plan will be submitted to Caltrans for review and approval prior to the start of construction.

5. *The suitability of the site for the type and intensity of use or development, which is proposed:*

The design and site layout of the proposed project is compatible with adjacent uses, residences, buildings, and structures. The proposed project will not significantly alter the landscape and will not include construction of new buildings, so will not introduce a negative visual impact. Therefore, the type and intensity of the proposed use is suitable for the project site.

6. *Any other relevant impact of the proposed use:*

No relevant impacts were identified.

(b) *The impacts, as described in Findings (a) above, and the location of the proposed use will be consistent with the San Diego County General Plan:*

The proposed project is subject to the General Plan Regional Category Rural, Land Use Designation Rural Land (RL-40). The project is consistent with the Rural General Plan Land Use Designation because it proposes a venue that will provide event space for the North County Metropolitan Subregional Plan. The project is also consistent with the goals and policies within the General Plan, such as compatibility of uses with community character, wastewater disposal, and avoidance of environmental impacts.

(c) *That the requirements of the California Environmental Quality Act have been complied with:*

The project has been reviewed for compliance with CEQA, and an MND was prepared for the project. The MND found that the project, with incorporation of mitigation measures for biological resources, would not cause any significant effects on the environment. Mitigation for biological resources has been incorporated as conditions of approval.

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ORDINANCE COMPLIANCE NOTIFICATIONS: The project is subject to, but not limited to the following County of San Diego, State of California, and U.S. Federal Government, Ordinances, Permits, and Requirements:

NOTICE: The subject property contains wetlands, a lake, a stream, and/or waters of the U.S. which may be subject to regulation by State and/or federal agencies, including, but not limited

to, the Regional Water Quality Control Board, U.S. Army Corps of Engineers and the California Department of Fish and Wildlife. It is the applicant's responsibility to consult with each agency to determine if a permit, agreement or other approval is required and to obtain all necessary permits, agreements or approvals before commencing any activity which could impact the wetlands, lake, stream, and/or waters of the U.S. on the subject property. The agency contact information is provided below.

U.S. Army Corps of Engineers: 6010 Hidden Valley Rd, Suite 105, Carlsbad, CA 92011-4219; (858) 674-5386; <http://www.usace.army.mil/>

Regional Water Quality Control Board: 9174 Sky Park Court, Suite 100, San Diego, CA 92123-4340; (858) 467-2952; <http://www.waterboards.ca.gov/sandiego/>

California Department of Fish and Wildlife: 3883 Ruffin Rd., San Diego, CA 92123; (858) 467-4201; <http://www.dfg.ca.gov/>

NOTICE: THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

NOISE ORDINANCE COMPLIANCE: In order to comply with the County Noise Ordinance 36.401 et seq. and the Noise Standards pursuant to the General Plan Noise Element (Table N-1 & N-2), the property and all of its uses shall comply with the approved plot plans, specific permit conditions and approved building plans associated with this permit. No noise generating equipment and project related noise sources shall produce noise levels in violation of the County Noise Ordinance. The property owner and permittee shall conform to the approved plot plan(s), specific permit conditions, and approved building plans associated with this permit as they pertain to noise generating devices or activities. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance.

STORMWATER ORDINANCE COMPLIANCE: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the [San Diego Regional Water Quality Control Board \(SDRWQCB\)](#) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control [Ordinance No. 10410](#) and all other applicable ordinances and standards for the life of this permit. The project site shall follow all applicable stormwater regulations referenced above and all other applicable ordinances and standards. This includes compliance with the approved Stormwater Management Plan, all requirements for Low Impact Development (LID), Hydromodification, materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that during construction the property owner keeps the Storm Water Pollution Prevention Plan (SWPPP) onsite and update it as needed. The property owner and permittee shall comply with the requirements of the stormwater regulations referenced above.

LOW IMPACT DEVELOPMENT NOTICE: The San Diego Regional Water Quality Control Board (SDRWQCB) issued a new Municipal Stormwater Permit under the National Pollutant Discharge Elimination System (NPDES). The requirements of the Municipal Permit were implemented beginning in May 2013. *Project design shall follow the new Municipal Permit*

regulations. The Low Impact Development (LID) Best Management Practices (BMP) Requirements of the Municipal Permit can be found at the following link:

http://www.sandiegocounty.gov/content/dam/sdc/dpw/WATERSHED_PROTECTION_PROGRAM/susmppdf/lid_handbook_2014sm.pdf

The County has provided a LID Handbook as a source for LID information and is to be utilized by County staff and outside consultants for implementing LID in our region. See link below. <http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>

GRADING PERMIT REQUIRED: A major grading permit is required prior to commencement of grading within an area that includes a watercourse pursuant to [Section 87.201 and 87.601 of Grading Ordinance](#).

EXCAVATION PERMIT REQUIRED: An excavation permit is required for undergrounding and/or relocation of utilities within the County right-of-way.

NOTICE: THE ISSUANCE OF THIS PERMIT BY THE COUNTY OF SAN DIEGO DOES NOT AUTHORIZE THE APPLICANT FOR SAID PERMIT TO VIOLATE ANY FEDERAL, STATE, OR COUNTY LAWS, ORDINANCES, REGULATIONS, OR POLICIES INCLUDING, BUT NOT LIMITED TO, THE FEDERAL ENDANGERED SPECIES ACT AND ANY AMENDMENTS THERETO.

EXPLANATION OF COUNTY DEPARTMENT AND DIVISION ACRONYMS			
Planning & Development Services (PDS)			
Project Planning Division	PPD	Land Development Project Review Teams	LDR
Permit Compliance Coordinator	PCC	Project Manager	PM
Building Plan Process Review	BPPR	Plan Checker	PC
Building Division	BD	Map Checker	MC
Building Inspector	BI	Landscape Architect	LA
Zoning Counter	ZO		
Department of Public Works (DPW)			
Private Development Construction Inspection	PDCI	Environmental Services Unit Division	ESU
Department of Environmental Health (DEH)			
Land and Water Quality Division	LWQ	Local Enforcement Agency	LEA
Vector Control	VCT	Hazmat Division	HMD
Department of Parks and Recreation (DPR)			
Trails Coordinator	TC	Group Program Manager	GPM
Parks Planner	PP		

Department of General Service (DGS)			
Real Property Division	RP		

APPEAL PROCEDURE: Within ten calendar days after the date of this Decision of the Planning Commission, the decision may be appealed to the Board of Supervisors in accordance with [Section 7366 of the County Zoning Ordinance](#). An appeal shall be filed with the Director of Planning & Development Services or by mail with the Secretary of the Planning Commission within TEN CALENDAR DAYS of the date of this notice AND MUST BE ACCOMPANIED BY THE DEPOSIT OR FEE AS PRESCRIBED IN THE DEPARTMENT’S FEE SCHEDULE, PDS FORM #369, pursuant to Section 362 of the San Diego County Administrative Code. If the tenth day falls on a weekend or County holiday, an appeal will be accepted until 4:00 p.m. on the following day the County is open for business. Filing of an appeal will stay the decision of the Director until a hearing on your application is held and action is taken by the Planning Commission. Furthermore, the 90-day period in which the applicant may file a protest of the fees, dedications or exactions begins on the date of approval of this Decision.

COUNTY OF SAN DIEGO PLANNING COMMISSION
DAHVIA LYNCH

BY:

Ashley Smith, Chief
Project Planning Division
Planning & Development Services

cc:

email cc:

Ed Sinsay, Team Leader, Land Development/Engineering, PDS
Angelica Truong, Planning Manager, Project Planning, PDS

Attachment C – Environmental Documentation



County of San Diego

DAHVIA LYNCH
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
www.sdcounty.ca.gov/pds

MITIGATED NEGATIVE DECLARATION

PROJECT NAME: Rancho Guejito Wine Tasting Facility and Event Center

RECORD ID: PDS2020-MUP-20-001

ENVIRONMENTAL LOG NO.: PDS2020-ER-20-09-001

This Document is Considered Draft Until it is Adopted by the Appropriate County of San Diego Decision-Making Body.

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study – Environmental Checklist Form
- b. Technical Studies and Reports as referenced

1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

ANY PERMIT: (Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).

CULT#1 - ARCHAEOLOGICAL AND TRIBAL MONITORING

INTENT: In order to mitigate for potential impacts to undiscovered buried archaeological resources and human remains, an Archaeological Monitoring Program and potential Data Recovery Program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA). **DESCRIPTION OF REQUIREMENT:** A County Approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform archaeological monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The archaeological monitoring program shall include the following:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American monitors shall also evaluate fill soils to determine that they are clean of cultural resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.
- b. The Project Archeologist shall provide evidence that a San Pasqual (Kumeyaay) and Luiseño Native American has been contracted by the property owner or their representative to perform Native American Monitoring for the project.
- c. The cost of the monitoring shall be added to the grading bonds or bonded separately.

DOCUMENTATION: The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, copy of the Tribal monitoring contract, cost estimate, and MOU to [PDS, PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior to approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** [PDS, PPD] shall review the contracts or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, PPD] for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

CULT#2 - CULTURAL RESOURCES TREATMENT AGREEMENT AND PRESERVATION PLAN

INTENT: In order to mitigate for potential impacts to Traditional Cultural Properties, develop and enter into a Cultural Resources Treatment Agreement and Preservation Plan with culturally-affiliated Tribes. **DESCRIPTION OF REQUIREMENT:** A single Cultural Resources Treatment Agreement and Preservation Plan shall be developed between the applicant or their representative, and culturally-affiliated Tribes. The Cultural Resources

Treatment Agreement and Preservation Plan shall be reviewed and agreed to by the County prior to final signature and authorization. The Cultural Resources Treatment Agreement and Preservation Plan shall include but is not limited to the following:

- a. Parties entering into the agreement and contact information.
- b. Responsibilities of the Property Owner or their representative, Principal Investigator, archaeological monitors, San Pasqual (Kumeyaay) and Luiseño Native American monitors, and consulting tribes.
- c. Requirements of the Archaeological Monitoring Program including unanticipated discoveries. The requirements shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, and analysis of identified cultural materials.
- d. Excavated soils. No soils are proposed for export. Consultation with the culturally-affiliated tribes shall occur should excavated soils need to be exported offsite.
- e. Treatment of identified Native American cultural materials. Any identified Native American cultural materials with the exception of Native American human remains and associated grave goods (described in item g below) are to be reburied onsite. The Treatment Agreement and Preservation Plan shall identify a suitable location for reburial of cultural materials should they be encountered and recovered during construction monitoring. Should the reburial area be required, the location shall be recorded on Department of Parks and Recreation (DPR) forms, and an open space easement shall be dedicated for the protection of the resources in perpetuity. If the proposed reburial location is not required, then neither recordation on DPR forms, nor dedication of an open space easement over the proposed location is required.
- f. Deed restriction. Details of the requirement for a deed restriction for reburial of identified Native American cultural materials. The requirements shall address protection of Native American cultural materials, access, and responsibilities for management and maintenance of the open space.
- g. Treatment of Native American human remains and associated grave goods. Consultation with the Most Likely Descendant (MLD) pursuant to Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered. The Treatment Agreement and Preservation Plan shall identify a suitable location for reburial of human remains, sacred items, and funerary items, should they be encountered and recovered during construction monitoring. Should the reburial area be required, the location shall be recorded on Department of Parks and Recreation (DPR) forms, and an open space easement shall be dedicated for the protection of the resources in perpetuity. If the proposed reburial location is not required, then neither recordation on DPR forms, nor dedication of an open space easement over the proposed location is required.
- h. Confidentiality of cultural information including location and data.

- i. Negotiation of disagreements should they arise during the implementation of the Agreement and Preservation Plan.
- j. Regulations that apply to cultural resources that have been identified or may be identified during project construction.

DOCUMENTATION: A copy of the implemented agreement shall be submitted to the [PDS, PPD] for approval. **TIMING:** Prior to approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** The [PDS, PPD] shall review the implemented agreement for compliance this condition.

ROADS#1–ENCROACHMENT PERMIT

INTENT: In order to ensure that improvements for the proposed *storm drain, headwall, all drainage infrastructure* comply with the County of San Diego Public Road Standards, and The Caltrans Facility Standards and Requirements an encroachment permit(s) shall be obtained and implemented. **DESCRIPTION OF REQUIREMENT:** A permit shall be obtained from CALTRANS for the improvements to be made within the Caltrans' right-of-way. A copy of the permit and evidence from the issuing agency that all requirements of the permit have been met shall be submitted to the [PDS, LDR]. **DOCUMENTATION:** The applicant shall obtain the encroachment permit(s) and provide a copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, to the [PDS, LDR]. The applicant should contact the CALTRANS Permit Office at (619) 688-6843 for additional details. **TIMING:** Prior to the approval of any plan, issuance of any County permit, and prior to occupancy or use of the premises in reliance of this permit, the encroachment permit shall be obtained. **MONITORING:** The [PDS, LDR] shall review the permit for compliance with this condition and the applicable improvement plans and implement any conditions of the permit in the County improvement plans.

ROADS#2–CALTRANS' ENCROACHMENT PERMIT

INTENT: In order to ensure that improvements for the connection between the private road easement and *San Pasqual Valley Road (SR 78)* comply with the County of San Diego Public Road Standards and The Caltrans Facility Standards and Requirements, an encroachment permit from CALTRANS shall be obtained and implemented. **DESCRIPTION OF REQUIREMENT:** A permit shall be obtained from CALTRANS for the improvements to be made within the public right-of-way. A copy of the permit and evidence from the issuing agency that all requirements of the permit have been met shall be submitted to the [PDS, LDR]. **DOCUMENTATION:** The applicant shall obtain the encroachment permit and provide a copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, to the [PDS, LDR]. The developer shall obtain an encroachment permit from CALTRANS authorizing access onto *San Pasqual Valley Road (SR 78)*. This will allow CALTRANS to set conditions such as sight distance and road improvements. The applicant should contact the CALTRANS Permit Office at (619) 688-6843 for additional details. **TIMING:** Prior to the approval of any plan, issuance of any County permit, and prior to occupancy or use of the premises in reliance of this permit, the encroachment permit shall be obtained. **MONITORING:** The [PDS, LDR] shall review the permit for compliance with this condition and the applicable improvement plans and implement any conditions of the permit in the County improvement plans.

ROADS#4–TRAFFIC CONTROL PLAN

INTENT: In order to mitigate below levels of significance for temporary traffic impacts, a traffic control plan shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Have Registered Civil Engineer or licensed Traffic Control Contractor prepare a Traffic Control Plan (TCP) to the satisfaction of the Director of Department of Public Works (DPW). **DOCUMENTATION:** The applicant shall have the TCP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Traffic]. **TIMING:** Prior to or at any grading and/or improvement plans and issuance of any Grading, Construction, or Excavation Permits and prior to use of the premises in reliance of this permit, a TCP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the TCP for compliance with this condition.

Project Grading Plan Notes:

PRE-CONSTRUCTION GRADING AND/OR IMPROVEMENTS: *(Prior to any clearing, grubbing, trenching, grading, or any land disturbances.)*

CULT#GR-1 - ARCHAEOLOGICAL MONITORING – PRECONSTRUCTION MEETING

INTENT: In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The County approved Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American Monitors shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American Monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The Project Archaeologist, and San Pasqual (Kumeyaay) and Luiseño Native American monitors shall also evaluate fill soils to determine that they are clean of cultural resources. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources and as outlined in the Treatment Agreement and Preservation Plan. **DOCUMENTATION:** The applicant shall have the contracted Project Archeologist and San Pasqual (Kumeyaay) and Luiseño Native Americans attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall confirm the attendance of the approved Project Archaeologist.

BIO#1–ARROYO TOAD PRE- AND POST-CONSTRUCTION CONSERVATION

INTENT: In order to avoid potential impacts to Arroyo Toad, which are a listed species pursuant to the Endangered Species Act (ESA), conservation measures shall be implemented. **DESCRIPTION OF REQUIREMENT:** The applicant implement the following conservation measures to ensure compliance with the federal ESA:

- A. Prior to project initiation and during the non-breeding season, temporary arroyo toad exclusionary fencing shall be installed in a manner that prevents individuals from entering work areas during the breeding season and for the duration of project construction. In areas without water flows, the fence will consist of woven nylon

fabric or similar material at least 0.6-m (2-ft) high, staked firmly to the ground. In areas where soils are suitable for aestivation, the lower 0.3 m (1 ft) of material will stretch outward along the ground and be secured with a continuous line of sandbags to prevent burrowing beneath the fence. Doubling this line (i.e., stacking sand or gravel bags two-deep) may reduce maintenance and should be considered to improve the integrity of the fencing. In areas where soils are not suitable for aestivation, (i.e., hardpack soils), fencing may be buried to reduce maintenance concerns and improve the integrity of the fencing over time. The fenced areas shall include room for all staging and stockpiling, as warranted. The fencing will prevent potential arroyo toad movement into the Project Site from Guejito Creek in the event work extends into the breeding season. This would require the installation of temporary exclusionary fencing around the perimeter of the Project Site boundaries including the water tank and temporary trench which would extend south to the Project Site. Based on final project design features, temporary wire mesh may also be warranted and installed across the existing box culvert located adjacent to the southern boundary to prevent potential movements of the arroyo toad north toward the Project Site during the breeding season. A qualified arroyo toad biological monitor will oversee the location and installation of the temporary exclusionary fencing.

- B. Conduct at least six (6) consecutive night surveys for the arroyo toad within the Project Site following installation of the temporary exclusionary fencing and active irrigation. If no arroyo toads are detected, construction activities will proceed. If an arroyo toad is detected, an arroyo toad translocation program that has been approved by the Service will be implemented. The program will include the following requirements:
1. Arroyo toads found within the project area will be captured and translocated, by the CFWO-approved arroyo toad biologist, to an area approved by the Service prior to construction. In addition, any arroyo toads captured will be checked for a Passive Integrated Transponder (PIT) tag with a PIT-tag reader by the CFWO-approved arroyo toad biologist. The CFWO-approved arroyo toad biologist will maintain a complete record of all arroyo toads encountered and relocated in association with the project. The date, time of capture, specific location of capture (using Geographic Positioning Systems), PIT-tag code, approximate size, age, and health of the individuals will be recorded and provided in both hard copy and digital format to the CFWO within two weeks of the translocation.
 2. When capturing and translocating arroyo toads from the project area, the CFWO approved arroyo toad biologist will minimize the amount of time that animals are held in captivity. Captured arroyo toads will be maintained in a manner that does not expose them to temperatures or any other environmental conditions that could cause injury or undue stress. To avoid transferring disease or pathogens between aquatic habitats during the course of the capturing and translocating arroyo toads, the CFWO-approved arroyo toad biologist will follow the Declining Amphibian Population Task Force's Fieldwork Code of Practice (DAPTF 1998), or newer version when available. If available, all translocated arroyo toads will be placed in the vicinity of accessible water to allow individuals the opportunity to rehydrate. Arroyo toads will be placed within vegetative cover

located adjacent to the active channel to provide protection against predation. Under no circumstance will arroyo toads be actively buried or placed within a mammal burrow. The following additional guidelines will also be followed during translocation:

- a. All arroyo toads will be translocated.
 - b. Arroyo toads will not be sedated.
 - c. Gloves will be worn by the biologist when handling arroyo toads and changed between individuals.
 - d. Arroyo toads will be placed individually in separate dual-purpose arthropod/small animal containers (7 inches x 6 inches x 6.5 inches) unless large numbers are captured (e.g., emergents that can be housed together).
 - e. Moist, sandy or sandy/loam substrate from the capture site will be placed in terrariums including detritus and small woody debris, if available.
 - f. A small amount of river/creek water will be placed in the terrariums to keep the soil saturated during transportation.
 - g. A spray bottle filled with river/creek water will be used during transportation to spray arroyo toads, if needed.
 - h. Air temperature and humidity will be monitored during transportation.
 - i. Vibrations, noise, and other stress factors will be minimized during transportation.
 - j. In the absence of surface water, de-chlorinated water will be added to the animal container sufficient to saturate the soil to allow individuals the opportunity to rehydrate prior to release.
 - k. Arroyo toads will not be handled for longer than 15 minutes.
3. American bullfrogs (*Lithobates catesbeiana*) or other exotic animal species that prey upon or compete with arroyo toads for resources will be excluded, destroyed, or otherwise permanently removed from the habitat by the CFWO-approved arroyo toad biologist if encountered.
- C. A qualified arroyo toad biological monitor will provide an environmental briefing for all construction workers. The briefing will focus on presenting how to identify the arroyo toad, implications for non-compliance with the federal ESA, a card handout including a species photograph and measures to implement in the event an individual is detected.
 - D. A qualified arroyo toad biological monitor will be present during initial ground disturbing activities to ensure that no arroyo toads are impacted as a result of project implementation.
 - E. A qualified arroyo toad biological monitor will assess the temporary exclusionary fencing at least once a week during project construction to ensure that fencing is secure and devoid of breaches.

- F. A final letter report will be prepared summarizing the results of the monitoring efforts and compliance with the federal ESA.
- G. If arroyo toads are detected after the initial survey effort within the temporary exclusionary fenced work area or during implementation of the preceding conservation measures, all work will cease, until the project biologist implements the measures identified in the translocation program.
- H. The project proponent will coordinate with the Wildlife Agencies to identify best management practices (BMPs) to minimize impacts to arroyo toads from on-going agricultural operations.

DOCUMENTATION: The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDC] shall not allow any grading, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

BIO#2-RESOURCE AVOIDANCE [PDS, FEE X2]

INTENT: In order to avoid impacts to migratory birds and raptors, which are sensitive biological resources pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of migratory bird nesting habitat or 500 feet of raptor nesting habitat during the breeding season of the migratory bird or raptor within RAA as indicated on these plans. The breeding season is defined as occurring between February 1 and August 31. The Director of PDS [PDS, PPD] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no migratory birds or raptors are present in the vicinity of the brushing, clearing, or grading as demonstrated by a survey completed no more than 72-hours prior to grading or clearing. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDC] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

DURING CONTRUCTION: (The following actions shall occur throughout the duration of the grading construction).

1. CULT#GR-2 - ARCHAEOLOGICAL MONITORING – DURING CONSTRUCTION

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American Monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

- a. **Monitoring.** During the original cutting of previously undisturbed deposits, the Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American Monitors shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the San Pasqual (Kumeyaay) and Luiseño Native American Monitors. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the San Pasqual (Kumeyaay) and Luiseño Native American Monitors.
- b. **Inadvertant Discoveries.** In the event that previously unidentified potentially significant cultural resources are discovered:
 1. The Project Archaeologist or the San Pasqual (Kumeyaay) or Luiseño Native American monitors, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources.
 2. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist and culturally-affiliated tribes as identified in the Treatment Agreement and Preservation Plan.
 3. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the project archaeologist, tribal monitor(s), and the tribal representative(s) to discuss the significance of the find. Optionally, the County Archaeologist may attend the meeting to discuss the significance of the find.
 4. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the project archaeologist, tribal monitor(s), and the tribal representative(s) to discuss the significance of the find. Optionally, the County Archaeologist may attend the meeting to discuss the significance of the find.
 5. Construction activities shall not resume in the area of discovery until an agreement has been reached by all parties as to appropriate mitigation. Work shall be allowed to continue outside of the buffer area and shall be monitored.
 6. Isolates and clearly non-significant deposits shall be minimally documented in the field. The isolates and/or non-significant deposits shall be reburied onsite as identified in the Treatment Agreement and Preservation Plan.
 7. Treatment and avoidance of the newly discovered resources shall be consistent with the Treatment Agreement and Preservation Plan entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design,

in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity.

8. If cultural resources are identified, one or more of the following treatments, in order of preference, shall be employed:
 - a. Preservation in place of the Cultural Resources, if feasible. Preservation in place means avoiding the resources, leaving them in place where they were found with no development affecting the integrity of the resources.
 - b. Reburial of the resources on the project property. The measures for reburial shall include, at least, the following:
 - Measures and provisions to protect the future reburial area from any impacts in perpetuity.
 - Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with the exception that sacred items, burial goods, and Native American human remains are excluded.
 - Any reburial process shall be culturally appropriate.
 - Listing of contents and location of the reburial shall be included in the confidential appendix of the Monitoring Report.
 - The Monitoring Report shall be filed with the County under a confidential cover and is not subject to Public Records requests.
 - c. If preservation in place or reburial is not feasible, a Research Design and Data Recovery Program (Program) shall be prepared by the Project Archaeologist in consultation with the Tribe, and the San Pasqual (Kumeyaay) and Luiseño Native American Monitors and approved by the County Archaeologist prior to implementation. There shall be no destructive or invasive testing on sacred items, burial goods, and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Monitoring Report.

Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the Planning & Development Services Director for decision. The Planning & Development Services Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe.

c. **Human Remains.** If any human remains are discovered:

1. The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
2. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the San Pasqual (Kumeyaay) and/or Luiseño Native American monitors.
3. If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).

4. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
 5. The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.
 6. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- d. **Tribal Cultural Resources.** If tribal cultural resources are discovered, the Project Archaeologist shall conduct consultation with culturally-affiliated tribes to determine the most appropriate mitigation. Should the two parties not be able to reach consensus, then the County Archaeologist shall consider the concerns of the culturally-affiliated tribe and the Project Archaeologist, and the Director of Planning & Development Services shall make a final decision regarding appropriate mitigation.
- e. **Fill Soils.** The Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American monitors shall evaluate fill soils to determine that they are clean of cultural resources.
- f. **Monthly Reporting.** The Project Archaeologist shall submit monthly status reports to the Director of Planning and Development Services starting from the date of the Notice to Proceed to termination of implementation of the archaeological monitoring program. The report shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.

DOCUMENTATION: The applicant shall implement the Archaeological Monitoring Program pursuant to this condition. **TIMING:** The following actions shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the monitoring duties of this condition. The [DPW, PDCI] shall contact the [PDS, PPD] if the Project Archeologist or applicant fails to comply with this condition.

ROUGH GRADING: (Prior to rough grading approval and issuance of any building permit).

CULT#GR-3 - ARCHAEOLOGICAL MONITORING – ROUGH GRADING

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities that require monitoring:

- a. **No Archaeological Resources Encountered.** If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed, and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site and any comments from the San Pasqual (Kumeyaay) and Luiseño Native American Monitors must be included in the Negative Monitoring Report.
- b. **Archaeological Resources Encountered.** If archaeological resources were encountered during the earth disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the reburial and/or repatriation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the Archaeological Monitoring Report to [PDS, PPD] for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center and any culturally-affiliated Tribe who requests a copy. **TIMING:** Upon completion of all earth-disturbing activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed. **MONITORING:** [PDS, PPD] shall review the report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

FINAL GRADING RELEASE: *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

CULT#GR-4 - ARCHAEOLOGICAL MONITORING – FINAL GRADING

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following, if applicable:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all Native American cultural materials in order of preference have been conveyed as follows:
 - (1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been reburied.

or

- (2) Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity.

Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

- d. Evidence that all historic cultural materials have been conveyed as follows:

Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- e. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the archaeological monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

DOCUMENTATION: The applicant's archaeologist shall prepare the final report and submit it to [PDS, PPD] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC) and any culturally-affiliated Tribe who requests a copy. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** [PDS, PPD] shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, [PDS, PPD] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete, and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PPD] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects:

ANY PERMIT: *(Prior to the approval of any plan, issuance of any permit, and prior to occupancy or use of the premises in reliance of this permit).*

GEN#1-COST RECOVERY

INTENT: In order to comply with Section 362 of Article XX of the San Diego County Administrative Code, Schedule B.5, existing deficit accounts associated with processing this permit shall be paid. **DESCRIPTION OF REQUIREMENT:** The applicant shall pay off all existing deficit accounts associated with processing this permit. **DOCUMENTATION:** The applicant shall provide evidence to Planning & Development Services, Zoning Counter, which shows that all fees and trust account deficits have been paid. No permit can be issued if there are deficit trust accounts. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, all fees and trust account deficits shall be paid. **MONITORING:** The PDS Zoning Counter shall verify that all fees and trust account deficits have been paid.

GEN#2-RECORDATION OF DECISION

INTENT: In order to comply with Section 7019 of the Zoning Ordinance, the Permit Decision shall be recorded to provide constructive notice to all purchasers, transferees, or other successors to the interests of the owners named, of the rights and obligations created by this permit. **DESCRIPTION OF REQUIREMENT:** The applicant shall sign, notarize with an 'all purpose acknowledgement' and return the original recordation form to PDS. **DOCUMENTATION:** Signed and notarized original recordation form. **TIMING:** Prior to the approval of any plan and prior to the issuance of any permit and prior to use in reliance of this permit, a signed and notarized copy of the Decision shall be recorded by PDS at the County Recorder's Office. **MONITORING:** The PDS Zoning Counter shall verify that the Decision was recorded and that a copy of the recorded document is on file at PDS

CULT#1 - ARCHAEOLOGICAL AND TRIBAL MONITORING

INTENT: In order to mitigate for potential impacts to undiscovered buried archaeological resources and human remains, an Archaeological Monitoring Program and potential Data Recovery Program shall be implemented pursuant to the County of San Diego Guidelines for Determining Significance for Cultural Resources and the California Environmental Quality Act (CEQA). **DESCRIPTION OF REQUIREMENT:** A County Approved Principal Investigator (PI) known as the "Project Archaeologist," shall be contracted to perform archaeological monitoring and a potential data recovery program during all grading, clearing, grubbing, trenching, and construction activities. The archaeological monitoring program shall include the following:

- a. The Project Archaeologist shall perform the monitoring duties before, during and after construction pursuant to the most current version of the County of San Diego Guidelines for Determining Significance and Report Format and Requirements for Cultural Resources. The Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American monitors shall also evaluate fill soils to determine that they are clean of cultural resources. The contract or letter of acceptance provided to the County shall include an agreement that the archaeological monitoring will be completed, and a Memorandum of Understanding (MOU) between the Project Archaeologist and the County of San Diego shall be executed. The contract or letter of acceptance shall include a cost estimate for the monitoring work and reporting.
- d. The Project Archeologist shall provide evidence that a San Pasqual (Kumeyaay) and Luiseño Native American has been contracted by the property owner or their representative to perform Native American Monitoring for the project.
- e. The cost of the monitoring shall be added to the grading bonds or bonded separately.

DOCUMENTATION: The applicant shall provide a copy of the Archaeological Monitoring Contract or letter of acceptance, copy of the Tribal monitoring contract, cost estimate, and MOU to [PDS, PPD]. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate. **TIMING:** Prior

to approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** [PDS, PPD] shall review the contracts or letter of acceptance, MOU and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to [PDS, PPD] for inclusion in the grading bond cost estimate, and grading bonds and the grading monitoring requirement shall be made a condition of the issuance of the grading or construction permit.

CULT#2 - CULTURAL RESOURCES TREATMENT AGREEMENT AND PRESERVATION PLAN

INTENT: In order to mitigate for potential impacts to Traditional Cultural Properties, develop and enter into a Cultural Resources Treatment Agreement and Preservation Plan with culturally-affiliated Tribes. **DESCRIPTION OF REQUIREMENT:** A single Cultural Resources Treatment Agreement and Preservation Plan shall be developed between the applicant or their representative, and culturally-affiliated Tribes. The Cultural Resources Treatment Agreement and Preservation Plan shall be reviewed and agreed to by the County prior to final signature and authorization. The Cultural Resources Treatment Agreement and Preservation Plan shall include but is not limited to the following:

- a. Parties entering into the agreement and contact information.
- b. Responsibilities of the Property Owner or their representative, Principal Investigator, archaeological monitors, San Pasqual (Kumeyaay) and Luiseño Native American monitors, and consulting tribes.
- c. Requirements of the Archaeological Monitoring Program including unanticipated discoveries. The requirements shall address grading and grubbing requirements including controlled grading and controlled vegetation removal in areas of cultural sensitivity, and analysis of identified cultural materials.
- d. Excavated soils. No soils are proposed for export. Consultation with the culturally-affiliated tribes shall occur should excavated soils need to be exported offsite.
- e. Treatment of identified Native American cultural materials. Any identified Native American cultural materials with the exception of Native American human remains and associated grave goods (described in item g below) are to be reburied onsite. The Treatment Agreement and Preservation Plan shall identify a suitable location for reburial of cultural materials should they be encountered and recovered during construction monitoring. Should the reburial area be required, the location shall be recorded on Department of Parks and Recreation (DPR) forms, and an open space easement shall be dedicated for the protection of the resources in perpetuity. If the proposed reburial location is not required, then neither recordation on DPR forms, nor dedication of an open space easement over the proposed location is required.
- f. Deed restriction. Details of the requirement for a deed restriction for reburial of identified Native American cultural materials. The requirements shall address protection of Native American cultural materials, access, and responsibilities for management and maintenance of the open space.

- g. Treatment of Native American human remains and associated grave goods. Consultation with the Most Likely Descendant (MLD) pursuant to Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered. The Treatment Agreement and Preservation Plan shall identify a suitable location for reburial of human remains, sacred items, and funerary items, should they be encountered and recovered during construction monitoring. Should the reburial area be required, the location shall be recorded on Department of Parks and Recreation (DPR) forms, and an open space easement shall be dedicated for the protection of the resources in perpetuity. If the proposed reburial location is not required, then neither recordation on DPR forms, nor dedication of an open space easement over the proposed location is required.
- h. Confidentiality of cultural information including location and data.
- i. Negotiation of disagreements should they arise during the implementation of the Agreement and Preservation Plan.
- j. Regulations that apply to cultural resources that have been identified or may be identified during project construction.

DOCUMENTATION: A copy of the implemented agreement shall be submitted to the [PDS, PPD] for approval. **TIMING:** Prior to approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits. **MONITORING:** The [PDS, PPD] shall review the implemented agreement for compliance this condition.

ROADS#1–ENCROACHMENT PERMIT

INTENT: In order to ensure that improvements for the proposed *storm drain, headwall, all drainage infrastructure* comply with the County of San Diego Public Road Standards, and The Caltrans Facility Standards and Requirements an encroachment permit(s) shall be obtained and implemented. **DESCRIPTION OF REQUIREMENT:** A permit shall be obtained from CALTRANS for the improvements to be made within the Caltrans' right-of-way. A copy of the permit and evidence from the issuing agency that all requirements of the permit have been met shall be submitted to the [PDS, LDR]. **DOCUMENTATION:** The applicant shall obtain the encroachment permit(s) and provide a copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, to the [PDS, LDR]. The applicant should contact the CALTRANS Permit Office at (619) 688-6843 for additional details. **TIMING:** Prior to the approval of any plan, issuance of any County permit, and prior to occupancy or use of the premises in reliance of this permit, the encroachment permit shall be obtained. **MONITORING:** The [PDS, LDR] shall review the permit for compliance with this condition and the applicable improvement plans and implement any conditions of the permit in the County improvement plans.

ROADS#2–CALTRANS' ENCROACHMENT PERMIT

INTENT: In order to ensure that improvements for the connection between the private road easement and *San Pasqual Valley Road (SR 78)* comply with the County of San Diego Public Road Standards and The Caltrans Facility Standards and Requirements, an encroachment permit from CALTRANS shall be obtained and implemented. **DESCRIPTION OF REQUIREMENT:** A permit shall be obtained from CALTRANS for the improvements to be made within the public right-of-way. A copy of the permit and

evidence from the issuing agency that all requirements of the permit have been met shall be submitted to the [PDS, LDR]. **DOCUMENTATION:** The applicant shall obtain the encroachment permit and provide a copy of the permit, proof of payment, and evidence that all the requirements of the permit have been met, to the [PDS, LDR]. The developer shall obtain an encroachment permit from CALTRANS authorizing access onto **San Pasqual Valley Road (SR 78)**. This will allow CALTRANS to set conditions such as sight distance and road improvements. The applicant should contact the CALTRANS Permit Office at (619) 688-6843 for additional details. **TIMING:** Prior to the approval of any plan, issuance of any County permit, and prior to occupancy or use of the premises in reliance of this permit, the encroachment permit shall be obtained. **MONITORING:** The [PDS, LDR] shall review the permit for compliance with this condition and the applicable improvement plans and implement any conditions of the permit in the County improvement plans.

ROADS#3 DEBRIS MANAGEMENT PLAN (DMP)

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov, **DESCRIPTION OF REQUIREMENT:** To divert (recycle, reuse, repurpose) 100% of excavated soils, trees, stumps, rocks, and associated vegetation and soils from the following types of projects: (1) non-residential excavation and grading projects; (2) residential projects that require Major Grading permits. Grading projects greater than 5,000 cubic yards shall prepare a Debris Management Plan (DMP) prior to plan approval. All documentation must be submitted and approved by a DPW Compliance Official. Specific requirements are as follows:

- a. Prior to Grading plan approval, a Debris Management Plan (DMP) is required, consisting of:
 - The type of project.
 - The total cubic yardage for the project.
 - The estimated weight of grading or land clearing debris, by material type, that the project is expected to generate.
 - The estimated maximum weight of grading or land clearing debris that can feasibly be diverted via reuse, salvage, or recycling.
 - The estimated weight of grading or land clearing debris that is planned to be disposed of in a landfill.
 - The name of the facility (or facilities) which debris will be exported to.
- b. During grading activities, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed, must be prepared and retained onsite. The Daily Log must include all export receipts from an inert processing facility, green material processing operation, a C&D processing facility, or other vendor or disposal or transfer station facility that accepted grading material from the approved grading project. If material was reused onsite, other forms of

documentation (such as photos) will be accepted in lieu of receipts. Daily logs shall include:

- Identify the project location.
- Log the date that material was transported off site.
- Log the type of graded or cleared material.
- Estimated material weight, tonnage, or cubic yards.
- Name of entity transporting the material.
- Name of the receiving facility or exporter, and detailing whether the material was salvaged, recycled, or disposed of in a landfill.
- Daily log entries shall correspond to receipts by materials transporter or receiving facility. If grading contractor exported materials off-site, receipts shall be compiled within 90 days of the receipts.
- Daily logs shall include separate entries for each occurrence of materials reused on site.
- Daily logs and all receipts shall be maintained at the project site and made available to any County Inspector for compliance with this condition.

c. Exemption:

- Excavated soil and land-clearing debris that is contaminated by disease or pests are not required to be reused on- or off-site, provided that: (i) the County Agricultural Commissioner has made a determination of disease or pest contamination and permittee follows commissioner's direction for recycling or disposal of the material, (ii) the materials are generated in a known pest and/or disease quarantine zone identified by the California Department of Food and Agriculture, or (iii) the materials are otherwise not required to be reused under the CalGreen Code

DOCUMENTATION: The applicant shall prepare the Debris Management Plan (DMP) and submit the plan for review and approval by the DPW Recycling Compliance Official. During grading operations, a daily log shall be prepared and kept on-site. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. Templates for all forms required are available at:

https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.html.

TIMING: Prior to approval of any plan or issuance of any permit, the Debris Management Plan shall be prepared and submitted to the DPW Recycling Official [DPW CO] for review and approval. **MONITORING:** The [DPW, CO] shall review and approve the DMP documents for the project. The [DPW, CO], shall forward the approval of the DMP to [PDS, LDR] for compliance with this condition.

LNDSCP#1–LANDSCAPE DOCUMENTATION PACKAGE

INTENT: In order to provide adequate Landscaping that addresses screening, a landscape plan shall be prepared. **DESCRIPTION OF REQUIREMENT:** The Landscape Plans shall be prepared pursuant to the COSD Water Efficient Landscape Design Manual and the COSD Water Conservation in Landscaping Ordinance, the COSD Parking Design Manual, and the COSD Grading Ordinance. All Plans shall be prepared by a California licensed Landscape Architect, Architect, or Civil Engineer, and include the following information:

- a. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s) -of-way shall be maintained by the landowner(s) shall be submitted to PDS.
- b. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural moisture. These plants shall be irrigated only to establish the plantings.
- c. A complete watering system including the location, size, and type of all backflow prevention devices, pressure, and non-pressure water lines, valves, and sprinkler heads in those areas requiring a permanent, and/or temporary irrigation system.
- d. The watering system configuration shall indicate how water flow, including irrigation runoff, low head drainage, overspray or other similar conditions will not impact adjacent property, non-irrigated areas, structures, walkways, roadways or other paved areas, including trails and pathways by causing water to flow across, or onto these areas.
- e. Spot elevations of the hardscape, building and proposed fine grading of the installed landscape.
- f. The location and detail of all walls, fences, and walkways shall be shown on the plans, including height from grade and type of material. A lighting plan and light standard details shall be included in the plans (if applicable) and shall be in compliance with the County's Light Pollution Code.
- g. No landscaping material or irrigation or other infrastructure shall be located within a proposed trail easement or designated pathway.
- h. Parking areas shall be landscaped and designed pursuant to the Parking Design Manual and the County Zoning Ordinance Section 6793.b
- i. Additionally, the following items shall be addressed as part of the Landscape Documentation Package: plans shall be in substantial conformance with Sheet's L-1, L-2, and L-3 of the conceptual landscape plan submitted with the Plot Plan on March 19, 2021.

DOCUMENTATION: The applicant shall prepare the Landscape Plans using the Landscape Documentation Package Checklist (PDS Form #404), and pay all applicable review fees. **TIMING:** Prior to approval of any plan, issuance of any permit, and prior to use of the premises in reliance of this permit, the Landscape Documentation Package shall be prepared and approved. **MONITORING:** The [PDS, LA] and [DPR, TC, PP] shall review the Landscape Documentation Package for compliance with this condition.

GEN#3–CERTIFICATE OF COMPLIANCE BOUNDARY ADJUSTMENT

INTENT: In order to ensure the structures are compliant with parcel setbacks, access requirements, and County Policy G-3, a boundary adjustment must be completed.

DESCRIPTION OF REQUIREMENT: The applicant shall submit an application for a Certificate of Compliance and obtain an approved Certificate of Compliance.

DOCUMENTATION: The applicant shall submit an application for a Certificate of Compliance and obtain an approved Certificate of Compliance for the boundary adjustment. **TIMING:** The applicant shall obtain an approved Certificate of Compliance

for a boundary adjustment prior to approval of any plan. **MONITORING:** The PDS Zoning Counter or [PDS, LDR] shall verify that the Certificate of Compliance has been recorded to the satisfaction of the Director of PDS and the County Surveyor.

GRADING PERMIT: *(Prior to approval of any grading and/or improvement plans and issuance of any Grading or Construction Permits).*

PLN#1–PLAN CONFORMANCE

INTENT: In order to implement the required mitigation measures for the project, the required Choose an item. shall conform to the approved Conceptual Grading and Development Plan pursuant to Section 87.207 of the County Grading Ordinance. **DESCRIPTION OF REQUIREMENT:** The Choose an item. shall conform to the approved Conceptual Grading and Development Plan, which includes all of the following mitigation measures: BIO, TRAFFIC, and TRIBAL CULTURAL. All conditions, requirements, mitigation measures and information stated on the sheets of the plans shall be made conditions of the permit's issuance and shall be implemented pursuant to the adopted Mitigation Monitoring and Reporting Program (MMRP) of this Permit. No deviation of the requirements can be made without modification of this permit. **DOCUMENTATION:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the notes and items shall be placed on the plans as required. **MONITORING:** The [DPW, ESU, DPR, TC, or PDS, BD for Minor Grading] shall verify that the grading and/or improvement plan requirements have been implemented on the final grading and/or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

STRMWTR#1–EROSION CONTROL

INTENT: In order to Comply with all applicable stormwater regulations the activities proposed under this application are subject to enforcement under permits from the State Construction General Permit, Order No. 2009-00090-DWQ, or subsequent order and the County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq., and all other applicable ordinances and standards for this priority project. **DESCRIPTION OF REQUIREMENT:** The applicant shall maintain the appropriate on-site and offsite Best Management Practices pursuant to the approved Stormwater Quality Management Plan (SWQMP) and Erosion Control Plan including, but not limited to the erosion control measures, irrigation systems, slope protection, drainage systems, desilting basins, energy dissipators, and silt control measure.

- a. An agreement and instrument of credit shall be provided for an amount equal to the cost of this work as determined or approved by the [PDS, LDR], in accordance with the County of San Diego Grading Ordinance Section 87.304. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. The developer shall submit a letter to [PDS, LDR] authorizing the use of this deposit for emergency measures.
- b. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County to unilaterally withdraw any part of or all

the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County PDS and/or DPW by the date agreed.

DOCUMENTATION: The applicant shall process an Erosion Control Plan and provide the letter of agreement and any additional security and/or cash deposit to the [PDS, LDR]. **TIMING:** Prior to approval of any grading or improvement plan or construction permit, and prior to use of the property in reliance of this permit, the Erosion Control Plan shall be approved, and the agreement and securities shall be executed. **MONITORING:** The [PDS, LDR] shall ensure that the Erosion Control Plan adequately satisfies the requirements of the conditions to potentially perform the required erosion control and stormwater control measures proposed on all construction and grading plans. [DPW, PDCI] shall use the securities pursuant to the agreement to implement and enforce the required stormwater and erosion control measures pursuant to this condition during all construction phases if there are open and valid permits for the site.

DRNG#1–WAIVER AND RELEASE LETTERS

INTENT: In order to notify adjacent property owners downstream, (i.e., the existing farmhouse located at APN: 242-070-07-00), of the project site that there will be changes to the drainage features that could have effects on their property; and to comply with County Flood Damage Prevention Ordinance (Title 8, Division 11), County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq. letter(s) of permission shall be obtained. **DESCRIPTION OF REQUIREMENT:** A recorded waiver and release letter shall be obtained from each property owner impacted by significant changes (including diversion and concentration) in downstream flow characteristics resulting from grading, private roads, or other improvements. **DOCUMENTATION:** The applicant shall obtain the letters of approval from each downstream neighbor, have them recorded by the County Recorder, and then submit them to the [PDS, LDR] for review and approval. **TIMING:** Prior to approval of any grading or improvement plan and prior to issuance of any grading or construction permit, the letters shall be obtained. **MONITORING:** The letters of permission shall be reviewed by the [PDS, LDR] for compliance with this condition.

ROADS#4–TRAFFIC CONTROL PLAN

INTENT: In order to mitigate below levels of significance for temporary traffic impacts, a traffic control plan shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** Have Registered Civil Engineer or licensed Traffic Control Contractor prepare a Traffic Control Plan (TCP) to the satisfaction of the Director of Department of Public Works (DPW). **DOCUMENTATION:** The applicant shall have the TCP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Traffic]. **TIMING:** Prior to or at any grading and/or improvement plans and issuance of any Grading, Construction, or Excavation Permits and prior to use of the premises in reliance of this permit, a TCP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the TCP for compliance with this condition.

ROADS#5–HAUL ROUTE PLAN

INTENT: In order to ensure roads are not damaged by heavily loaded trucks on the route identified during the construction phase (or subsequent operations). A Haul Route Plan (HRP) shall be prepared and implemented. **DESCRIPTION OF REQUIREMENT:** A HRP

shall be prepared that addresses the following, but is not limited to: haul routes, truck types and capacity, number of trips per day, estimated quantity of import & export, destination, duration of the haul, and hours of operation.

- a. The implementation of the HRP shall be a condition of any grading, construction, or excavation permit issued by the County. The applicant is responsible for the road maintenance (sweeping as necessary) and repair of any damage caused by them to the on-site and offsite County maintained roads that serve the property either during construction or subsequent operations.
- b. The applicant will repair those portions of the roads that are damaged by the heavy loaded trucks. An agreement shall be executed, to require (1) a cash deposit for emergency traffic safety repairs; (2) long-term security for road maintenance and repair of any damage caused by the project to the County maintained roads that serve the project during construction phase on the route identified; and (3) All the roads identified on the haul route plan shall be returned to the existing condition or better.
- c. Prior to the import/export, all affected property owners in the residential neighborhood shall be notified; no equipment or material storage on public roads will be allowed, and sweeping to be performed at the end of each week or more frequently depending on hauling schedule.

DOCUMENTATION: The applicant shall have the HRP prepared by a Registered Civil Engineer or a licensed Traffic Control Contractor and submit it to [PDS, LDR] for review by [DPW, Road Maintenance]. The applicant shall also execute a secured agreement for any potential damages caused by heavy trucks on road mentioned above. The agreement and securities shall be approved to the satisfaction of the [DPW, Road Maintenance]. **TIMING:** Prior to or at issuance of any grading and/or improvement plans and issuance of any Grading, Construction, or Excavation Permits and prior to use of the premises in reliance of this permit, a HRP shall be prepared and approved. **MONITORING:** The [PDS, LDR] shall review the HRP for compliance with this condition.

AIR#1-CONSTRUCTION EXHAUST EMISSIONS

INTENT: In order to mitigate for diesel exhaust emissions and criteria air pollutants.

DESCRIPTION OF REQUIREMENT: The project shall comply with the California Air Resources Board's (CARB's) Air Toxic Control Measure 13:

- a. Idling time for heavy-duty construction equipment shall not exceed 5 minutes unless more time is required per engine manufacturers' specifications or for safety reasons

DOCUMENTATION: The applicant or designee shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of construction and grading. **MONITORING:** The [DPW, PDC] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDC] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

AIR#2-FUGITIVE DUST

INTENT: In order to mitigate for fugitive dust during construction activities.

DESCRIPTION OF REQUIREMENT: The project applicant or designee shall implement the following measures to mitigate fugitive dust compliant with San Diego Air Pollution Control District (SDAPCD) Rule 55 and County Code Section 87.428 (Grading Ordinance):

- a. All haul/dump trucks entering or leaving the site with soil or fill material must maintain at least two (2) feet of freeboard or cover loads of all haul/dump trucks securely.
- b. Areas recently disturbed by dozer/scrapper passes and any unpaved roads within the project limits will be watered a minimum of three (3) times daily.
- c. Grading activities will be terminated in winds in excess of 25 miles per hour (mph).
- d. Dust and debris at public street access points shall be cleaned regularly using sweepers and water trucks.
- e. Dirt storage piles will be stabilized by chemical binders, tarps, fencing, or other suppression measures.
- f. Internal construction-roadways will be stabilized by paving, chip sealing or applying stabilizing chemicals after rough grading.
- g. Apply non-toxic soil stabilizers to inactive, exposed surfaces when not in use for more than 3 days.
- h. A 15-mph speed limit on unpaved surfaces shall be enforced.

DOCUMENTATION: The applicant or designee shall comply with the Air Quality requirements of this condition. **TIMING:** The following actions shall occur throughout the duration of construction and grading. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the Air Quality requirements of this condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

AIR#3-CONSTRUCTION ARCHITECTURAL COATINGS

INTENT: In order to reduce emissions of volatile organic compounds (VOC).

DESCRIPTION OF REQUIREMENT: The project shall comply with the following SDAPCD's Rule 67:

- a. The project shall use architectural coatings with a VOC content of 100 grams per liter (g/l) or less for exterior coatings and 50 g/l or less for interior coatings.

DOCUMENTATION: The applicant shall comply with the Air Quality requirements of this condition. **TIMING:** The following action shall occur throughout the duration of the construction activities involving the application of architectural coatings. **MONITORING:** The [DLPU, BI] shall make sure that the construction contractor complies with the Air Quality requirement of this condition. The [DLPU, BI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

BUILDING PERMIT: (Prior to approval of any building plan and the issuance of any building permit).

ROADS#6-DEBRIS MANAGEMENT REPORT (DMR)

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. This includes grading, clearing and brushing material for grading projects over 5,000 cubic yards. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. **DESCRIPTION OF REQUIREMENT:** Prior to Rough Grade Inspection and release, and prior to issuance of any building permit, a Final Debris Management Report must be submitted for review and approval by the DPW Recycling Compliance Official. The report shall include:

- Project name.
- List of total weight, tonnage, or cubic yards of materials, by type, which was recycled, salvaged, or disposed of in a landfill.
- Provide copies of receipts for export facilities, haulers, or materials reused on site.
- Signed self-certification letter (see template).

DOCUMENTATION: Prior to Rough Grade Release and prior to issuance of any building permit, a final report shall be prepared and submitted for review and approval to the DPW Recycling Compliance Official. For additional questions, please call (858) 694-2463 or email CDRecycling@sdcounty.ca.gov. Templates for all forms required are available at: https://www.sandiegocounty.gov/content/sdc/dpw/recycling/NewCD_Grading.html.

TIMING: Prior to building permit issuance, and Rough Grading release, the Debris Management Final Report shall be prepared and submitted to DPW Recycling Official [DPW CO] for review and approval. **MONITORING:** The [DPW, CO] shall review and approve the DMR documents for the project. The [DPW, CO], shall forward the approval of the DMR to [DPW, PDC] and [PDS, Building PCC] for compliance with this condition.

DEH#1-WASTEWATER TREATMENT SYSTEMS AND POTABLE WATER

INTENT: In order to ensure potable water is provided for the project and the onsite wastewater treatment systems meet DEHQ requirements. **DESCRIPTION OF REQUIREMENT:** The following conditions of approval shall apply per the Department of Environmental Health and Quality:

- The applicant must establish a Small Water System to provide potable water to the venue.
- The applicant will coordinate with the State Water Resources Control Board, Division of Drinking Water to ensure ongoing maintenance and quality assurance of the potable water system.
- The applicant must obtain an updated layout approval for both proposed onsite wastewater treatment systems prior to entering plan check with Planning and Development Services for building permit issuance for the respective structure(s). Issuance of a Septic Permit is required prior to Building Permit issuance. For details on this please contact Scott Rosecrans at 619-208-0337 or via email at Scott.rosecrans@sdcounty.ca.gov
- The applicant must submit plans for the proposed commercial kitchen/kitchenette to the Food & Housing Division (FHD) prior to building permit or septic permit issuance. For details on the FHD plan check process please contact 858-505-6659 or via email at FHDPlanCheckLUEG@sdcounty.ca.gov

- The existing onsite wastewater treatment system serving the farmhouse must have the septic tank and any seepage pits pumped clean and collapsed/backfilled before or immediately following the destruction/removal of the home.

DOCUMENTATION: The applicant or designee shall comply with the requirements of this condition. **TIMING:** These condition shall be satisfied prior to building permit issuance. **MONITORING:** Compliance with this condition shall be confirmed by DEHQ and monitored by the PDS Code Enforcement Division.

GHG#1-OPERATION AIR QUALITY AND GREENHOUSE GAS EMISSIONS

INTENT: In order to reduce emissions of criteria pollutants and greenhouse gases from mobile and energy sources. **DESCRIPTION OF REQUIREMENT:** In an effort to develop a sustainable project, the project shall:

- Construct all new buildings to be natural gas prohibitive (i.e., fully electric).
- Install 19 electric vehicle (EV) capable spaces with Electric Vehicle Supply Equipment and 38 EV capable spaces in accordance with the Tier 2 Standards of the CalGreen Code.
- Install photovoltaic solar (PV) panels on the project rooftop following the completion of building design and architectural plans.
- Allocate special parking spaces and provide special parking spaces for carpoolers and shuttle/tour company vehicles that serve the proposed project and neighboring wineries

DOCUMENTATION: The applicant shall comply with the requirements of this condition. **TIMING:** Prior to approval of any building plan or the issuance of any building permit, these design measures shall be implemented on the building plans and landscape plans. **MONITORING:** The [PDS, BPPR] and [DPW, PC] shall review the site plan and applicant documents to ensure these conditions have been met.

OCCUPANCY: *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

GEN#4-INSPECTION FEE

INTENT: In order to comply with Zoning Ordinance Section 7362.e the inspection fee shall be paid. **DESCRIPTION OF REQUIREMENT:** Pay the inspection fee at the [PDS, ZC] to cover the cost of inspection(s) of the property to monitor ongoing conditions associated with this permit. In addition, submit a letter indicating who should be contacted to schedule the inspection. **DOCUMENTATION:** The applicant shall provide a receipt showing that the inspection fee has been paid along with updated contact information [PDS, PCC]. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit. **MONITORING:** The [PDS, ZC] shall process an invoice and collect the fee. PDS will schedule an inspection within one year from the date that occupancy or use of the site was established.

PLN#2-SITE PLAN IMPLEMENTATION

INTENT: In order to comply with the approved project design indicated on the approved plot plan, the project shall be constructed as indicated on the approved building and construction plans. **DESCRIPTION OF REQUIREMENT:** The site shall conform to the approved MUP plot plan and the building plans. This includes, but is not limited to:

improving all on-site parking areas trails, parks and driveways, installing all required design features, painting all structures with the approved colors, trash enclosures are properly screened, required and approved signage is installed and located properly, and all temporary construction facilities have been removed from the site.

DOCUMENTATION: The applicant shall ensure that the site conforms to the approved plot plan and building plans. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the site shall conform to the approved plans. **MONITORING:** The [PDS, BI] and [DPR TC, PP] shall inspect the site for compliance with the approved Building Plans.

ROADS#7-ANNEX TO LIGHTING DISTRICT

INTENT: In order to promote orderly development and to comply with the Street Lighting Requirements of the County of San Diego Board Policy I-18 and The County of San Diego Public Road Standards, the property shall transfer into the Lighting District.

DESCRIPTION OF REQUIREMENT: Allow the transfer of the property subject of this permit into Zone A of the San Diego County Street Lighting District without notice or hearing and pay the cost to process such transfer. **DOCUMENTATION:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [PDS, LDR]. The applicant shall provide the receipt to [PDS, PCC]. **TIMING:** Prior to occupancy of the first structure built in association with this permit or use in the premises in reliance of this permit, the fee shall be paid. **MONITORING:** The [PDS, LDR] shall calculate the fee pursuant to this condition and provide a receipt of payment for the applicant.

STRMWTR#2-PROVISION OF STORMWATER DOCUMENTATION TO PROPERTY OWNER

INTENT: In order to promote orderly development and to comply with the County Watershed Protection Ordinance (WPO) No.10410, County Code Section 67.801 et. seq., stormwater documentation shall be provided to property owner. **DESCRIPTION OF REQUIREMENT:** Demonstrate that copies of the following documents are provided to the property owner and initial occupants:

- a. A copy of the project's approved SWQMP (with attached Operation & Maintenance Plan).
- b. A copy of project's recorded Maintenance Notification Agreement and/or Stormwater Facilities Maintenance Agreement and/or Private Road Maintenance Agreement showing the BMPs pertaining to the property.
- c. Sample copies of the following:
 - 1) A Letter for Privately Owned Stormwater Treatment Control Best Management Practices Operation and Maintenance Verification.
 - 2) One Operation and Maintenance Verification Form for each type of Private Treatment Control BMP.

DOCUMENTATION: The applicant shall submit a letter stating that the above documentation has been submitted to the property owner and initial occupants. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit; provision of stormwater documents shall be completed. **MONITORING:** The

[PDS, LDR] and [DPW, WPP] shall review the letter provided by the applicant for consistency with the condition and County Standards.

LNDSCP#2–CERTIFICATION OF INSTALLATION

INTENT: In order to provide adequate Landscaping that addresses screening, and to comply with the COSD Water Efficient Landscape Design Manual, the COSD Water Conservation in Landscaping Ordinance, the Parking Design Manual, and the COSD Grading ordinance, all landscaping shall be installed. **DESCRIPTION OF REQUIREMENT:** All of the landscaping shall be installed pursuant to the approved Landscape Documentation Package. This does not supersede any erosion control plantings that may be applied pursuant to Section 87.417 and 87.418 of the County Grading Ordinance. These areas may be overlapping, but any requirements of a grading plan shall be complied with separately. The installation of the landscaping can be phased pursuant to construction of specific buildings or phases to the satisfaction of the [PDS, LA, PCC] [DPR, TC, PP]. **DOCUMENTATION:** The applicant shall submit to the [PDS, LA, PCC], a Landscape Certificate of Completion from the project California licensed Landscape Architect, Architect, or Civil Engineer, that all landscaping has been installed as shown on the approved Landscape Documentation Package. The applicant shall prepare the Landscape Certificate of Completion using the Landscape Certificate of Completion Checklist, PDS Form #406. **TIMING:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the landscaping shall be installed. **MONITORING:** The [PDS, LA] shall verify the landscape installation upon notification of occupancy or use of the property, and notify the [PDS, PCC] [DPR, TC, PP] of compliance with the approved Landscape Documentation Package.

FIRE#1–FIRE PROTECTION PLAN

INTENT: In order to assure fire safety in compliance with the County of San Diego Consolidated Fire Code the site shall be maintained in conformance with the approved Fire Protection Plan (FPP). **DESCRIPTION OF REQUIREMENT:** The following measures approved in the Fire Protection Plan shall be implemented and maintained:

- a.** All gates shall be equipped with a Knox box and an emergency key-operated switch which can override all command functions and open the gate.
- b.** All structures shall be identified by street address numbers. Numbers shall be 8 inches in height with a 1-inch stroke and shall contrast with the background. Numbers shall be located 6 to 8 feet above grade.

DOCUMENTATION: The applicant shall provide documentation photographs that demonstrate compliance with these measures. **TIMING:** Prior to occupancy of the first structure built in association with this permit, the FPP requirements shall be implemented.

MONITORING: The [PDS, PCC] shall verify that the mitigation measures have been initially implemented pursuant to the approved building plans and the FPP.

ONGOING: *(Upon establishment of use the following conditions shall apply during the term of this permit).*

PLN#3–SITE CONFORMANCE

INTENT: In order to comply with Zoning Ordinance Section 7703, the site shall substantially comply with the approved plot plans and all deviations thereof, specific conditions and approved building plans. **DESCRIPTION OF REQUIREMENT:** The

project shall conform to the approved landscape plan(s), building plans, and plot plan(s). This includes, but is not limited to maintaining the following: all parking, trails, parks and driveways areas, watering all landscaping at all times, painting all necessary aesthetics design features, and all lighting wall/fencing and required signage. Failure to conform to the approved plot plan(s); is an unlawful use of the land, and will result in enforcement action pursuant to Zoning Ordinance Section 7703. **DOCUMENTATION:** The property owner and permittee shall conform to the approved plot plan. If the permittee or property owner chooses to change the site design in any way, they must obtain approval from the County for a Minor Deviation or a Modification pursuant to the County of San Diego Zoning Ordinance. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

ROADS#8-PRIVATE ROAD MAINTENANCE

INTENT: In order to ensure that the offsite private roads are maintained and not damaged during construction, the applicant shall assume responsibility. **DESCRIPTION OF REQUIREMENT:** The applicant is responsible for maintenance and repair, in case of damage caused by this project to the on-site and offsite private roads that serve the property during either construction or subsequent operations. **DOCUMENTATION:** The applicant shall assume responsibility pursuant to this condition. **TIMING:** Upon establishment of use, the following conditions shall apply during the term of this permit. **MONITORING:** *The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.*

NOISE#1-NOISE REQUIREMENT [PDS, FEE X2]

INTENT: In order to reduce the impacts of the exterior sound levels from the project site on the adjacent parcels and to comply with the County of San Diego Noise Ordinance 36.404 as evaluated in the County of San Diego Noise Guidelines for Determining Significance, the following design measures shall be implemented on the building plans and in the site design. **DESCRIPTION OF REQUIREMENT:** The following design elements and noise attenuation measures shall be implemented and made conditions of its issuance:

1. Include a plan detail that states the following: "Hours of operations for the events would be limited to 10:00 am to 10:00 pm, where no music, live or recorded would occur after 10:00 pm".
2. Amplified music may be located in the exterior areas on the patio north of the tasting facility and the central plaza area of the event center.
3. Speakers shall be turned away from the closest residences, which are located west and south of the project site.
4. The terms of the standard rental contract to be used by the project shall contain specific requirements that any private amplified sound systems operated on the site shall comply with the noise standard of 50 dB(A) Leq at the nearest residential property lines.
5. A property representative shall be on call during events to respond to public complaints and concerns related to noise.

General Note: If substantial new information and/or major project design changes occur to what was previously assessed, then additional noise review may be necessary to ensure noise ordinance compliance.

DOCUMENTATION: The applicant shall place the design elements, or notes on the building plans and submit the plans to [PDS, BPPR] for review and approval. **TIMING:** Prior to issuance of any building permit, the design elements and noise attenuation measures shall be incorporated into the building plans. **MONITORING:** The [PDS, BPPR] shall verify that the specific note(s), and design elements, and noise attenuation measures have been placed on all sets of the building plans and made conditions of its issuance.

NOISE#2. ON-GOING SOUND LEVEL COMPLIANCE: [PDS, CODES] [OG]

INTENT: In order to comply with the applicable sections of Title 3, Division 6, Chapter 4 (County of San Diego Noise Ordinance), the site shall comply with the requirements of this condition. **DESCRIPTION OF REQUIREMENT:** The project shall conform to the following requirements: Major Use Permit associated activities shall comply with the one-hour average sound level limit property line requirement pursuant to the County Noise Ordinance, Section 36.404. **DOCUMENTATION:** The property owner(s) and applicant shall conform to the ongoing requirements of this condition. Failure to conform to this condition may result in disturbing, excessive or offensive noise interfering with a person's right to enjoy life and property and is detrimental to the public health and safety pursuant to the applicable sections of Chapter 4, therefore, may result in citations from the Code Compliance Division until the noise levels from the operations comply with the Noise Ordinance Section 36.404. **TIMING:** Upon establishment of the use, this condition shall apply for the duration of the term of this permit. **MONITORING:** The [PDS, CODES] is responsible for enforcement of this permit.

FIRE#2-ON-GOING FIRE PROTECTION

INTENT: In order to comply with the County of San Diego Consolidated Fire Code the site shall comply with the approved Fire Protection Plan (FPP) and Evacuation Plan (EP). **DESCRIPTION OF REQUIREMENT:** The following measures approved in the FPP and EP shall be implemented and maintained:

- a. Fuel Modification Zones of 100 feet from all structures shall be maintained at all times.
- b. 50 feet of hardscaping surrounding each Firepit shall be maintained at all times. Use of outdoor Firepits shall not be permitted on Red Flag Warning days.
- c. In order to support quick evacuation during a wildland fire, when guests arrive via bus(es), the bus(es) shall be required to stay on premises for the entirety of the event to which the guests are attending.

DOCUMENTATION: The applicant shall comply with the requirements of the FPP and EP and this condition for the life of this permit. **TIMING:** Upon establishment of the use, the conditions of the FPP and EP shall be complied with for the term of this permit. **MONITORING:** The [PDS, PCC] shall verify that the mitigation measures have been implemented pursuant to the approved building plans, FPP and EP. The [PDS, Code Enforcement Division] is responsible for enforcement of this permit.

FIRE#3–ON-GOING FIRE PROTECTION EVACUATION PLAN

INTENT: In order to comply with the County of San Diego Fire Code Sections 96.1.4703 and 96.1.4707, the site shall comply with the approved Fire Evacuation Plan.

DESCRIPTION OF REQUIREMENT: The measures approved in the Evacuation Plan shall be implemented and maintained.

DOCUMENTATION: The applicant shall comply with the requirements of the FPP and this condition for the life of this permit. **TIMING:** Upon establishment of the use, the conditions of the FPP shall be complied with for the term of this permit. **MONITORING:**

The [PDS, PCC] shall verify that the mitigation measures have been implemented pursuant to the approved building plans and the FPP. The [PDS, Code Enforcement Division] is responsible for enforcement of this permit. The [fire agency] shall be responsible for long-term implementation of fire clearing requirements.

Project Grading Plan Notes:

PRE-CONSTRUCTION GRADING AND/OR IMPROVEMENTS: *(Prior to any clearing, grubbing, trenching, grading, or any land disturbances.)*

CULT#GR-1 - ARCHAEOLOGICAL MONITORING – PRECONSTRUCTION MEETING

INTENT: In order to comply with the County of San Diego Guidelines for Significance – Cultural Resources, an Archaeological Monitoring Program shall be implemented.

DESCRIPTION OF REQUIREMENT: The County approved Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American Monitors shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the archaeological monitoring program. The Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American Monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The Project Archaeologist, and San Pasqual (Kumeyaay) and Luiseño Native American monitors shall also evaluate fill soils to determine that they are clean of cultural resources. The archaeological monitoring program shall comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources and as outlined in the Treatment Agreement and Preservation Plan. **DOCUMENTATION:** The applicant shall have the contracted Project Archeologist and San Pasqual (Kumeyaay) and Luiseño Native Americans attend the preconstruction meeting to explain the monitoring requirements. **TIMING:** Prior to any clearing, grubbing, trenching, grading, or any land disturbances this condition shall be completed. **MONITORING:** The [DPW, PDCI] shall confirm the attendance of the approved Project Archaeologist.

MONITORING: The [DPW, PDCI] shall confirm the attendance of the approved Project Archaeologist.

BIO#1–ARROYO TOAD PRE- AND POST-CONSTRUCTION CONSERVATION

INTENT: In order to avoid potential impacts to Arroyo Toad, which are a listed species pursuant to the Endangered Species Act (ESA), conservation measures shall be implemented. **DESCRIPTION OF REQUIREMENT:** The applicant implement the following conservation measures to ensure compliance with the federal ESA:

DESCRIPTION OF REQUIREMENT: The applicant implement the following conservation measures to ensure compliance with the federal ESA:

- I. Prior to project initiation and during the non-breeding season, temporary arroyo toad exclusionary fencing shall be installed in a manner that prevents individuals from entering work areas during the breeding season and for the duration of project construction. In areas without water flows, the fence will consist of woven nylon

fabric or similar material at least 0.6-m (2-ft) high, staked firmly to the ground. In areas where soils are suitable for aestivation, the lower 0.3 m (1 ft) of material will stretch outward along the ground and be secured with a continuous line of sandbags to prevent burrowing beneath the fence. Doubling this line (i.e., stacking sand or gravel bags two-deep) may reduce maintenance and should be considered to improve the integrity of the fencing. In areas where soils are not suitable for aestivation, (i.e., hardpack soils), fencing may be buried to reduce maintenance concerns and improve the integrity of the fencing over time. The fenced areas shall include room for all staging and stockpiling, as warranted. The fencing will prevent potential arroyo toad movement into the Project Site from Guejito Creek in the event work extends into the breeding season. This would require the installation of temporary exclusionary fencing around the perimeter of the Project Site boundaries including the water tank and temporary trench which would extend south to the Project Site. Based on final project design features, temporary wire mesh may also be warranted and installed across the existing box culvert located adjacent to the southern boundary to prevent potential movements of the arroyo toad north toward the Project Site during the breeding season. A qualified arroyo toad biological monitor will oversee the location and installation of the temporary exclusionary fencing.

- J. Conduct at least six (6) consecutive night surveys for the arroyo toad within the Project Site following installation of the temporary exclusionary fencing and active irrigation. If no arroyo toads are detected, construction activities will proceed. If an arroyo toad is detected, an arroyo toad translocation program that has been approved by the Service will be implemented. The program will include the following requirements:
1. Arroyo toads found within the project area will be captured and translocated, by the CFWO-approved arroyo toad biologist, to an area approved by the Service prior to construction. In addition, any arroyo toads captured will be checked for a Passive Integrated Transponder (PIT) tag with a PIT-tag reader by the CFWO-approved arroyo toad biologist. The CFWO-approved arroyo toad biologist will maintain a complete record of all arroyo toads encountered and relocated in association with the project. The date, time of capture, specific location of capture (using Geographic Positioning Systems), PIT-tag code, approximate size, age, and health of the individuals will be recorded and provided in both hard copy and digital format to the CFWO within two weeks of the translocation.
 2. When capturing and translocating arroyo toads from the project area, the CFWO approved arroyo toad biologist will minimize the amount of time that animals are held in captivity. Captured arroyo toads will be maintained in a manner that does not expose them to temperatures or any other environmental conditions that could cause injury or undue stress. To avoid transferring disease or pathogens between aquatic habitats during the course of the capturing and translocating arroyo toads, the CFWO-approved arroyo toad biologist will follow the Declining Amphibian Population Task Force's Fieldwork Code of Practice (DAPTF 1998), or newer version when available. If available, all translocated arroyo toads will be placed in the vicinity of accessible water to allow individuals the opportunity to rehydrate. Arroyo toads will be placed within vegetative cover

located adjacent to the active channel to provide protection against predation. Under no circumstance will arroyo toads be actively buried or placed within a mammal burrow. The following additional guidelines will also be followed during translocation:

- a. All arroyo toads will be translocated.
 - b. Arroyo toads will not be sedated.
 - c. Gloves will be worn by the biologist when handling arroyo toads and changed between individuals.
 - d. Arroyo toads will be placed individually in separate dual-purpose arthropod/small animal containers (7 inches x 6 inches x 6.5 inches) unless large numbers are captured (e.g., emergents that can be housed together).
 - e. Moist, sandy or sandy/loam substrate from the capture site will be placed in terrariums including detritus and small woody debris, if available.
 - f. A small amount of river/creek water will be placed in the terrariums to keep the soil saturated during transportation.
 - g. A spray bottle filled with river/creek water will be used during transportation to spray arroyo toads, if needed.
 - h. Air temperature and humidity will be monitored during transportation.
 - i. Vibrations, noise, and other stress factors will be minimized during transportation.
 - j. In the absence of surface water, de-chlorinated water will be added to the animal container sufficient to saturate the soil to allow individuals the opportunity to rehydrate prior to release.
 - k. Arroyo toads will not be handled for longer than 15 minutes.
3. American bullfrogs (*Lithobates catesbeiana*) or other exotic animal species that prey upon or compete with arroyo toads for resources will be excluded, destroyed, or otherwise permanently removed from the habitat by the CFWO-approved arroyo toad biologist if encountered.
- K. A qualified arroyo toad biological monitor will provide an environmental briefing for all construction workers. The briefing will focus on presenting how to identify the arroyo toad, implications for non-compliance with the federal ESA, a card handout including a species photograph and measures to implement in the event an individual is detected.
 - L. A qualified arroyo toad biological monitor will be present during initial ground disturbing activities to ensure that no arroyo toads are impacted as a result of project implementation.
 - M. A qualified arroyo toad biological monitor will assess the temporary exclusionary fencing at least once a week during project construction to ensure that fencing is secure and devoid of breaches.

- N. A final letter report will be prepared summarizing the results of the monitoring efforts and compliance with the federal ESA.
- O. If arroyo toads are detected after the initial survey effort within the temporary exclusionary fenced work area or during implementation of the preceding conservation measures, all work will cease, until the project biologist implements the measures identified in the translocation program.
- P. The project proponent will coordinate with the Wildlife Agencies to identify best management practices (BMPs) to minimize impacts to arroyo toads from on-going agricultural operations.

DOCUMENTATION: The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

BIO#2-RESOURCE AVOIDANCE [PDS, FEE X2]

INTENT: In order to avoid impacts to migratory birds and raptors, which are sensitive biological resources pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **DESCRIPTION OF REQUIREMENT:** There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of migratory bird nesting habitat or 500 feet of raptor nesting habitat during the breeding season of the migratory bird or raptor within RAA as indicated on these plans. The breeding season is defined as occurring between February 1 and August 31. The Director of PDS [PDS, PPD] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Wildlife, provided that no migratory birds or raptors are present in the vicinity of the brushing, clearing, or grading as demonstrated by a survey completed no more than 72-hours prior to grading or clearing. **DOCUMENTATION:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **TIMING:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **MONITORING:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

DURING CONTRUCTION: (The following actions shall occur throughout the duration of the grading construction).

2. CULT#GR-2 - ARCHAEOLOGICAL MONITORING – DURING CONSTRUCTION

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, a Cultural Resource Grading Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American Monitors shall monitor the original cutting of previously undisturbed deposits in all areas identified for development including off-site improvements. The archaeological monitoring program shall comply with the following requirements during earth-disturbing activities:

- a. **Monitoring.** During the original cutting of previously undisturbed deposits, the Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American Monitors shall be onsite as determined necessary by the Project Archaeologist. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist in consultation with the San Pasqual (Kumeyaay) and Luiseño Native American Monitors. Monitoring of the cutting of previously disturbed deposits will be determined by the Project Archaeologist in consultation with the San Pasqual (Kumeyaay) and Luiseño Native American Monitors.
- b. **Inadvertant Discoveries.** In the event that previously unidentified potentially significant cultural resources are discovered:
 9. The Project Archaeologist or the San Pasqual (Kumeyaay) or Luiseño Native American monitors, shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources.
 10. At the time of discovery, the Project Archaeologist shall contact the PDS Staff Archaeologist and culturally-affiliated tribes as identified in the Treatment Agreement and Preservation Plan.
 11. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the project archaeologist, tribal monitor(s), and the tribal representative(s) to discuss the significance of the find. Optionally, the County Archaeologist may attend the meeting to discuss the significance of the find.
 12. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the project archaeologist, tribal monitor(s), and the tribal representative(s) to discuss the significance of the find. Optionally, the County Archaeologist may attend the meeting to discuss the significance of the find.
 13. Construction activities shall not resume in the area of discovery until an agreement has been reached by all parties as to appropriate mitigation. Work shall be allowed to continue outside of the buffer area and shall be monitored.
 14. Isolates and clearly non-significant deposits shall be minimally documented in the field. The isolates and/or non-significant deposits shall be reburied onsite as identified in the Treatment Agreement and Preservation Plan.
 15. Treatment and avoidance of the newly discovered resources shall be consistent with the Treatment Agreement and Preservation Plan entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design,

in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity.

16. If cultural resources are identified, one or more of the following treatments, in order of preference, shall be employed:
- d. Preservation in place of the Cultural Resources, if feasible. Preservation in place means avoiding the resources, leaving them in place where they were found with no development affecting the integrity of the resources.
 - e. Reburial of the resources on the project property. The measures for reburial shall include, at least, the following:
 - Measures and provisions to protect the future reburial area from any impacts in perpetuity.
 - Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with the exception that sacred items, burial goods, and Native American human remains are excluded.
 - Any reburial process shall be culturally appropriate.
 - Listing of contents and location of the reburial shall be included in the confidential appendix of the Monitoring Report.
 - The Monitoring Report shall be filed with the County under a confidential cover and is not subject to Public Records requests.
 - f. If preservation in place or reburial is not feasible, a Research Design and Data Recovery Program (Program) shall be prepared by the Project Archaeologist in consultation with the Tribe, and the San Pasqual (Kumeyaay) and Luiseño Native American Monitors and approved by the County Archaeologist prior to implementation. There shall be no destructive or invasive testing on sacred items, burial goods, and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Monitoring Report.

Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the Planning & Development Services Director for decision. The Planning & Development Services Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe.

c. **Human Remains.** If any human remains are discovered:

1. The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
2. Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the San Pasqual (Kumeyaay) and/or Luiseño Native American monitors.
3. If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).

4. The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
 5. The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.
 6. Public Resources Code §5097.98, CEQA §15064.5 and Health & Safety Code §7050.5 shall be followed in the event that human remains are discovered.
- d. **Tribal Cultural Resources.** If tribal cultural resources are discovered, the Project Archaeologist shall conduct consultation with culturally-affiliated tribes to determine the most appropriate mitigation. Should the two parties not be able to reach consensus, then the County Archaeologist shall consider the concerns of the culturally-affiliated tribe and the Project Archaeologist, and the Director of Planning & Development Services shall make a final decision regarding appropriate mitigation.
- e. **Fill Soils.** The Project Archaeologist and San Pasqual (Kumeyaay) and Luiseño Native American monitors shall evaluate fill soils to determine that they are clean of cultural resources.
- f. **Monthly Reporting.** The Project Archaeologist shall submit monthly status reports to the Director of Planning and Development Services starting from the date of the Notice to Proceed to termination of implementation of the archaeological monitoring program. The report shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.

DOCUMENTATION: The applicant shall implement the Archaeological Monitoring Program pursuant to this condition. **TIMING:** The following actions shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall make sure that the Project Archeologist is on-site performing the monitoring duties of this condition. The [DPW, PDCI] shall contact the [PDS, PPD] if the Project Archeologist or applicant fails to comply with this condition.

DPW RECYCLING - GRADING MATERIAL DIVERSION:

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements.

DESCRIPTION OF REQUIREMENT: For all grading projects >5,000 cubic yards, a Daily Log of all grading, land clearing, and brushing material that is exported or reused/repurposed must be retained onsite. The Daily Log must include all export receipts or other vendor or disposal or transfer station facility information that accepted grading

material from the approved grading project. **DOCUMENTATION:** Daily Logs shall be prepared and kept on-site for inspection and include the following:

- A. Identify the project location.
- B. Log date that material was transported off the site
- C. Log type of grading or clearing material
- D. Weight of the material or its approximate tonnage or cubic yards
- E. Name of the party transporting the materials
- F. Name of the receiving facility or exporter, and whether the material was disposed of in a landfill, salvaged for future use off-site, or recycled.
- G. Each log entry shall correspond with a receipt issued by the party that transported the material off-site or by facility that accepted the materials. If the materials were hauled by the grading contractor, export receipts shall be compiled within 90 days of the date of the log entry.
- H. The Daily Log shall include separate entries for each occurrence of materials reused on-site.
- I. The Daily Log and all receipts shall be maintained at the project site and made available to any County inspector responsible to ensure compliance with this requirement

TIMING: The following actions and logs shall occur throughout the duration of the earth disturbing activities. **MONITORING:** The [DPW, PDCI] shall ensure that the grading contractor is preparing and maintaining the daily logs on-site. The [DPW, PDCI] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition.

NOISE#3. TEMPORARY CONSTRUCTION NOISE: [DPW, PDCI].

INTENT: In order to minimize temporary construction noise for grading operations associated with the project subdivision and to comply with County Noise Ordinance 36.408 and 36.409. **DESCRIPTION OF REQUIREMENT:** The project shall comply with the following temporary construction noise control measures:

- a. Turn off equipment when not in use.
- b. Equipment used in construction should be maintained in proper operating condition, and all loads should be properly secured, to prevent rattling and banging.
- c. Use equipment with effective mufflers
- d. Configure movement path to minimize the use of back up alarm.
- e. Equipment staging areas should be placed at locations away from noise sensitive receivers.

DOCUMENTATION: The applicant shall comply with the temporary construction noise measures of this condition. **TIMING:** The following actions shall occur throughout the duration of the grading construction. **MONITORING:** The [DPW, PDCI] shall make sure that the grading contractor complies with the construction noise control measures of this

condition. The [DPW, PDCI] shall contact the [PDS, PCC] if the applicant fails to comply with this condition.

ROUGH GRADING: *(Prior to rough grading approval and issuance of any building permit).*

CULT#GR-3 - ARCHAEOLOGICAL MONITORING – ROUGH GRADING

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF REQUIREMENT:** The Project Archaeologist shall prepare one of the following reports upon completion of the earth-disturbing activities that require monitoring:

- a. **No Archaeological Resources Encountered.** If no archaeological resources are encountered during earth-disturbing activities, then submit a final Negative Monitoring Report substantiating that earth-disturbing activities are completed, and no cultural resources were encountered. Archaeological monitoring logs showing the date and time that the monitor was on site and any comments from the San Pasqual (Kumeyaay) and Luiseño Native American Monitors must be included in the Negative Monitoring Report.
- b. **Archaeological Resources Encountered.** If archaeological resources were encountered during the earth disturbing activities, the Project Archaeologist shall provide an Archaeological Monitoring Report stating that the field monitoring activities have been completed, and that resources have been encountered. The report shall detail all cultural artifacts and deposits discovered during monitoring and the anticipated time schedule for completion of the reburial and/or repatriation phase of the monitoring.

DOCUMENTATION: The applicant shall submit the Archaeological Monitoring Report to [PDS, PPD] for review and approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center and any culturally-affiliated Tribe who requests a copy. **TIMING:** Upon completion of all earth-disturbing activities, and prior to Rough Grading Final Inspection (Grading Ordinance SEC 87.421.a.2), the report shall be completed. **MONITORING:** [PDS, PPD] shall review the report or field monitoring memo for compliance with the project MMRP, and inform [DPW, PDCI] that the requirement is completed.

DPW RECYCLING - GRADING MATERIAL DIVERSION:

INTENT: In order to comply with the Grading Material Diversion Program, project recycling and diversion is designed to increase diversion of grading, land clearing, and brushing materials from landfills, extend the useful life of local landfills, and support construction and demolition project compliance with State waste diversion requirements. **DESCRIPTION OF REQUIREMENT:** At the conclusion of the grading activities and prior to the release of Rough Grade Inspection, and prior to issuance of any building permit, the Final Debris Management Report (DMR) must be prepared and submitted for review and approval. **DOCUMENTATION:** The DMR final report (see template) shall be prepared and submitted for review and approval by the [DPW, CO] and shall include:

- A. Project name.
- B. List of total weight, tonnage, or cubic yards of materials, by type, which was recycled, salvaged, or disposed of in a landfill.
- C. Provide copies of receipts for export facilities, haulers, or materials reused on site.
- D. Signed self-certification letter (see template).

TIMING: The final report shall be prepared and submitted at Rough Grade inspection.

MONITORING: The [DPW, PDCI] shall ensure that the grading contractor has prepared and submitted the final report to [DPW, CO]. The [DPW, PDCI] shall contact the [DPW, CO] if the grading contractor or applicant fails to comply with this condition.

FINAL GRADING RELEASE: *(Prior to any occupancy, final grading release, or use of the premises in reliance of this permit).*

CULT#GR-4 - ARCHAEOLOGICAL MONITORING – FINAL GRADING

INTENT: In order to comply with the County of San Diego Guidelines for Determining Significance and Report Format and Content Requirements for Cultural Resources, an Archaeological Monitoring Program shall be implemented. **DESCRIPTION OF**

REQUIREMENT: The Project Archaeologist shall prepare a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program if cultural resources were encountered during earth-disturbing activities. The report shall include the following, if applicable:

- a. Department of Parks and Recreation Primary and Archaeological Site forms.
- b. Daily Monitoring Logs
- c. Evidence that all Native American cultural materials in order of preference have been conveyed as follows:

(1) Evidence that all prehistoric materials collected during the archaeological monitoring program have been reburied.

or

(2) Evidence that all prehistoric materials collected during the grading monitoring program have been repatriated to a Native American group of appropriate tribal affinity. Evidence shall be in the form of a letter from the Native American tribe to whom the cultural resources have been repatriated identifying that the archaeological materials have been received.

- e. Evidence that all historic cultural materials have been conveyed as follows:

Historic materials shall be curated at a San Diego curation facility and shall not be curated at a Tribal curation facility or repatriated. The collections and associated records, including title, shall be transferred to the San Diego curation facility and shall be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility stating that the historic materials have been received and that all fees have been paid.

- e. If no cultural resources are discovered, a Negative Monitoring Report must be submitted stating that the archaeological monitoring activities have been completed. Grading Monitoring Logs must be submitted with the negative monitoring report.

DOCUMENTATION: The applicant's archaeologist shall prepare the final report and submit it to [PDS, PPD] for approval. Once approved, a final copy of the report shall be submitted to the South Coastal Information Center (SCIC) and any culturally-affiliated Tribe who requests a copy.

TIMING: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be prepared. **MONITORING:** [PDS, PPD] shall review the final report for compliance with this condition and the report format guidelines. Upon acceptance of the report, [PDS, PPD] shall inform [PDS, LDR] and [DPW, PDCI], that the requirement is complete, and the bond amount can be relinquished. If the monitoring was bonded separately, then [PDS, PPD] shall inform [PDS or DPW FISCAL] to release the bond back to the applicant.

ADOPTION STATEMENT: This Mitigated Negative Declaration was adopted, and above California Environmental Quality Act findings made by the:

on _____

Ashley Smith, Planning Manager
Project Planning Division

DL:AS:al



County of San Diego

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
www.sdcounty.ca.gov/pds

DAHVIA LYNCH
Director

December 22, 2022 June 29, 2023

CEQA Initial Study - Environmental Checklist Form (Based on the State CEQA Guidelines, Appendix G)

1. Title; Project Number(s); Environmental Log Number:

Rancho Guejito Wine Tasting Facility and Event Center; Project #PDS2020-MUP-20-001 and PDS2020-ER-20-09-001

2. Lead agency name and address:
County of San Diego, Planning & Development Services
5510 Overland Avenue, Third Floor
San Diego, CA 92123

- a. Contact: Regina Ochoa
- b. Phone number: (619) 323-8090
- c. E-mail: regina.ochoa@sdcounty.ca.gov

3. Project location:

The approximately 404-acre Major Use Permit (MUP) area is located just north of San Pasqual Valley Road at 17224 San Pasqual Valley Road, in the North County Metro Subregional Plan area, within unincorporated San Diego County. The MUP is located within Rockwood Canyon. The proposed 5.5-acre footprint of the wine tasting facility and event center would be located at the southern end of the MUP area near San Pasqual Valley Road. The 0.1-acre footprint corrugated metal fire water storage would be located approximately 1,360 feet north of the wine tasting-event center complex adjacent to an existing farm road that runs the length of the permit area. Figure 1 shows the regional location and Figure 2 shows the project location on a USGS map, and Figure 3 shows the project location on an aerial photograph.

4. Project Applicant name and address:

Rancho Guejito Corporation
17224 San Pasqual Valley Road
Escondido, CA 92027
Contact: Hank Rupp

5. General Plan Rural Lands Regional Category
Community Plan: North County Metro Subregional Plan
Land Use Designation: Rural Lands 40 (RL-40)

6. Zoning A70 (Limited Agriculture)
Use Regulation: A72 (General Agriculture)

7. Description of project:

The project is a MUP to expand an existing Small Winery permit area to include a wine tasting facility and an event center. As depicted in the site plan (Figure 4), the project includes the construction of a wine tasting facility and event center, along with associated parking lots, outdoor areas, fire water storage, and storm water infiltration facilities.

The 4,283-square-foot wine tasting facility would include a wine bar and seating area, offices, restrooms, merchandise display areas, wine storage and refrigeration, a commercial kitchen, and food storage area. Rooftop solar is proposed on the wine tasting facility to offset the project's electricity needs. Outdoor areas would include a 1,500-square-foot covered patio and lawn area for events. The event center would include two buildings that would accommodate bathrooms, changing and lounge rooms, a catering kitchen, and banquet area that would allow amplified music. While the project impact footprint is limited to an approximately 5.6-acre area in the southern portion of the MUP boundary, the MUP would specify allowed activities within the remainder of the MUP area. Allowed activities would include hayrides, picnicking, or related uses associated with the wine tasting operations, subject to any permitting requirements that might be in effect at that time. Such activities would be secondary to the agricultural use and would not involve permanent structures, new impervious surfaces, or impacts.

The tasting facility would include a 1,612-square-foot future expansion area consisting of two additional rooms that could be used for merchandise sales, meetings, small events within the parameters of the permit, private wine tasting, or as an expansion of the proposed uses. These additions would require separate building permits. The parking lots, fire storage and pump house, and wastewater treatment system have been sized to include the 1,612-square-foot expansion area. Occupancy of the tasting facility would be 185 people, increasing to 201 people if the expansion areas are constructed.

The tasting facility would serve wine made using grapes from Rancho Guejito and elsewhere in compliance with the Tiered Winery Ordinance. The Tiered Winery Zoning Ordinance Amendment Environmental Impact Report (State Clearinghouse (SCH) No. 2008101047) is hereby incorporated by reference consistent with CEQA Guidelines

Section 15150. Tasting facility operations would be allowed from 10:00 a.m. until 10:00 p.m. seven days per week.

The project site is located at 17224 San Pasqual Valley Road, in the North County Metro Subregional Plan within unincorporated San Diego County. The MUP is located within Rockwood Canyon, with the proposed 5.5-acre project footprint of the wine tasting facility and event center located at the southern end of the MUP area near San Pasqual Valley Road. The site is subject to the General Plan Rural Lands Regional Category, Rural Lands 40 (RL-40) Land Use Designation. Zoning for the site is A70 (Limited Agriculture).

A Small Winery permit area currently exists within the MUP that was approved under an administrative permit. The Small Winery permit area would remain and the MUP would exclude the area regulated by the administrative permit. To accommodate the project, an existing abandoned home and associated farm buildings and an unoccupied modular office would be removed.

The project also includes construction of a 37,000-gallon corrugated metal fire water storage tank, approximately 15 feet high and 30 feet in diameter, approximately 1,360 feet north of the wine tasting-event center complex adjacent to an existing farm road that runs the length of the permit area. The tank would be at least 350 feet from any existing buildings and within a vacant area now being used for storage. Pipes from the fire water storage tank would be installed within existing disturbed farm roads. A fire pump and control system would be housed in a proposed pump house constructed midway between the tasting facility and event center. The tank and pump house would be installed on an elevated pad that would be approximately 36 inches higher than the surrounding grade. The pump house would be of masonry construction. Both the tank and pump house would be surrounded by a 5-foot-wide decomposed granite (DG) perimeter. Access to the fire water storage tank area would be provided by existing farm roads of DG. Turn-arounds would be provided as needed to meet County Fire Department standards. Fire department connections (FDCs) and fire hydrants would be located as required by the fire department. The storage tank would supply water to the fire protection system via a six-inch water line. The pump house would be connected to the FDCs and fire hydrants via six-inch PVC piping. All buildings in the wine tasting-event center complex would have fire sprinklers per current code. The furthest point of the tasting facility and event center buildings would be a 200-foot path from the adjacent roads for the fire department access. Fire water would be supplied to the fire storage tank from an existing agricultural well. Power to the pump house would come underground via an existing San Diego Gas and Electric (SDG&E) pole about 500 feet from the pump house. The fire pump would be on a separate electrical meter from the wine tasting facility and event center. A back-up, diesel power source or equivalent generator would be installed adjacent to the pump house in case SDG&E shuts off power to the project area during a wildfire.

Propane tanks would be added and placed to service outdoor fire pits and barbecues. Electricity would serve the remainder of the building energy needs and appliances. One propane tank would be placed at the east edge of the tasting facility parking lot. A second would be placed approximately 50 feet north of the banquet barn.

Forty-one standard sized parking spaces, three handicap-accessible, and eighteen overflow spaces would be provided for the tasting facility. The standard sized and handicap accessible spaces would be on an asphalt surface, and the overflow spaces would be located on a semi-pervious surface. The tasting facility building, patios, parking areas, and improvements to existing ingress and egress roads would cover approximately 2.9 acres of the total 5.6-acre disturbance area. A large fountain in front of the tasting facility would be surrounded by permeable pavers, allowing this area to be used to drop off passengers. Adjacent planted areas and Americans with Disabilities Act (ADA) accessible concrete walkways would provide a transition from the parking areas to the tasting facility. Low voltage lighting would be installed where needed for safety and decorative purposes.

The event center would consist of two buildings. The event logistics and lounge suite area would be a 1,519-square-foot building with restrooms, changing and lounging areas, and a small kitchenette. Low voltage lighting would be installed where needed for safety and decorative purposes. There would also be a lounge suite that would allow a guest or guests to spend the night before or after their event. Decks totaling 915 square feet would provide additional seating and lounging areas and would overlook a central plaza area that could be the site of event activities. The 3,700-square-foot banquet barn would be located on the other side of the central plaza. The banquet barn would include a catering kitchen to allow food to be brought in by an off-site caterer, undergo final preparation, and be served. Both the plaza and barn could accommodate amplified music, seating, dancing, food serving areas, and other activities that are generally associated with weddings, quinceañeras, anniversary parties, corporate events, and other similar types of functions. A driveway would be extended to this area from the existing central farm road. As with the tasting facility, event center operations would be allowed from 10:00 a.m. until 10:00 p.m. seven days per week.

Thirty-five standard parking spaces, one handicap accessible, and ten overflow parking spaces would be provided for event attendees and service personnel. The standard and handicap spaces would be on asphalt, and the overflow spaces would be a permeable surface.

There are three existing driveways that provide access to the project site. The westernmost driveway (Driveway #1) is currently fenced off and it is not operational. The central driveway (Rockwood Grove/Driveway #2) is a gated access which serves as the primary access point for the project and its guests. The project would widen State Route 78 (SR-78) along the project frontage to construct a two-way left-turn lane and a westbound acceleration lane taper on SR-78 between Driveway #1 and Driveway #2. The easternmost driveway (Driveway #3) is gated and serves as access to an existing farmhouse and wine tasting area previously permitted.

Potable water would be provided from the existing potable water well and system that provides water to the ranch offices and employees. A water line would be extended from the existing terminus of the potable water system at the existing ranch house west to the tasting facility and event center. The ranch's potable water system is wholly independent of the irrigation wells and irrigation systems on the property. There are no cross connections between the irrigation water system and potable water system. The potable

water system would meet all applicable County and State standards for well construction, storage, pipeline separation, water quality, and other applicable requirements.

A wastewater treatment system (septic system) for the wine tasting facility would be located west and north of the tasting facility along the existing dirt farm road and would be sized to handle wastewater from the tasting facility at buildout. A similar system for the event center would be located just south of the facility in the existing vineyard, or as determined by the contractor who is responsible for designing the system. The leach fields would be a minimum of 75 feet from the event center, over 165 feet from the existing agricultural wells and over 380 feet east of the flow line of Rancho Guejito Creek. That system for the tasting facility was reviewed and approved by Department of Environmental Health (DEH; DEH2018-lowtf008608). An On-site Wastewater Treatment System permit from DEH would be needed prior to start of construction. A similar system for the event center would be reviewed and processed through the County separately.

Stormwater runoff from new impervious areas constructed for the site would be treated via impervious area dispersion in compliance with the San Diego County's Best Management Practices (BMP) design manual. Runoff from the buildings and parking lots would be directed towards the adjacent pervious areas and dispersed via splash block/riprap and flow spreaders. No changes in the current flow patterns are proposed. Widening of SR-78 would comply with the California Department of Transportation (Caltrans) Stormwater Management Program.

Approximately 5,500 cubic yards of dirt would be imported for construction of the tasting facility and event center, the road base, parking lot construction, and other associated structures. The area to be disturbed is 5.6 acres (5.5 acres for the tasting facility/event center and associated roads, parking, landscaped areas, fountain, and water line installation, and fire pump house and 0.1 acre for the fire water storage tank). The entire 5.6 acres to be graded has been used for various types of agriculture for decades with the exception of areas that have been used as farm roads or with existing structures to be demolished. No natural vegetation would be disturbed. As described in Section II.a) below, approximately 3.57 of the 5.6-acre project footprint is currently in agricultural use.

The tasting facility and event center may not be constructed at the same time. Either may be constructed first, with the other facility being constructed as the market dictates. For this reason, the tasting facility and event center would have separate sewer system connections and separate parking.

8. Surrounding land uses and setting (Briefly describe the project's surroundings):

Lands surrounding the project site include active agricultural operations and natural lands/open space. Two single-family residences are located south of the project site, south of San Pasqual Valley Road. Additional land uses surrounding the project site include low-density, scattered residential uses. The topography of the project site and adjacent land has a slope of 15 percent or less. The site is located directly off of California SR-78.

9. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

No outside agency approvals would be required for this type of project. The project would require approval of the following building types:

Permit Type/Action	Agency
Major Use Permit	County of San Diego
Site Plan	County of San Diego
County Right-of-Way Permits Construction Permit Excavation Permit Encroachment Permit	County of San Diego
Grading Permit Grading Permit Plan Change	County of San Diego
Improvement Plans	County of San Diego
Septic Permit	County of San Diego
State Small Water Treatment System Permit	State of California
State Highway Encroachment Permit	Caltrans
Air Quality Permit to Construct	Air Pollution Control District (APCD)
National Pollutant Discharge Elimination System (NPDES) Permit	RWQCB
General Construction Storm Water Permit	RWQCB
Waste Discharge Requirements Permit	RWQCB
Fire District Approval	CAL FIRE / County Fire Authority

10. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1? If so, has consultation begun?

YES

NO

Note: Conducting consultation early in the California Environmental Quality Act (CEQA) process allows tribal governments, public lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and to reduce the potential for delay and conflict in the environmental review process (see Public Resources Code §21083.3.2). Information is also available from the Native American Heritage Commission’s Sacred Lands File per Public Resources Code §5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code §21082.3(e) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project and involve at least one impact that is a “Potentially Significant Impact” or a “Less than Significant with Mitigation Incorporated,” as indicated by the checklist on the following pages.

- Aesthetics
- Biological Resources
- Geology & Soils
- Hydrology & Water Quality
- Noise
- Recreation
- Utilities & Service Systems
- Agriculture and Forest Resources
- Cultural Resources
- Greenhouse Gas Emissions
- Land Use & Planning
- Population & Housing
- Transportation
- Wildfire
- Air Quality
- Energy
- Hazards & Hazardous Materials
- Mineral Resources
- Public Services
- Tribal Cultural Resources
- Mandatory Findings of Significance

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

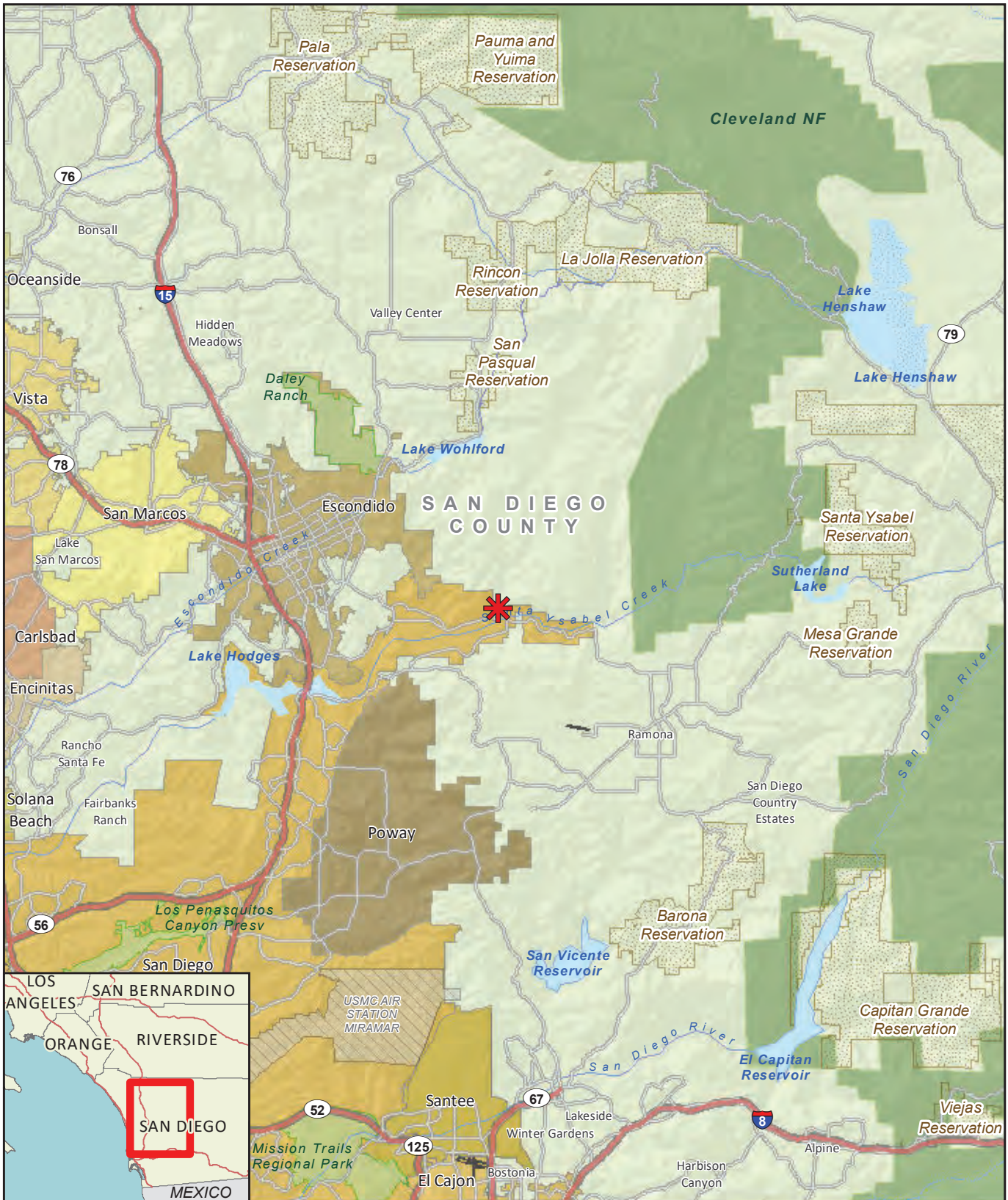
- On the basis of this Initial Study, Planning & Development Services finds that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- On the basis of this Initial Study, Planning & Development Services finds that although 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.
- On the basis of this Initial Study, Planning & Development Services finds that the proposed project **MAY** have a significant effect on the environment, and a **SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT** is required.

Signature

Date

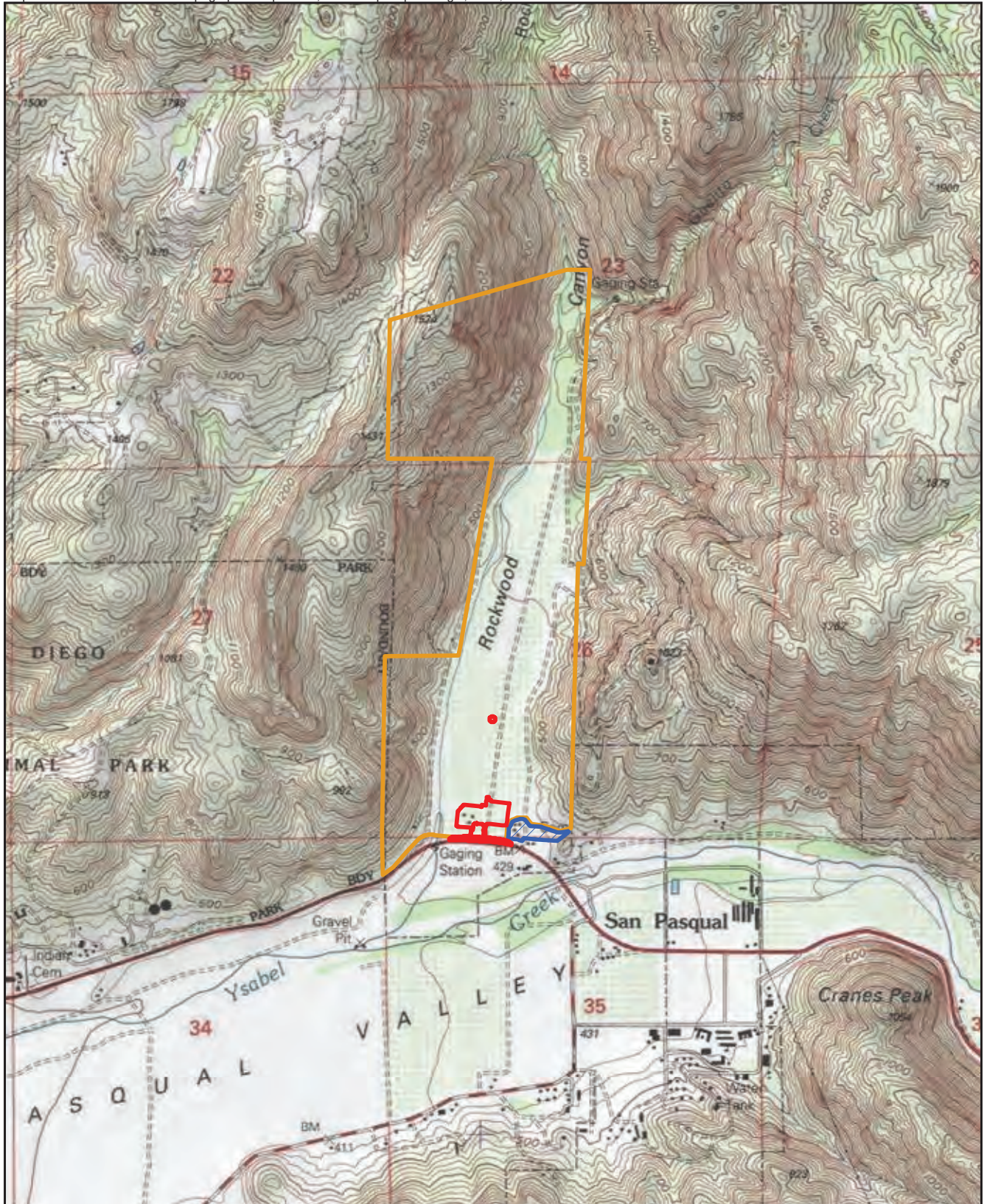
Printed Name

Title



 Project Location

FIGURE 1
Regional Location






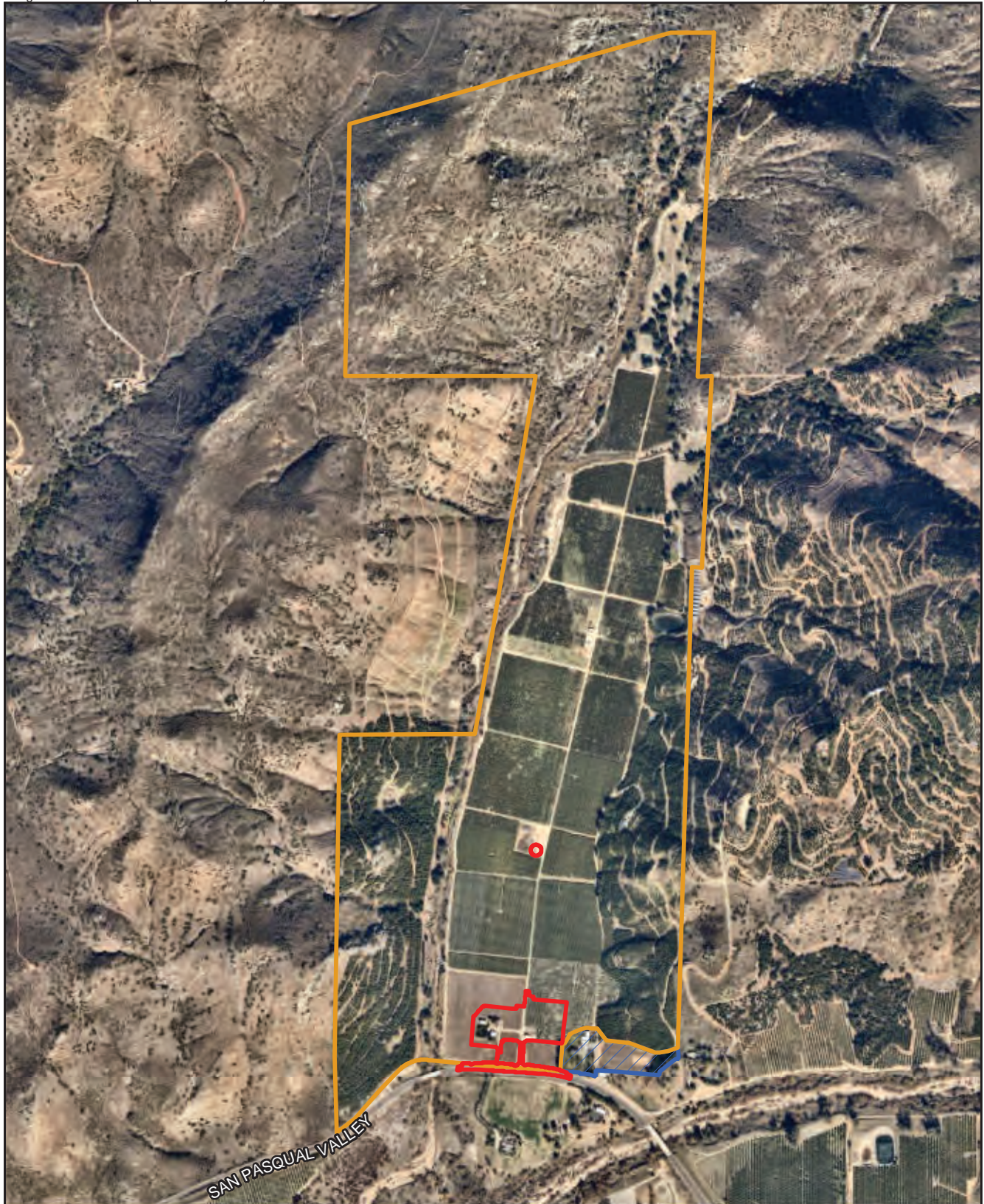
-  Project Footprint
-  MUP Boundary
-  Not A Part (Portion of Existing Admin Permit)



FIGURE 2
Project Location on USGS Map

Image Source: Nearthmap (flown January 2021)






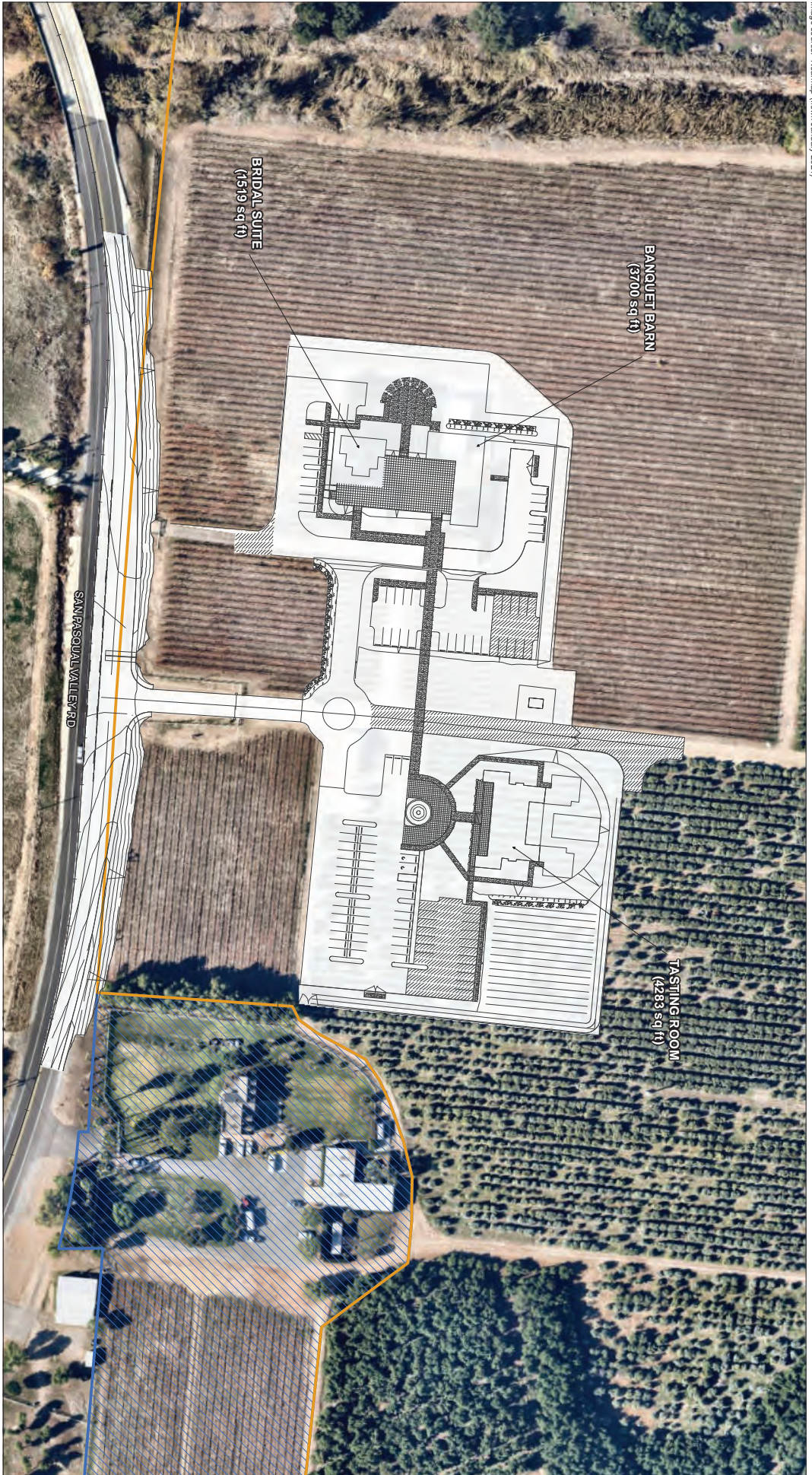
-  Project Footprint
-  MUP Boundary
-  Not A Part (Portion of Existing Admin Permit)



FIGURE 3
Project Location on Aerial Photograph

Image source: Nearmap (flown January 2021)



- Site Plan
- ▭ MUP Boundary
- ▨ Not A Part (Portion of Existing Admin Permit)

RECON

M:\08559888\recon_mup_gis\fig4_mud.mxd 10/21/2021 bma

FIGURE 4
Site Plan

INSTRUCTIONS ON 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 Incorporated, 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. “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.
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 Incorporated,” describe the mitigation measures that 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. 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

I. AESTHETICS

Would the project:

a) Have a substantial adverse effect on a scenic vista?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

A vista is a view from a particular location or composite views along a roadway or trail. Scenic vistas often refer to views of natural lands but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. What is scenic to one person may not be scenic to another, so the assessment of what constitutes a scenic vista must consider the perceptions of a variety of viewer groups.

The items that can be seen within a vista are visual resources. Adverse impacts to individual visual resources or the addition of structures or developed areas may or may not adversely affect the vista. Determining the level of impact to a scenic vista requires analyzing the changes to the vista as a whole and also to individual visual resources.

As described in the General Plan Update Environmental Impact Report (GPU EIR; County of San Diego 2011a), the County contains visual resources affording opportunities for scenic vistas in every community. Resource Conservation Areas (RCAs) are identified within the GPU EIR and are the closest that the County comes to specifically designating scenic vistas. Many public roads in the County currently have views of RCAs or expanses of natural resources that would have the potential to be considered scenic vistas. Numerous public trails are also available throughout the County. New development can often have the potential to obstruct, interrupt, or detract from a scenic vista.

Less than Significant Impact: The project site is located within the North County Metropolitan Subregional Plan Area, directly off SR-78 or San Pasqual Valley Road. The project would expand an existing Small Winery permit area to include a wine tasting facility and an event center. The proposed tasting facility would be a single-story building of a design inspired by the haciendas of the Mexican period in San Diego County. The aesthetic quality of the event center would be consistent with a barn that you would find in a hacienda setting. Both the tasting facility and event center structures would be single-story buildings 23 feet in height, while the fire water storage tank would be 15 feet in height. Therefore, all project structures would be consistent with the 35-foot height limit of the Zoning Ordinance. Uses in the area, both on the rest of the property and on adjacent parcels, consist of various agricultural crops, storage buildings, and single-family homes that are common in rural agricultural areas. These buildings vary in architectural style and range from 100 to 20,000 square feet in size. In addition, there are several other wine tasting venues located throughout the San Pasqual Valley area which also host various types of events. As the agricultural appearance throughout the area would be retained, and for the other

reasons stated above, the project would be compatible with its surrounding uses and visual landscape. Therefore, the project would not have a substantial adverse effect on a scenic vista, and impacts would be less than significant.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

State scenic highways refer to those highways that are officially designated by the California Department of Transportation (Caltrans) as scenic ([Caltrans - California Scenic Highway Program](#)). Generally, the area defined within a State scenic highway is the land adjacent to and visible from the vehicular right-of-way. The dimension of a scenic highway is usually identified using a motorist’s line of vision, but a reasonable boundary is selected when the view extends to the distant horizon. The scenic highway corridor extends to the visual limits of the landscape abutting the scenic highway.

No Impact: The project site is located directly off SR-78 or San Pasqual Valley Road. This portion of SR-78 is not listed as an eligible or officially designated state scenic highway by Caltrans (2019). Therefore, the project would not result in impacts within a state scenic highway. No impact would occur.

c) 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 publicly 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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The existing visual character and quality of the project site and surrounding area consists of land in active agricultural cultivation and other associated uses. The project would expand the existing Small Winery permit area to include a wine tasting facility and an event center. The visual character of the proposed structures would be consistent with and complement structures associated with the existing vineyard. As described in Section I.a) above, the proposed tasting facility would be a single-story building of a design inspired by the haciendas of the Mexican period in San Diego County. The aesthetic quality of the event center would be consistent with a barn that you would find in a hacienda setting. These designs would be consistent with other existing structures on site and the agricultural character of the site and surrounding area. Additionally, the project would convert only 3.57 acres of the 153.9 acres that

are currently in agricultural production to other uses, thereby preserving the agricultural character of the MUP. Therefore, the project would not degrade the existing visual character or quality of public views and its surroundings, and impacts would be less than significant.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: The project would use outdoor lighting and is not located within Zone A or 15 miles of the Mount Laguna Observatory or Palomar Observatory as identified in Figure 2.1-8 of the County of San Diego GPU EIR (2011a). The project would not adversely affect nighttime views or astronomical observations, because the project would conform to the Light Pollution Code (Section 51.201-51.209), including the Zone B lamp type and shielding requirements per fixture and hours of operation limitations for outdoor lighting and searchlights.

The project would not contribute to significant impacts on day or nighttime views because the project would conform to the Light Pollution Code (Code). The Code was developed by the San Diego County Planning & Development Services Department and Department of Public Works in cooperation with lighting engineers, astronomers, land use planner from SDG&E, Palomar and Mount Laguna observatories, and local community planning and sponsor groups to effectively address and minimize the impact of new sources light pollution on nighttime views. The standards in the Code are the result of this collaborative effort and establish an acceptable level for new lighting. Compliance with the Code is required prior to issuance of any building permit for any project. Mandatory compliance for all new building permits ensures that this project in combination with all past, present, and future projects would not contribute to a cumulatively considerable impact. Therefore, compliance with the Code would ensure that the project would not create a significant new source of substantial light or glare that would adversely affect daytime or nighttime views in the area, on a project or cumulative level. Therefore, the project would not create a significant new source of substantial light or glare, and impacts would be less than significant.

II. AGRICULTURE AND FORESTRY RESOURCES

Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

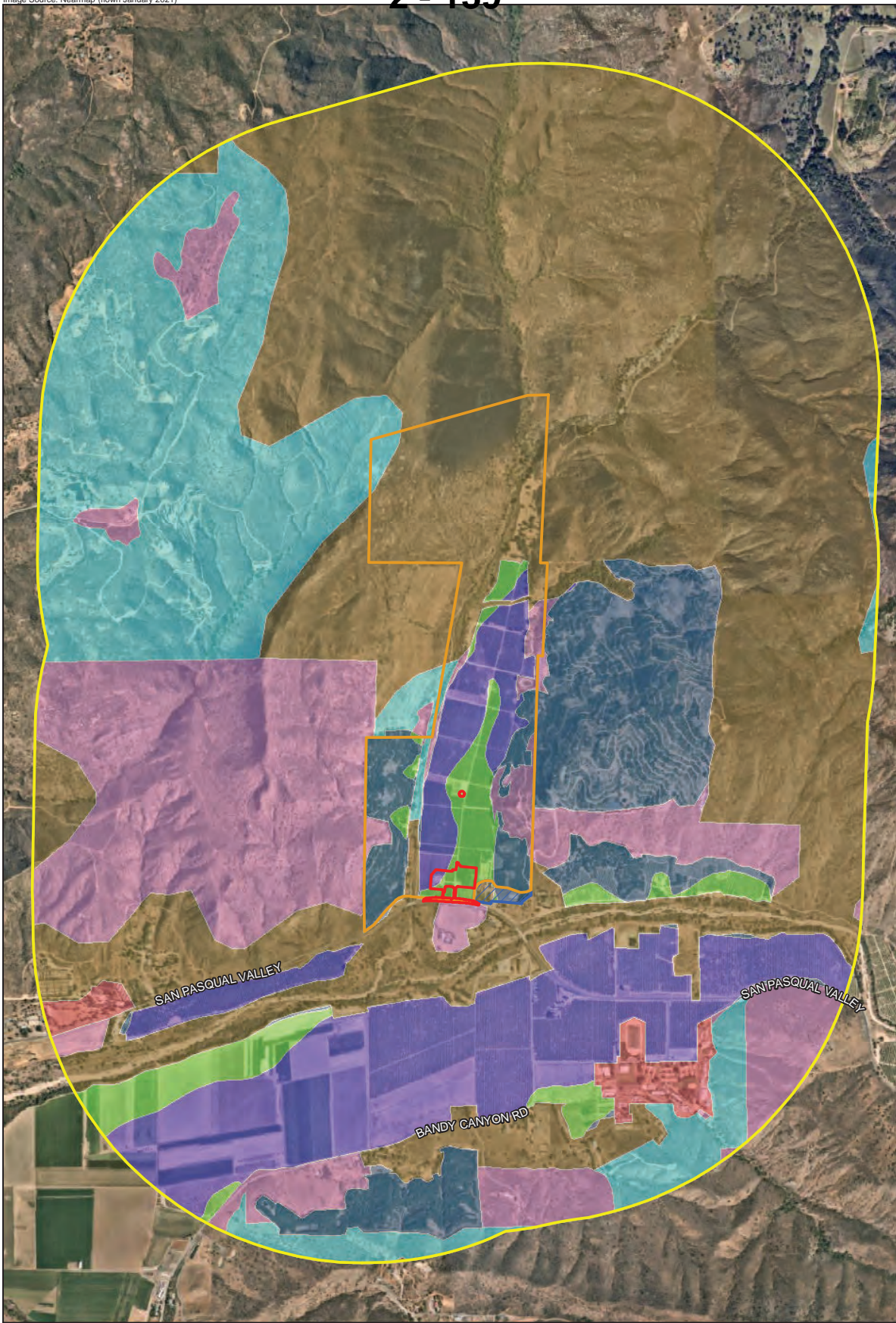
Discussion/Explanation:

Less than Significant Impact: An Agricultural Resources Report was prepared for the approximately 404-acre MUP area on November 1, 2021 by RECON Environmental (Appendix A). Approximately 153.9 acres of the 404-acre project site is in agricultural production. Figure 5 presents the distribution of California Department of Conservation (CDC) Farmland Mapping and Monitoring Program (FMMP) resources within the MUP boundary and surrounding one-mile buffer. According to the Important Farmlands Inventory Map, the overall MUP boundary and vicinity includes the following farmland classifications: Prime Farmland, Unique Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Grazing Land, Other Land, and Urban and Built-up Land.

Approximately 3.57 acres of the 5.6-acre project footprint associated with the proposed wine tasting and event center is currently in agricultural production, including wine grapes, avocados, and various types of citrus fruit. Other areas within the project footprint contain existing farm roads, an existing abandoned home and associated farm buildings, and an unoccupied modular office that would be removed.

Rockwood Canyon has a long history of agricultural production. Rockwood Ranch was founded in 1881 by Bernard B. Rockwood. Mr. Rockwood built his farmhouse in 1883, now referred to as the Rockwood Ranch house. The Rockwood Ranch house operates as a private residence and as the Rancho Guejito headquarters within the existing administrative permit area. The existing Rancho Guejito Vineyard tasting room is located adjacent to the Rockwood Ranch house. Both of these facilities are outside the project footprint and would not be altered by the project. No natural vegetation exists within 330 feet of the tasting facility-event center area.

Figure 6 presents the distribution of existing agricultural resources within the MUP boundary as mapped by SANGIS. Agricultural resources within the MUP boundary include land classified as citrus groves and vineyards, avocados, and pasture (hay/oat). The remainder of the MUP area includes natural undisturbed land.

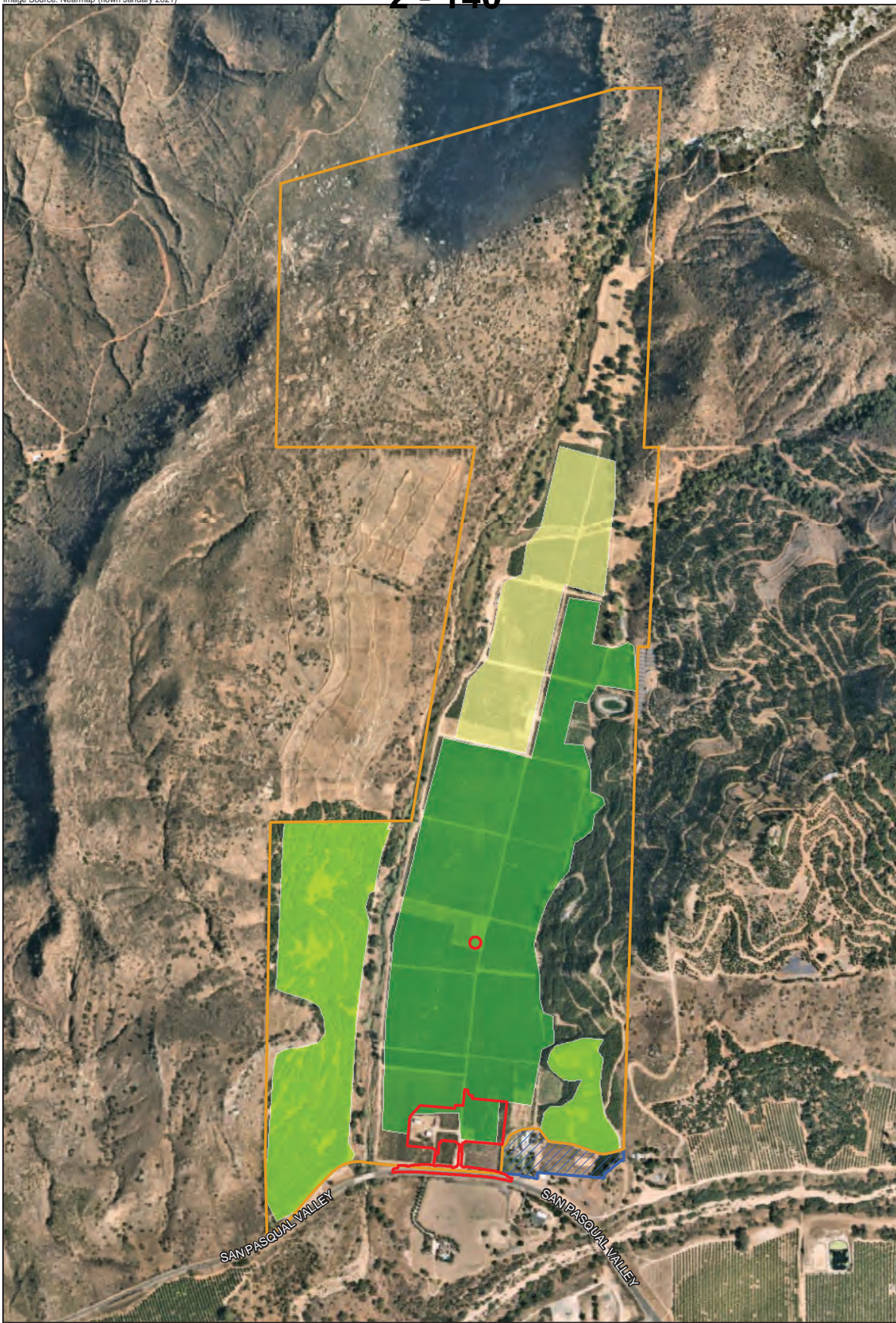


- Project Footprint
- MUP Boundary
- Not A Part (Portion of Existing Admin Permit)
- One-Mile Buffer

- FMMP Categories**
- Farmland of Local Importance
 - Farmland of Statewide Importance
 - Grazing Land
 - Prime Farmland
 - Unique Farmland
 - Urban and Built Up Land
 - Other Land



FIGURE 5
 Regional FMMP Resources



- Project Footprint
- MUP Boundary
- Not A Part (Portion of Existing Admin Permit)

- Agricultural Resources**
- Avocado
 - Citrus Groves and Vineyards
 - Pasture (Hay/Oat)



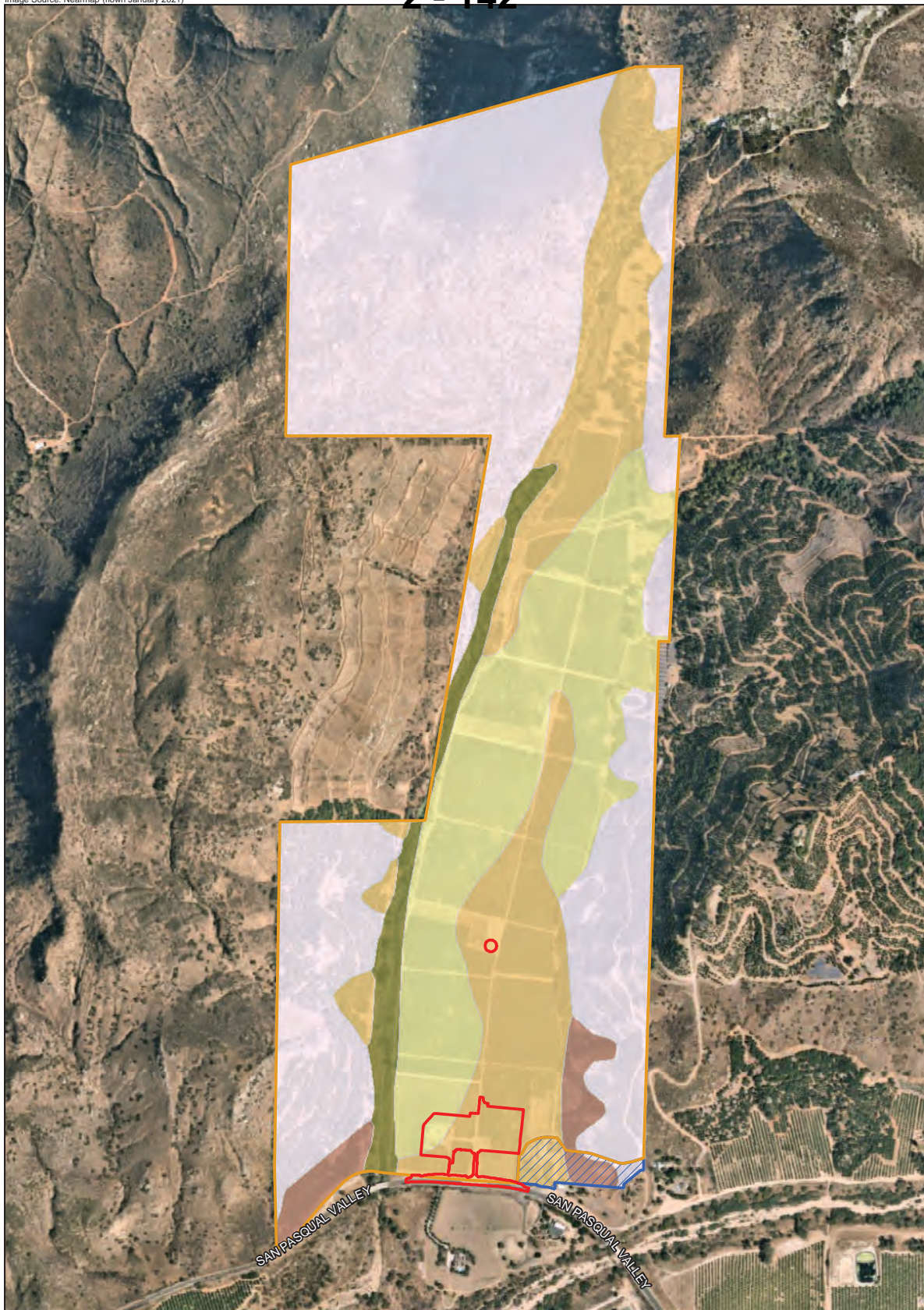
FIGURE 6
Existing On-site Agricultural Resources

The Agricultural Resources Report included preparation of a Local Agricultural Resources Assessment (LARA) Model, which is a County-approved methodology used to determine the importance of agricultural resources in the unincorporated area of San Diego County. The LARA Model takes into account three Required Factors, including water, climate, soil quality and three Complementary Factors including surrounding land uses, land use consistency, and slope, in determining the importance of agricultural resources. A summary of the LARA model results is presented below. See Appendix A for the complete LARA model.

Required Factors

- **Water:** The MUP area is not located within the service boundaries of the San Diego County Water Authority (SDCWA). Properties located immediately west and east of the MUP area are served by the SDCWA, but the project site obtains water solely from on-site groundwater wells for both potable use and irrigation of the on-site agricultural use. Therefore, the project received a **Moderate** rating.
- **Climate:** The project site lies within Zone 21 of the Sunset Zone plant climates. Sunset Zone 21 is rated high because of the mild year-round temperatures and lack of freezing temperatures that allow year-round production of high value crops. Therefore, the project received a **High** rating.
- **Soil Quality:** Figure 7 presents the distribution of soil types within the project footprint and the larger MUP boundary. The LARA Model rating for soil quality is based on the presence of soil candidates for Prime Farmland or Farmland of Statewide Importance as identified by the FMMP. County Guidelines Section 3.1.3 Soil Quality states, "The project's soil quality rating is based on the presence of Prime Farmland Soils or Soils of Statewide Significance (Attachment C [as defined in of the County Guidelines for Determining Significance]) that are available for agricultural use and that have been previously used for agriculture." All lands that have been previously used for agriculture are available for agricultural use and are considered in this rating consistent with County Guidelines. In determining the soil quality rating, Step 3 of the guidelines under Section 3.1.3 Soil Quality requires applicants to "Calculate the acreage of each soil type that is unavailable for agricultural use." As detailed in Footnote 9 of the County Guidelines, soils unavailable for agricultural use include:

(1) lands with existing structures (paved roads, homes, etc.) that preclude the use of the soil for agriculture, (2) lands that have been disturbed by activities such as legal grading, compaction, and/or placement of fill such that soil structure and quality have likely been compromised (e.g., unpaved roads and parking areas), (3) lands that are primarily a biological habitat type that have never been used for agriculture, and (4) lands constrained by biological conservation easements, biological preserve, or similar regulatory or legal exclusion that prohibits agricultural use.



- Project Footprint
- MUP Boundary
- Not A Part (Portion of Existing Admin Permit)

Soil Classification

	Cieneba-Fallbrook rocky sandy loams 30 to 65 % slopes, eroded - 203.2 ac (50.3%)
	Ramona sandy loam 9 to 15 % slopes, eroded - 9.98 ac (2.5%)
	Tujunga sand 0 to 5 % slopes - 88.47 ac (21.9%)
	Visalia sandy loam 0 to 2 % slopes - 86.33 ac (21.3%)
	Riverwash - 15.73 ac (4%)



FIGURE 7
 Soil Types within the Project Site

A total of 212.5 acres of the 403.7-acre project site were identified as being available for agriculture and that meet the soil quality criteria. The soil quality rating is obtained by determining the proportion of the “available for agriculture” soils that are Prime Farmland soils or soils of Statewide Importance. As detailed in Table 1, the project received a 0.623 rating out of a possible 1.0 maximum. Soil quality matrix scores ranging from 0.33 to 0.66, or that have more than 10 acres of contiguous Prime Farmland or Statewide Importance soils receive a moderate rating pursuant to the LARA Model. The project’s soil rating of 0.623 falls within the range that qualifies for a moderate rating. Therefore, the soil quality on the project site receives a **Moderate** rating.

Table 1 Soil Quality								
Soil Map Unit	Project Acres	LCC	Storie Index	Available for Ag Use	Unavailable for Ag Use	Proportion of site Available	Prime or Statewide 1 for Yes; 0 for No	Matrix Score
Cieneba-Fallbrook rocky sandy loams, 30 to 65 percent slopes	203.2	Vie VIIe VIII	9 23 N/A	69.1	134.2	0.325	0	0.000
Ramona sandy loam, 9 to 15 percent slopes, eroded	10.0	IVe	83	9.7	0.2	0.046	0	0.000
Visalia sandy loam, 0 to 2 percent slopes	86.3	IIc	86	78.5	7.8	0.370	1	0.370
Tujunga sand, 0 to 5 percent slopes	88.4	IVe	48	53.8	34.6	0.253	1	0.253
Riverwash	15.7	VIII	N/A	1.3	0.2	0.006	0	0.000
Grand Total	403.7			212.5	177.0	1.000		0.623

LCC = Land Compatibility Classification

Complementary Factors

- **Surrounding Land Uses:** The more compatible a site is with the surrounding land uses, the more likely it is to avoid nuisance complaints and other issues from non-farm neighbors. Within the project’s 3,442.3-acre Zone of Influence (ZOI), 1,006.4 acres of land (29.2 percent of the ZOI) were determined to be consistent with agriculture. Therefore, the project receives a **Moderate** rating.
- **Land Use Consistency:** The Land Use Consistency analysis consists of comparing the project’s median parcel size with the median parcel size of all the parcels within the ZOI. The median parcel size of the MUP was calculated to be 6.0 acres, while the median parcel size of all the parcels within the ZOI is 30.1 acres. Therefore, pursuant to LARA Model, the project receives a **High** rating.
- **Slope:** Slope is a Complementary Factor in the LARA model to account for the role that topography plays in the viability of a parcel for agricultural production. The majority of the land within the MUP that is available for agricultural production (126.48 of 212.5 acres) has a slope of 15 percent or less. Therefore, the project receives a **High** rating.

Based on the results of the LARA Model, the site is considered an important agricultural resource. The results of the model analysis, which are discussed above, are summarized in Table 2. The site received a high rating for climate and a moderate rating for water resources and soil quality. These three criteria are Required Factors, pursuant to the LARA Model. Since

one of the three Required Factors was rated high and two were rated moderate, the Complementary Factors were also analyzed pursuant to the LARA Model requirements. The site received a high rating for the Land Use Consistency and Slope factors and a moderate rating for the Surrounding Land Use factor. Therefore, the results of the LARA Model meet the criteria of Scenario 3 (Table 3) and qualifies the project as an **important agricultural resource**.

Table 2 LARA Model Results			
	LARA Model Rating		
	High	Moderate	Low
Required Factors			
Climate	✓		
Water		✓	
Soil Quality		✓	
Complementary Factors			
Surrounding Land Uses		✓	
Land Use Consistency	✓		
Slope	✓		

Table 3 Interpretation of LARA Model Results			
Scenario	Required Factors	Complementary Factors	LARA Interpretation
Scenario 1	All three factors rated high	At least one factor rated high or moderate	The site is an important agricultural resource
Scenario 2	Two factors rated high, one factor rated moderate	At least two factors rated high or moderate	
Scenario 3	One factor rated high, two factors rated moderate	At least two factors rated high	
Scenario 4	All factors rated moderate	All factors rated high	
Scenario 5	At least one factor rated low importance	N/A	The site is not an important agricultural resource
Scenario 6	All other model results		

Of the 404-acre MUP area, the proposed wine tasting facility and event center would impact a 5.6-acre area in the southern portion of the project site. The impact area currently has some existing abandoned structures including an abandoned home, farm buildings, and an unoccupied modular office. Additionally, farm roads are located within the project footprint. After subtracting these non-agricultural areas, the wine tasting facility and event center footprint would impact 3.57 acres of land that have soils that meet the criteria for Prime Farmland and Farmland of Statewide Importance. None of the remaining agricultural land within the 404-acre MUP area would be disturbed. The proposed water storage area would be located within an existing disturbed area and would not impact any active agricultural operation. Consistent with the County’s threshold for direct impacts to important agricultural resources, the 3.57-acre impact to active agricultural resources within the proposed footprint of the wine tasting facility and event center would substantially avoid impacts to Prime and Statewide Importance Soils on the project site and maintain agricultural viability and therefore would not substantially impair the ongoing viability of the site for agricultural use. The vast majority of the MUP project area would remain in agricultural use. Furthermore, the proposed wine tasting facility and event center would be

developed as a complementary use to the existing agricultural use and would provide an important income stream that would support the ongoing economic viability of maintaining the site in agriculture. Overall, the proposed wine tasting facility and event center would support and retain the existing on-site agricultural uses and would not substantially impair the ongoing viability of the site for agricultural use. Therefore, impacts related to direct impacts to on-site agricultural resources would be less than significant.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The project requires an evaluation of consistency with both County Zoning Ordinance and Williamson Act Contract, which are presented separately below.

County Zoning Ordinance

The project site is subject to the General Plan Rural Lands Regional Category and Rural Lands 40 (RL-40) Land Use Designation within the North County Metro Subregional Plan area. The Use Regulations are A70 (Limited Agriculture) and A72 (General Agriculture). The project would demolish an old existing house, farm implement building (barn), and associated sheds that currently exist within the proposed footprint of the wine tasting facility and event center. The project site has an "A" Special Area Designator related to the on-site Agricultural Preserve. The County Zoning Ordinance Section 5110 requires findings to be made for any use permit requested within an area subject to the "A" Special Area Designator. The required findings are as follows:

5110 REQUIRED FINDINGS.

No use permit shall be granted unless the following findings are made:

- a. State Statute. The proposed use complies with all provisions of the California Land Conservation Act of 1965; and*
- b. Compatibility with Agricultural Use. The proposed use would not be incompatible with the continued agricultural use of any land within the agricultural preserve. This determination shall include a consideration of the following:*
 - 1. Possible Increase in vandalism*
 - 2. Possible damage from pets*
 - 3. Possibility that use will lead to restrictions on agricultural spraying, noise or smell*
 - 4. Possible interference with the movement of farm machinery or agricultural products*

Regarding consistency with the provisions of the California Land Conservation Act of 1965, the property owner has filed a notice of non-renewal for the existing Williamson Act Contract. The proposed event center use requested under the MUP application would not proceed until the contract is terminated on January 1, 2024. Thus, there would be no conflict with the provisions

of the California Land Conservation Act of 1965. It is possible the wine tasting facility may be constructed ahead of the contract termination date, which is a use consistent with Williamson Act Contracts. Wine tasting facilities have been found consistent with Williamson Act Contracts throughout wine producing regions in California (see Appendix A, Attachment 2). Additionally, the wine tasting facility would not conflict with these provisions of Government Code Section 51238.1:

- (a) Uses approved on contracted lands shall be consistent with all of the following principles of compatibility:
 - (1) The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in agricultural preserves.
 - (2) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.
 - (3) The use will not result in the significant removal of adjacent contracted land from agricultural or open space use.

As described in Section II.a) above, the wine tasting facility would support the long-term productive capability of the remaining agricultural land through diversification of farm income. While the tasting facility would displace some existing agricultural land, the tasting facility would be directly related to the production of commercial agricultural products by providing an end use for the agricultural commodities produced on-site, consistent with the Williamson Act Contract.

Regarding compatibility of the event center with the provisions discussed above, while the event center would remove land from agricultural production and the event center use would not relate directly to agriculture (other than the supporting income it would provide), the event center use would not compromise the long-term productive agricultural capability of the land because the event center structure could ultimately be used for agricultural purposes in the future. For example, with applicable permits the structure could ultimately be converted to a certified farmers' market, used for additional winery space, or for agricultural product processing, for example. Use of the land as an event center would not permanently remove the land from the ability to be used for purposes directly supportive of agriculture.

Furthermore, the proposed wine tasting facility and event center would be compatible with the on-site agricultural operations as the proposed use encourages continuation the existing agricultural activities on the project site. A key feature of the wine tasting facility and event center would be retaining the existing rural, agricultural surroundings that are part of the allure and character of wineries and event centers in an area such as this one. Further, the wine tasting facility and event center is under a single ownership and would provide an important source of income to maintain the continued economic viability of the site.

While the proposed wine tasting facility and event center would bring customers onto the site that may not be accustomed to agricultural activity, the schedule of winery events and hours of peak use would be coordinated with agricultural operations on the project site to minimize conflicts between the two uses. The proposed wine tasting facility and event center would not result in an increase in vandalism because all activities would be limited to those parts of the property where the public is allowed under supervision. For example, as part of the MUP, hayrides or tours around the agricultural operation may occur. These activities would be managed and controlled with winery or event center employees facilitating such activities to ensure vandalism, crop theft, or other vandalism would not occur. The proposed uses could reduce the potential for vandalism and theft due to the increased public presence and associated security services.

The wine tasting facility and event center would not introduce any additional pets or livestock to the existing agricultural operation. Additionally, should patrons be allowed to bring dogs or other animals to the facilities, they would be required to remain within authorized areas and not enter the agricultural areas. Areas of the property accessible by guests would be restricted and under supervision by trained staff, ensuring damage from pets does not occur.

Regarding application of regulated pesticides, any pesticide application would occur consistent with the requirements of the product label, including any separation requirements from surrounding uses, and application by a person licensed to apply regulated pesticides. Based on the extensive regulations surrounding pesticide use, including any permit requirements from Department of Agriculture, Weights and Measures and the DEH, conflicts are not anticipated. Additionally, as previously mentioned, as the owner of the winery would also have control over the surrounding agricultural operations, agricultural activities such as spraying could be coordinated to avoid periods of high traffic at the winery or event center. Furthermore, patrons of the wine tasting facility and event center would visit the project site with the expectation of the surrounding active agricultural operations and associated activity.

The project would not interfere with the movement of farm machinery or movement of agricultural products as the farm roads within the active agricultural operation area would remain in their current condition. Access into the project site would be improved for the wine tasting facility and event center and the access would continue to be used for farm purposes. Any use of farm roads for activities associated with the MUP such as hayrides would be coordinated with the agricultural operation to ensure the uses do not conflict. Therefore, the project would not conflict with the Agricultural Preserve Area Regulations of the Zoning Ordinance, and impacts would be less than significant.

Williamson Act Contract

The California Land Conservation Act of 1965, better known as the Williamson Act (California Administrative Code §51200 et seq.), creates an arrangement; whereby, private landowners contract with local governments to voluntarily restrict land, to agricultural and open space uses. In return, restricted parcels are assessed for property tax purposes, at a rate consistent with their actual use, rather than potential market value, which saves landowners from 20 percent to 75 percent in property tax liability each year. Agricultural preserves are areas that are eligible for Williamson Act Contracts; the boundaries of the preserve areas are drawn by the County and are adopted by resolution of the Board of Supervisors (U.S. Department of Conservation 2005).

In San Diego County, the zoning designation for properties within Agricultural Preserves is supplemented with a special designator pursuant to County Zoning Ordinance Section 5102. Pursuant to Zoning Ordinance 5015 and 5110, special findings must be made for uses subject to a Minor Use Permit or a Major Use Permit on lands within an Agricultural Preserve but not under a Land Conservation Contract.

Figure 8 presents the locations of Williamson Act Contracts and Agricultural Preserves within the MUP and surrounding areas. Approximately 238.3 acres of the of the 404-acre MUP area is located within County Agricultural Preserve 20. Additionally, approximately 157.1 acres within this area is also subject to Williamson Act Contract 71-69. The proposed event center would be located within the area that is covered by both County Agricultural Preserve 20 and Williamson Act Contract 71-69. However, the proposed wine tasting facility would be located within the area that is only covered by Agricultural Preserve 20 and is not covered by Williamson Act Contract 71-69. Additionally, County Agricultural Preserve 39 is located adjacent to the northernmost portion of the MUP eastern boundary (see Figure 8).

In September 2013, the property owner filed a notice of non-renewal for Williamson Act Contract 71-69, which was effective as of January 1, 2014. The non-renewal filing would result in termination of the Williamson Act Contract after a 10-year period ending January 1, 2024. Refer to Appendix A, Attachment 1 for a copy of the Williamson Act Contract and the associated Notice of Non-Renewal. In order to ensure the project would be consistent with the terms of the Williamson Act contract in effect through 2023, the applicant has agreed to not initiate activities associated with the event center until the contract has expired. Through correspondence with the California Farm Bureau Federation, the project applicant was able to confirm that the tasting room would be consistent with the terms of the current Williamson Act Contract. In their response letter to the project applicant, the California Farm Bureau Federation stated that “all wine grape growing counties in California allow wineries and tasting rooms as a compatible use on Williamson Act land.” Refer to Appendix A, Attachment 2 for a copy of the response letter from the California Farm Bureau Federation. Therefore, the project would not conflict with an existing Williamson Act contract, and impacts would be less than significant.

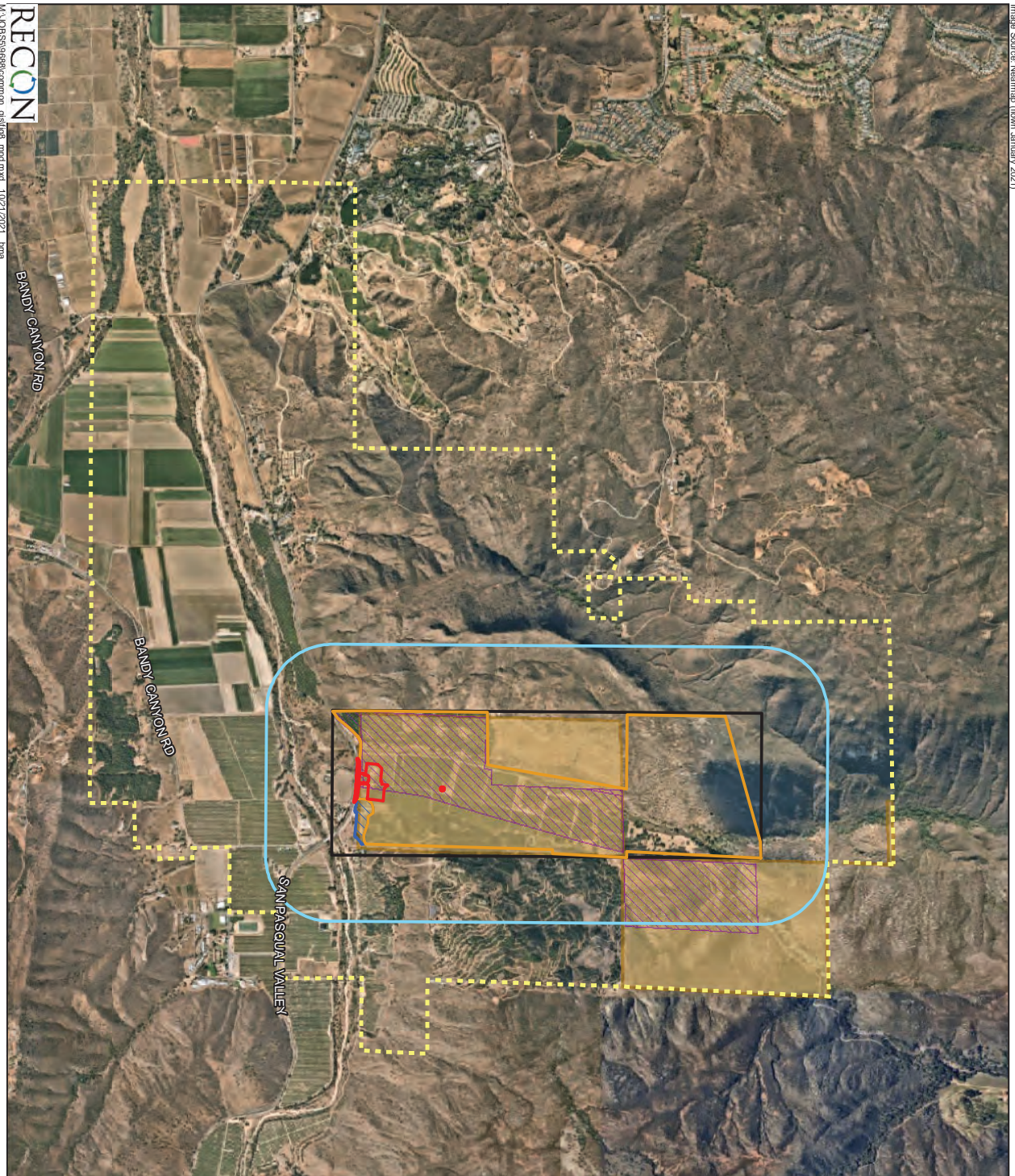
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), or timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The 404-acre MUP area does not contain any forest or timberland as defined by Public Resources Code Section 12220[g], Public Resources Code Section 4526, or Government Code Section 51104(g) and is not zoned as forest or timberland. No impact would occur.

Image Source: Nanmap, (from January 2021)



RECON
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- Project Footprint
- MUP Boundary
- Not A Part (Portion of Existing Admin Permit)
- Williams Act Contracts
- Zone of Influence
- Envelope
- .25-mile Buffer of Envelope
- Agricultural Preserves



FIGURE 8
Williamson Act Contracts
and Agricultural Preserves

d) Result in the loss of forest land or conversion of forest land to non-forest use, or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The 404-acre MUP area does not contain any forest or timberland as defined by Public Resources Code Section 12220[g], Public Resources Code Section 4526, or Government Code Section 51104(g). No impact would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to non-agricultural use or conversion of forest land to non-forest use?

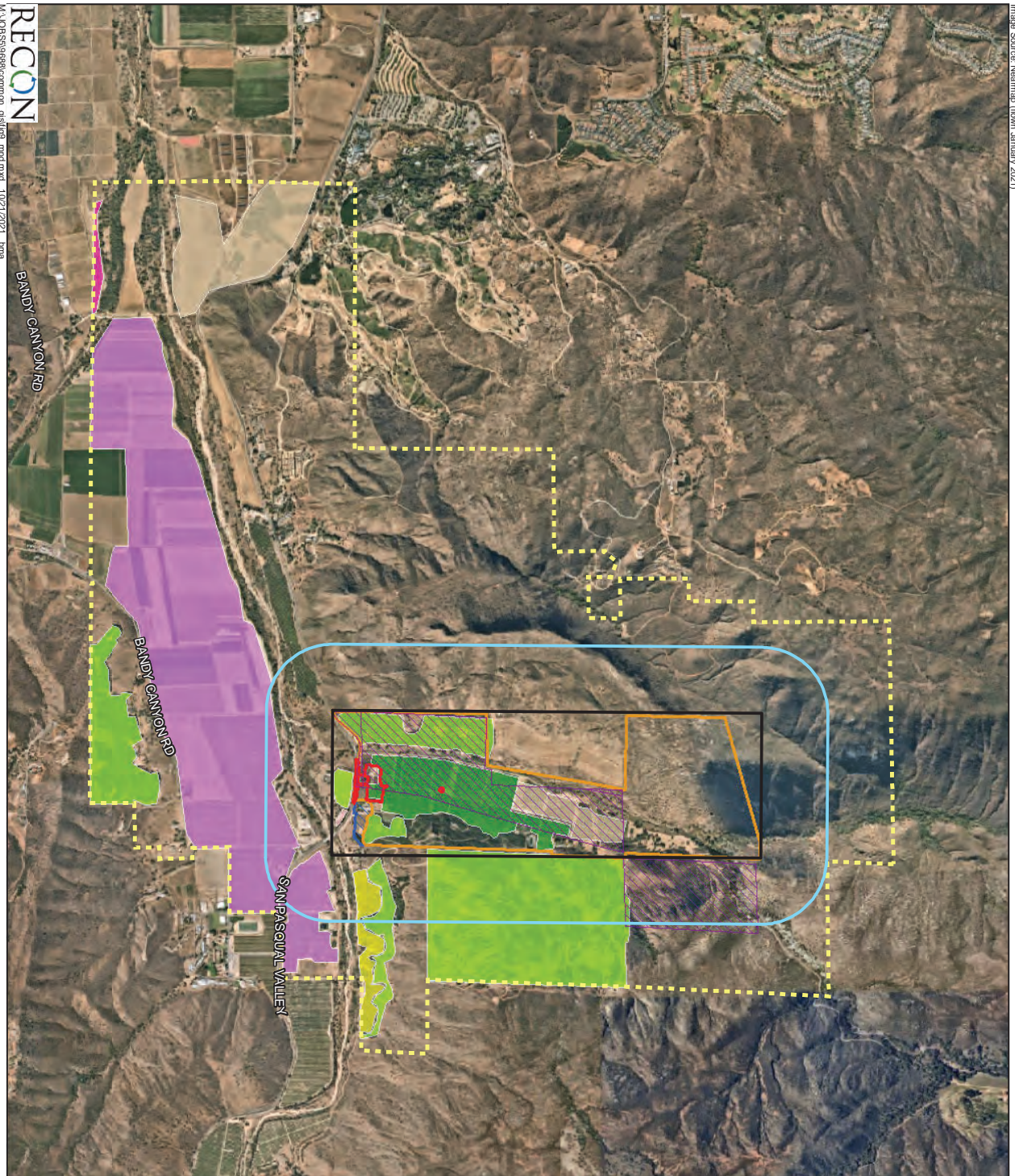
- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: There are no forestlands within the 404-acre MUP area, or surrounding vicinity. A majority of the agricultural uses surrounding the proposed wine tasting facility and event center are within the MUP area. Compatibility with these areas is described in Section II.b) above in relation to findings that are required for a MUP proposed within an area subject to the Zoning Ordinance Agricultural Preserve Regulations. As discussed in that section, the project would be compatible with the ongoing agricultural uses within the MUP area.

Figure 9 presents the distribution of off-site agricultural resources surrounding the MUP area. The majority of the land surrounding the MUP area is undisturbed native vegetation. However, there is a parcel with a single-family residence and a field south of San Pasqual Valley Road that appears to be used for agriculture. SANGIS mapping sourced from data based on pesticide use reports, indicates the area has been planted with avocados (see Figure 9). The other area of agricultural use adjacent to the project area is a large avocado grove to the east of the MUP area. No conflicts with the existing agricultural uses south of San Pasqual Valley Road are anticipated based on the consistency of the proposed wine tasting facility and event center with the rural agricultural area. While the project would bring additional traffic and people into the area, the use would be separated by the roadway which would provide substantial separation from the proposed wine tasting facility and event center activities and the agricultural operation in the south. The agricultural use to the east would not be affected by the wine tasting facility and event center because the MUP area would maintain the primary agricultural use of the site and would not introduce any new features adjacent to the agricultural operation.

Image Source: Aerialmap (from January 2021)



RECON
M:\08556886\common_gis\fig_mud.mxd 10/21/2021 bma

- Project Footprint
 - MUP Boundary
 - Not A Part (Portion of Existing Admin Permit)
 - Williams Act Contracts
 - Zone of Influence
 - Envelope
 - .25-mile Buffer of Envelope
- Agricultural Resources**
- Avocado
 - Lemon
 - Nurseries – Outdoor Flowers
 - Citrus Groves and Vineyards
 - Pasture (Hay/Oat)
 - Row Crops
 - Watermelon



FIGURE 9
Off-site Agricultural Resources

Many of the land use conflicts that can typically create significant impacts would not be associated with this project as there is no permanent residential use being proposed that is typically associated with complaints about agricultural practices. Incompatibility between the on-site agricultural operations and the winery and event center use are not anticipated as activities needed to manage the on-site agricultural use could be timed to occur at times when the winery and event center are not in use or during periods of low occupancy. As the owners of the land operate both uses, it will be in their best interest to manage the agricultural operation in a way to minimize nuisance for winery guests. Additionally, agricultural operations and land management activities typically occur in the morning when the winery and event center would be closed. Based on the common ownership and management of the on-site agriculture and the proposed uses, nuisance concerns could be easily managed and there would be no external pressures that could affect the ongoing viability of the on-site agricultural operation. The proposed wine tasting facility and event center would not create the same type of pressure for the surrounding agricultural operators as a residential subdivision, for example. Therefore, the project would not result in indirect conversion of Important Farmland or other agricultural resources, to non-agricultural use, impacts would be less than significant.

III. AIR QUALITY

Would the project:

- a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

An Air Quality Analysis dated February 10, 2022 was prepared for the project by RECON Environmental (Appendix B).

Less than Significant Impact: Project consistency is based on whether the project would conflict with or obstruct implementation of the Regional Air Quality Standards (RAQS) and/or applicable portions of the State Implementation Plan (SIP), which would lead to increases in the frequency or severity of existing air quality violations. The RAQS is the applicable regional air quality plan that sets forth the San Diego County Air Pollution Control District's (SDAPCD's) strategies for achieving the National Ambient Air Quality Standards (NAAQS) and National Ambient Air Quality Standards (CAAQS). The San Diego Air Basin (SDAB) is designated a non-attainment area for the federal and state ozone standard. Accordingly, the RAQS was developed to identify feasible emission control measures and provide expeditious progress toward attaining the standards for ozone. The two pollutants addressed in the RAQS are reactive organic gases (ROG) and oxides of nitrogen (NO_x), which are precursors to the formation of ozone. Projected increases in motor vehicle usage, population, and growth create challenges in controlling emissions and, by extension, to maintaining and improving air quality. The RAQS was most recently updated in 2016.

The growth projections used by the SDAPCD to develop the RAQS emissions budgets are based on the population, vehicle trends, and land use plans developed in general plans and used by SANDAG in the development of the regional transportation plans and sustainable communities strategy. As such, projects that propose development that is consistent with the growth anticipated by SANDAG’s growth projections and/or the General Plan would not conflict with the RAQS. In the event that a project would propose development that is less dense than anticipated by the growth projections, the project would likewise be consistent with the RAQS. In the event a project proposes development that is greater than anticipated in the growth projections, further analysis would be warranted to determine if the project would exceed the growth projections used in the RAQS for the specific subregional area.

The project site is subject to the General Plan Regional Category Rural Lands, Land Use Designation RL-40, and is zoned A70 Limited Agriculture. The project would not construct new housing or result in an increase in the anticipated growth projections. The project would provide wine tasting opportunities and event space for existing residents in the community. Furthermore, as described in Section III.b) below, the project would not result in construction or operational emissions in excess of the applicable significance thresholds for all criteria pollutants. Consequently, the project would not result in an increase in emissions that are not already accounted for in the RAQS. Therefore, the project would not obstruct or conflict with implementation of the RAQS, and impacts would be less than significant.

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"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: A project would have a significant direct impact related to criteria pollutants if it would exceed any of the County’s Screening Level Thresholds (SLTs) presented in Table 4 below. The County’s SLTs are based on SDAPCD Rules 20.1, 20.2, and 20.3 and were adopted from the SDAPCD Air Quality Impact Analysis trigger level thresholds to align with attainment of the NAAQS and be protective of public health. Therefore, air quality emissions below the SLTs would meet the NAAQS. The NAAQS were developed to protect public health, specifically the health of “sensitive” populations, including asthmatics, children, and the elderly.

Table 4 County of San Diego Screening Level Thresholds			
Pollutant	Emission Rate		
	Pounds/Hour	Pounds/Day	Tons/Year
Respirable Particulate Matter (PM ₁₀)	--	100	15
Fine Particulate Matter (PM _{2.5})	--	55 ^a	10 ^a
Oxides of Nitrogen (NO _x)	25	250	40
Oxides of Sulfur (SO _x)	25	250	40
Carbon Monoxide (CO)	100	550	100
Lead and Lead Compounds	--	3.2	0.6
Volatile Organic Compounds (VOCs)	--	75 ^b	13.7 ^c

SOURCE: **SDAPCD, Rules 20.1, 20.2, 20.3**; County of San Diego 2007.

^a Based on the U.S. EPA "Proposed Rule to Implement the Fine Particle National Ambient Air Quality Standards" published September 8, 2005. Also used by the South Coast Air Quality Management District.

^b Threshold for VOCs based on the threshold of significance for VOCs from the South Coast Air Quality Management District for the Coachella Valley.

^c 13.7 tons per year threshold based on 75 pounds per day multiplied by 365 days per year and divided by 2,000 pounds per ton.

Air emissions were calculated using California Emissions Estimator Model (CalEEMod) 2020.4.0 (California Air Pollution Control Officers Association [CAPCOA] 2021). CalEEMod is a tool used to estimate air emissions resulting from land development projects in the state of California. The model generates air quality emission estimates from construction activities and breaks down operational criteria pollutant emissions into three categories: mobile sources (e.g., traffic), area sources (e.g., landscaping equipment, consumer projects, and architectural coatings), and energy sources (e.g., natural gas heating). CalEEMod provides emission estimates of NO_x, carbon monoxide (CO), oxides of sulfur (SO_x), respirable particulate matter (PM₁₀), fine particulate matter (PM_{2.5}), and ROG. Inputs to CalEEMod include such items as the air basin containing the project, land uses, trip generation rates, trip lengths, duration of construction phases, construction equipment usage, grading areas, as well as other parameters.

Construction Emissions

Construction-related activities are temporary, short-term sources of air emissions. Sources of construction-related air emissions include:

- Fugitive dust from demolition and grading activities;
- Construction equipment exhaust;
- Construction-related trips by workers, delivery trucks, and material-hauling trucks; and
- Construction-related power consumption.

Construction-related pollutants result from dust raised during demolition and grading, emissions from construction vehicles, and chemicals used during construction. Fugitive dust emissions vary greatly during construction and are dependent on the amount and type of activity, silt content of the soil, and the weather. Vehicles moving over paved and unpaved surfaces, demolition, excavation, earth movement, grading, and wind erosion from exposed surfaces are all sources of fugitive dust. Construction operations are subject to the requirements established in SDAPCD Regulation 4, Rules 52, 54, and 55. Rule 52 sets limits on the amount of particulate matter that can be discharged into the atmosphere. Rule 54 sets limits on the amount of dust

and fumes that can be released into the atmosphere. Rule 55 regulates fugitive dust and provides roadway dust track-out/carry-out requirements.

Heavy-duty construction equipment is usually diesel powered. In general, emissions from diesel-powered equipment contain more NO_x, SO_x, and PM than gasoline-powered engines. However, diesel-powered engines generally produce less CO and less ROG than gasoline-powered engines. Standard construction equipment includes tractors/loaders/backhoes, rubber-tired dozers, excavators, graders, cranes, forklifts, rollers, paving equipment, generator sets, welders, cement and mortar mixers, and air compressors.

Primary inputs are the numbers of each piece of equipment and the length of each construction stage. Construction is anticipated to begin in January 2023 and last approximately six months. CalEEMod estimates the required construction equipment for a project based on surveys, performed by the South Coast Air Quality Management District and the Sacramento Metropolitan Air Quality Management District of typical construction projects, which provide a basis for scaling equipment needs and schedule with a project’s size. Air emission estimates in CalEEMod are based on the duration of construction phases; construction equipment type, quantity, and usage; grading area; season; and ambient temperature, among other parameters. Project emissions were modeled for the following stages: demolition, site preparation, grading, building construction/ architectural coatings, and paving. CalEEMod default construction equipment and usage was modeled. The project would require the import of approximately 5,500 cubic yards of dirt. Table 5 summarizes the modeled construction parameters.

Table 5 Construction Parameters				
Construction Phase	Phase Duration (Days)	Equipment	Amount	Hours per Day
Demolition	9	Concrete/Industrial Saw	1	8
		Excavators	3	8
		Rubber Tired Dozers	2	8
Site Preparation	4	Rubber Tired Dozers	3	8
		Tractors/Loaders/Backhoes	4	8
Grading	9	Excavator	1	8
		Grader	1	8
		Rubber Tired Dozer	1	8
		Tractors/Loaders/Backhoes	3	8
Building Construction	101	Crane	1	7
		Forklifts	3	8
		Generator Set	1	8
		Tractors/Loaders/Backhoes	3	7
		Welder	1	8
Architectural Coatings	20	Air Compressor	1	6
Paving	9	Pavers	2	8
		Paving Equipment	2	8
		Rollers	2	8

SOURCE: CalEEMod Output, Attachment 1 in Appendix B.

Construction activities would be subject to several control measures per the requirements of the County, SDAPCD rules, and California Air Resources Board (CARB) Airborne Toxic Control Measures (ATCM). The following required control measures have been incorporated into the calculations of construction emissions:

- Per the County's Standard Mitigation and Project Design Consideration Grading, Clearing and Watercourses Ordinance Section 87.428, the applicant shall implement one or more of the following measures during all grading activities:
 - Water actively disturbed surfaces three times a day.
 - Apply non-toxic soil stabilizers to inactive, exposed surfaces when not in use for more than 3 days. Non-toxic soil stabilizers should also be applied to any exposed surfaces immediately (i.e., less than 24 hours) following completion of grading activities if the areas would not be in use for more than 3 days following completion of grading.
 - Remove soil track-out from paved surfaces daily or more frequently as necessary.
 - Minimize the track-out of soil onto paved surfaces by installation of wheel washers.
- Per SDAPCD Rule 67, the applicant shall use regulated coatings for all architectural coating activities.
- Per CARB's ATCM 13 (California Code of Regulations Chapter 10 Section 2485), the applicant shall not allow idling time to exceed 5 minutes unless more time is required per engine manufacturers' specifications or for safety reasons.

Table 6 presents the total projected construction maximum daily emission levels for each criteria pollutant. Note that the emissions summarized in Table 6 are the maximum emissions for each pollutant that would occur during each phase based on all modeled construction equipment (see Table 5) being active on the same day. Actual construction activities would vary day to day, with all equipment active on some days, and less equipment active on other days depending on the construction task. Therefore, these are the maximum emissions that would occur in a day. As shown in Table 6, maximum construction emissions would not exceed the County's SLTs for any criteria pollutants. Furthermore, project construction would be limited and would last for approximately six months. No mass grading would be required, and construction equipment would be minimal. Given the rural nature of the project vicinity, it is unlikely that other major construction activities would occur in the same area at the same time. There are no proposed projects or reasonably foreseeable future projects within proximity of the project that are anticipated to include construction concurrent with the project. As described above, the County's SLT align with attainment of the NAAQS which were developed to protect the public health, specifically the health of "sensitive" populations, including asthmatics, children, and the elderly. Consequently, project construction would have a less than significant impact to public health. Therefore, project construction would not 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, and impacts would be less than significant.

Table 6 Summary of Maximum Construction Emissions (pounds per day)						
	Pollutant					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Demolition	2	22	20	<1	2	1
Site Preparation	3	28	19	<1	21	11
Grading	2	28	18	<1	10	5
Building Construction/Architectural Coatings	9	16	20	<1	1	1
Paving	2	10	15	<1	1	1
Maximum Daily Emissions	9	28	20	<1	21	11
<i>County Screening Level Thresholds</i>	<i>75</i>	<i>250</i>	<i>550</i>	<i>250</i>	<i>100</i>	<i>55</i>

Operational Emissions

The project would include the construction of a tasting facility and an event center and associated parking and roadway improvements. Using CalEEMod, the tasting facility was modeled as a high turnover (sit down) restaurant land use and the event center was modeled as a quality restaurant land use. The project would not result in an increase in any of the existing on-site agricultural operations. Therefore, agricultural uses were not considered in this analysis.

Mobile source emissions would originate from traffic generated by the project. Area source emissions would result from landscaping activities, consumer products, as well as the application of architectural coatings. Energy source emissions generally occur from natural gas heating. The project would also include the use of propane. One 250-gallon propane tank would be placed at the east edge of the tasting facility parking lot and a second 250-gallon propane tank would be placed approximately 50 feet north of the banquet barn. The existing facility has an existing 250-gallon propane tank and approximately 140 gallons of propane was used in 2021. To calculate emissions from the new propane tanks, it was conservatively assumed that each 250-gallon tank would be used in a one-year period, and up to 5 gallons would be used in a single day. Emissions were calculated using U.S. EPA emission factors (U.S. EPA 2008). The CalEEMod output files are contained in Attachment 1 of Appendix B, and propane emission calculations are provided in Attachment 2 of Appendix B.

Table 7 presents daily operational emissions. As shown in Table 7, the project's daily operational emissions would not exceed the SLTs for any criteria pollutant. As described above, the County's SLTs align with attainment of the NAAQS which were developed to protect the public health, specifically the health of "sensitive" populations, including asthmatics, children, and the elderly. Therefore, project operation would not 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, and impacts would be less than significant.

Table 7 Summary of Project Operational Emissions (pounds per day)						
	Pollutant					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Propane Sources	<1	<1	<1	<1	<1	<1
Area Sources	<1	<1	<1	<1	<1	<1
Energy Sources	<1	1	<1	<1	<1	<1
Mobile Sources	2	3	24	<1	6	2
Total	3	3	24	<1	6	2
<i>County Screening Level Thresholds</i>	75	250	550	250	100	55

c) Expose sensitive receptors to substantial pollutant concentrations?

- Potentially Significant Impact Less than Significant Impact
 Less Than Significant With Mitigation Incorporated No Impact

Discussion/Explanation:

Air quality regulators typically define sensitive receptors as schools (preschool–12th grade), hospitals, resident care facilities, day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. However, for the purposes of CEQA analysis in San Diego County, the definition of a sensitive receptor also includes residents, which are located in the vicinity of the project site.

Less than Significant Impact: The two primary emissions of concern regarding health effects for land development projects are diesel particulate matter (DPM) and CO. Projects that would site sensitive receptors near potential CO hotspots or would contribute vehicle traffic to local intersections where a CO hotspot could occur would be considered as having a potentially significant impact. The Local Mobility Analysis evaluated intersection operations of San Pasqual Valley Road with the three access driveways. These intersections would not be signalized, would operate at level of service (LOS) A or B, and peak-hour trips would be less than 2,000 (Rick Engineering 2021a). Consequently, the project is not anticipated to cause roadway intersections to fail or result in CO hotspots.

Projects that would result in exposure to toxic air contaminants (TACs) resulting in a maximum incremental cancer risk greater than one in one million without application of best available control technology for toxics, or a threshold of 10 in one million for projects implementing best available control technology for air toxics or a health hazard index greater than one, would be considered as having a potentially significant impact.

Construction of the project would result in the generation of DPM emissions from the use of off-road diesel construction activities and on-road diesel equipment used to bring materials to and from the project site. Generation of DPM from construction projects typically occurs in a single area for a short period. Construction of the project would occur over a six-month period. The dose to which the receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the extent of exposure that person has with the substance. Dose is positively correlated with time,

meaning that a longer exposure period would result in a higher exposure level for the Maximally Exposed Individual. The risks estimated for a Maximally Exposed Individual are higher if a fixed exposure occurs over a longer period of time. According to the Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments, which determine the exposure of sensitive receptors to toxic emissions, should be based on a 30-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the project (OEHHA 2015). Thus, if the duration of proposed construction activities near any specific sensitive receptor were six months, the exposure would be less than 2 percent (6 months ÷ 30 years) of the total exposure period used for health risk calculation. Additionally, the two closest residential uses are located approximately 290 feet southeast and 500 feet south of the project footprint. Furthermore, the project would implement construction best management practices and would be conducted in accordance with CARB regulations. Specifically, the project would implement the following Best Available Control Technology for Toxics (T-BACT) measures during construction:

- The construction fleet shall use any combination of diesel catalytic converters, diesel oxidation catalysts, diesel particulate filters and/or utilize CARB/U.S. EPA Engine Certification Tier 3 or better, or other equivalent methods approved by the CARB.
- The engine size of construction equipment shall be the minimum size suitable for the required job.
- Construction equipment shall be properly tuned and maintained in accordance with the manufacturer's specifications.
- Per CARB's Airborne Toxic Control Measures 13 (California Code of Regulations Chapter 10 Section 2485), the applicant shall not allow idling time to exceed 5 minutes unless more time is required per engine manufacturers' specifications or for safety reasons.

Due to the limited time of exposure and the distance to the nearest residential uses, project construction is not anticipated to create conditions where the probability is greater than 10 in one million of contracting cancer for the Maximally Exposed Individual or to generate ground-level concentrations of noncarcinogenic TACs that exceed a Hazard Index greater than 1 for the Maximally Exposed Individual. Additionally, with ongoing implementation of U.S. Environmental Protection Agency (EPA) and CARB requirements for cleaner fuels, off-road diesel engine retrofits, and new low-emission diesel engine types, the DPM emissions of individual equipment would be substantially reduced. Consequently, DPM generated during construction would not result in the exposure of sensitive receptors to substantial pollutant concentration. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: SDAPCD Rule 51 (Public Nuisance) and California Health & Safety Code, Division 26, Part 4, Chapter 3, Section 41700 prohibit the emission of any material which causes nuisance to a considerable number of persons or endangers the comfort, health, or safety of the public. Projects required to obtain permits from SDAPCD, typically industrial and some commercial projects, are evaluated by SDAPCD staff for potential odor nuisance, and conditions may be applied (or control equipment required) where necessary to prevent occurrence of public nuisance.

During construction, diesel equipment may generate some nuisance odors. Similarly, paving and architectural coating activities would generate odors. Sensitive receptors near the project site include residential uses; however, exposure to odors associated with project construction would be short term and temporary in nature. Additionally, due to the rural nature of the project area, residences are located at distances of approximately 290 to 500 feet or more from the proposed construction area.

The CARB Air Quality and Land Use Handbook (CARB 2005) identifies a list of the most common sources of odor complaints received by local air districts. Land uses typically considered associated with odors include wastewater treatment facilities, waste-disposal facilities, or agricultural operations. The project site includes vineyards and citrus groves that are not a source of objectionable odors. The project would not result in any change to the on-site agricultural operations. A wastewater treatment system (septic system) for the wine tasting facility would be located west and north of the tasting facility along the existing dirt farm road and would be sized to handle wastewater from the tasting facility at buildout. A similar system for the event center would be located just south of the facility in the existing vineyard, or as determined by the contractor who is responsible for designing the system. The leach fields would be a minimum of 75 feet from the event center, over 165 feet from the existing agricultural wells and over 380 feet east of the flow line of Rancho Guejito Creek. That system for the tasting facility was reviewed and approved by Department of Environmental Health (DEH; DEH2018-lowtf008608). The septic system would be properly constructed and maintained to reduce any associated odors. An On-site Wastewater Treatment System permit from DEH would be needed prior to start of construction. Odors at the nearby residences located south of the project site would dissipate due to the distance between the residences and the leach fields. Therefore, operation of the project is not expected to generate objectionable odors adversely affecting a substantial number of people, and impacts would be less than significant.

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 Wildlife, or CDFW, or U.S. Fish and Wildlife Service?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input checked="" type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Everett and Associates Environmental Consultants prepared a Biological Resources Letter Report dated November 6, 2019 evaluating potential impacts associated with the project (Appendix C). Everett and Associates conducted a site visit on September 19, 2018 that covered the 404-acre MUP area and adjacent areas. Everett and Associates conducted records searches of the California Natural Diversity Data Base (CNDDB) and California Native Plant Society (CNPS) On-Line Inventory of Rare and Endangered Plants.

Less than Significant with Mitigation Incorporated: The MSCP breaks habitats up into tiers, including tiers I, II, III, and IV, with the most sensitive habitats included within tier I and tier IV containing lands which do not support natural vegetation (disturbed, agriculture, and eucalyptus woodland).

As described in the Biological Resources Letter Report, the following vegetation communities can be found within the 404- acre MUP area:

Orchards and Vineyards (Holland Code 18100 - 224.66 acres) MSCP Tier IV: The majority of the 404- acre MUP area consists of Orchards and Vineyards. Crops include grapes, citrus, and avocados.

Diegan Coastal Sage Scrub (Holland Code 32500 - 128.66 acres) MSCP Tier II: Diegan coastal sage scrub is located on very steep east- and west-facing slopes at the north end of the 404-acre MUP area. These areas contain typical coastal sage scrub species, including California sagebrush (*Artemisia californica*), saw-toothed goldenbush (*Isocoma menziesii*), California buckwheat (*Eriogonum fasciculatum* ssp. *fasciculatum*), black sage (*Salvia mellifera*), laurel sumac (*Malosma laurina*), and other common coastal sage scrub species. None of these areas would be impacted by the construction of the proposed wine tasting facility and event center.

Southern Cottonwood-Willow Riparian Forest (Holland Code 61330 - 29.47 acres) MSCP Tier I: Guejito Creek is dominated by giant reed (*Arundo donax*), red willow (*Salix laevigata*), western sycamore (*Platanus racemosa*), Fremont's cottonwood (*Populus fremontii*), tamarisk (*Tamarisk* sp.), wild grape (*Vitis girdiana*), and coast live oak (*Quercus agrifolia*). Other non-native species

common in Guejito Creek include tree tobacco (*Nicotiana glauca*) and castor bean (*Ricinus communis*).

Arundo-dominated Riparian (Holland Code 65100 - 1.15 acres) - MSCP Tier I: A narrow drainage bisects the agricultural area approximately 4,500 feet north of the project footprint. During significant rain events it drains into a small canyon off-site and east of the 404-acre MUP area. This drainage is choked with a monoculture of giant reed.

Non-Native Grassland (Holland Code 42200 - 3.67 acres) MSCP Tier III: Three small areas dominated by non-native grassland are located near the northern end of the 404-acre MUP area. A variety of non-native invasive grasses (e.g., the genera *Avena* and *Bromus*) occur in these areas. These areas appear to be frequently mowed to reduce fire danger.

Coast Live Oak Woodland (Holland Code 61161 - 15.49 acres) MSCP Tier I: Several groves of coast live oak trees are located within the flat, northern portion of the 404-acre MUP area. Understory in these areas consists entirely of non-native grasses.

The proposed wine tasting facility, event center, and fire tank would occupy 5.6 acres in the southern portion of the 404-acre MUP. The 5.6-acre project footprint consists of orchards and vineyards (MSCP Tier IV) and disturbed land, neither of which are considered sensitive vegetation communities that would require mitigation.

Special Status Species

Habitat assessments and direct surveys were conducted for sensitive species with potential to occur on the 404-acre MUP area. These habitat assessments and surveys, as well as impact analysis conducted in Appendix C, determined that the project would not have the potential to impact the following sensitive species:

- San Diego fairy shrimp (*Branchinecta sandiegonensis*)
- Quino checkerspot butterfly (*Euphydryas editha quino*)
- Coastal California gnatcatcher (*Polioptila californica californica*)
- Golden eagle (*Aquila chrysaetos*)
- Burrowing owl (*Athene cunicularia*)
- Turkey vulture (*Cathartes aura*)
- Red-shouldered hawk (*Buteo lineatus*)
- Cooper's hawk (*Accipiter cooperii*)
- San Diego cactus wren (*Campylorhynchus brunneicapillus sandiegonensis*)
- Yellow warbler (*Setophaga petechia*)
- Least Bell's vireo (*Vireo bellii pusillus*)
- Southwestern willow flycatcher (*Empidonax traillii extimus*)
- Stephens' kangaroo rat (*Dipodomys stephensi*)

However, the 404-acre MUP area occurs completely within the U.S. Fish and Wildlife Service (USFWS) designated critical habitat for the arroyo toad (Unit 16 Santa Ysabel Creek, San Diego County: portions of Santa Ysabel Creek and adjacent uplands, and includes portions of Santa

Maria, Guejito, and Temescal creeks). The arroyo toad is listed as endangered under the federal ESA.

Arroyo toads have been documented both up and downstream within Guejito Creek located west of the project site. The species has also been documented off-site and south of SR-78 within and adjacent to the Santa Ysabel floodprone area (USFWS GIS Database 2020). An arroyo toad breeding and upland habitat assessment was conducted within, and adjacent to, the 404-acre MUP area by Ruben Ramirez of Cadre Environmental, presented within Appendix C Arroyo Toad Habitat Assessment and Recommendations for The Rancho Guejito Wine Tasting Facility Project, San Diego County, California.

No suitable arroyo toad breeding habitat occurs within the 5.6-acre project footprint. However, the reach of Guejito Creek located approximately 220 feet off-site and west of the proposed wine tasting facility and event center site boundary provides suitable low-quality conditions for arroyo toad breeding. The 5.6-acre project footprint does not represent suitable arroyo toad aestivation habitat based on the lack of suitable soils, vegetation and native detritus. The 5.6-acre project footprint consists of developed, disturbed, and agricultural (vineyard and orchard) vegetation. However, the arroyo toad is expected to potentially access the terrace regions of Guejito Creek including the 5.6-acre project footprint for foraging and movement during the breeding season. During the non-breeding season, actively irrigated agricultural areas (vineyards and orchards) similar to those observed onsite have been documented to attract the arroyo toad and provide a source of hydration when the species would typically not be active. Therefore, the project would have the potential to impact arroyo toad, which would be considered a significant impact. Implementation of mitigation measure BIO-1 would reduce potential impacts to the arroyo toad to a level less than significant.

Mitigation Measure

BIO-1 Arroyo Toad Pre- and Post-Construction Conservation

Intent: In order to avoid potential impacts to arroyo toad, which are a listed species pursuant to the Endangered Species Act (ESA), conservation measures shall be implemented.

Description of Requirement: The applicant shall implement the following conservation measures to ensure compliance with the federal ESA:

- A. Prior to project initiation and during the non-breeding season, temporary arroyo toad exclusionary fencing shall be installed in a manner that prevents individuals from entering work areas during the breeding season and for the duration of project construction. In areas without water flows, the fence will consist of woven nylon fabric or similar material at least 0.6 meter (2 feet) high, staked firmly to the ground. In areas where soils are suitable for aestivation, the lower 0.3 meter (1 foot) of material will stretch outward along the ground and be secured with a continuous line of sandbags to prevent burrowing beneath the fence. Doubling this line (i.e., stacking sand or gravel bags two-deep) may reduce maintenance and should be considered to improve the integrity of the fencing. In areas where soils are not suitable for aestivation, (i.e., hardpack soils), fencing may be buried to reduce

- maintenance concerns and improve the integrity of the fencing over time. The fenced areas shall include room for all staging and stockpiling, as warranted. The fencing will prevent potential arroyo toad movement into the project site from Guejito Creek in the event work extends into the breeding season. This would require the installation of temporary exclusionary fencing around the perimeter of the project site boundaries including the water tank and temporary trench which would extend south to the project site. Based on final project design features, temporary wire mesh may also be warranted and installed across the existing box culvert located adjacent to the southern boundary to prevent potential movements of the arroyo toad north toward the project site during the breeding season. A qualified arroyo toad biological monitor will oversee the location and installation of the temporary exclusionary fencing.
- B. Conduct at least six consecutive night surveys for the arroyo toad within the project site following installation of the temporary exclusionary fencing and active irrigation. If no arroyo toads are detected, construction activities will proceed. If an arroyo toad is detected, an arroyo toad translocation program that has been approved by the USFWS will be implemented. The program will include the following requirements:
1. Arroyo toads found within the project area will be captured and translocated, by the Carlsbad Fish and Wildlife Office (CFWO)-approved arroyo toad biologist, to an area approved by the Service prior to construction. In addition, any arroyo toads captured will be checked for a Passive Integrated Transponder (PIT) tag with a PIT-tag reader by the CFWO-approved arroyo toad biologist. The CFWO-approved arroyo toad biologist will maintain a complete record of all arroyo toads encountered and relocated in association with the project. The date, time of capture, specific location of capture (using Geographic Positioning Systems), PIT-tag code, approximate size, age, and health of the individuals will be recorded and provided in both hard copy and digital format to the CFWO within two weeks of the translocation.
 2. When capturing and translocating arroyo toads from the project area, the CFWO approved arroyo toad biologist will minimize the amount of time that animals are held in captivity. Captured arroyo toads will be maintained in a manner that does not expose them to temperatures or any other environmental conditions that could cause injury or undue stress. To avoid transferring disease or pathogens between aquatic habitats during the course of the capturing and translocating arroyo toads, the CFWO-approved arroyo toad biologist will follow the Declining Amphibian Population Task Force's Fieldwork Code of Practice (DAPTF 1998), or newer version when available. If available, all translocated arroyo toads will be placed in the vicinity of accessible water to allow individuals the opportunity to rehydrate. Arroyo toads will be placed within vegetative cover located adjacent to the active channel to provide protection against predation. Under no circumstance will arroyo toads be actively buried or placed within a mammal burrow. The following additional guidelines will also be followed during translocation:
 - a. All arroyo toads will be translocated.
 - b. Arroyo toads will not be sedated.
 - c. Gloves will be worn by the biologist when handling arroyo toads and changed between individuals.

- d. Arroyo toads will be placed individually in separate dual-purpose arthropod/small animal containers (7 inches x 6 inches x 6.5 inches) unless large numbers are captured (e.g., emergents that can be housed together).
 - e. Moist, sandy or sandy/loam substrate from the capture site will be placed in terrariums including detritus and small woody debris, if available.
 - f. A small amount of river/creek water will be placed in the terrariums to keep the soil saturated during transportation.
 - g. A spray bottle filled with river/creek water will be used during transportation to spray arroyo toads, if needed.
 - h. Air temperature and humidity will be monitored during transportation.
 - i. Vibrations, noise, and other stress factors will be minimized during transportation.
 - j. In the absence of surface water, de-chlorinated water will be added to the animal container sufficient to saturate the soil to allow individuals the opportunity to rehydrate prior to release.
 - k. Arroyo toads will not be handled for longer than 15 minutes.
3. American bullfrogs (*Lithobates catesbeiana*) or other exotic animal species that prey upon or compete with arroyo toads for resources will be excluded, destroyed, or otherwise permanently removed from the habitat by the CFWO-approved arroyo toad biologist if encountered.
- C. A qualified arroyo toad biological monitor will provide an environmental briefing for all construction workers. The briefing will focus on presenting how to identify the arroyo toad, implications for non-compliance with the federal ESA, a card handout including a species photograph and measures to implement in the event an individual is detected.
 - D. A qualified arroyo toad biological monitor will be present during initial ground disturbing activities to ensure that no arroyo toads are impacted as a result of project implementation.
 - E. A qualified arroyo toad biological monitor will assess the temporary exclusionary fencing at least once a week during project construction to ensure that fencing is secure and devoid of breaches.
 - F. A final letter report will be prepared summarizing the results of the monitoring efforts and compliance with the federal ESA.
 - G. If arroyo toads are detected after the initial survey effort within the temporary exclusionary fenced work area or during implementation of the preceding conservation measures, all work will cease, until the project biologist implements the measures identified in the translocation program.
 - H. The project proponent will coordinate with the Wildlife Agencies to identify BMPs to minimize impacts to arroyo toads from ongoing agricultural operations.

Documentation: The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur until concurrence is received from the County and the Wildlife Agencies.

Timing: Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the

requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies.

Monitoring: The [DPW, PDC] shall not allow any grading, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

BIO-2 Resource Avoidance (PDS, Fee X2)

Intent: In order to avoid impacts to migratory birds and raptors, which are sensitive biological resources pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans.

Description of Requirement: There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of migratory bird nesting habitat or 500 feet of raptor nesting habitat during the breeding season of the migratory bird or raptor within RAA as indicated on these plans. The breeding season is defined as occurring between February 1 and August 31. The Director of PDS [PDS, PPD] may waive this condition, through written concurrence from the USFWS and the CDFW, provided that no migratory birds or raptors are present in the vicinity of the brushing, clearing, or grading as demonstrated by a survey completed no more than 72 hours prior to grading or clearing.

Documentation: The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies.

Timing: Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies.

Monitoring: The [DPW, PDC] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.

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 Wildlife or US Fish and Wildlife Service?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: The 5.6-acre project footprint consists of orchards and vineyards (MSCP Tier IV) and disturbed land, neither of which are considered riparian habitat. Therefore, the project would not 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 Wildlife (CDFW) or USFWS. No impact would occur.

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"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> | No Impact |

Discussion/Explanation:

No Impact: Everett and Associates conducted a wetland survey in the drainage of Guejito Creek, which runs from north to south 220 feet from the west edge of the proposed wine tasting facility and event center site boundary, using the following definition of wetlands based on the County’s Resource Protection Ordinance (RPO):

All lands which are transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or where the land is covered by water. All lands having one or more of the following attributes are “wetlands”:

- a. At least periodically, the land supports predominantly hydrophytes (plants whose habitat is water or very wet places);
- b. The substratum is predominantly undrained hydric soil; or
- c. The substratum is nonsoil and is saturated with water or covered by water at some time during the growing season each year.

Additionally, the County’s RPO defines the following as wetlands:

Mature Riparian Woodland: A grouping of sycamores, cottonwoods and/or oak trees having substantial biological value, where at least ten of the trees have a diameter of six inches or greater.

Riparian Habitat: An environment associated with the banks and other land adjacent to freshwater bodies, rivers, streams, creeks, estuaries, and surface-emergent aquifers (such as springs, seeps, and oases). Riparian habitat is characterized by plant and animal communities which require high soil moisture conditions maintained by transported freshwater in excess of that otherwise available through local precipitation.

The wetlands survey determined that all areas of Guejito Creek fall under RPO, U.S. Army Corps of Engineers (USACE), and CDFW jurisdiction. However, the 5.6-acre project footprint is not located within Guejito Creek. The 5.6-acre project footprint consists of orchards and vineyards and disturbed land that do not qualify as wetlands under the jurisdiction of the RPO, USACE, and CDFW. Therefore, the project would not 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. No impact would occur.

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?

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

A wildlife corridor can be defined as a linear landscape feature allowing animal movement between two larger patches of habitat. Connections between extensive areas of open space are integral to maintaining regional biodiversity and population viability. In the absence of corridors, habitats become isolated islands surrounded by development. Fragmented habitats support significantly lower numbers of species and increase the likelihood of local extinction for select species when they are restricted to small isolated areas of habitat. Areas that serve as wildlife movement corridors are considered biologically sensitive.

Wildlife corridors can be defined in two categories: regional wildlife corridors and local corridors. Regional corridors link large sections of undeveloped land and serve to maintain genetic diversity among wide-ranging populations. Local corridors permit movement between smaller patches of habitat. These linkages effectively allow a series of small, connected patches to function as a larger block of habitat and perhaps result in the occurrence of higher species diversity or numbers of individuals than would otherwise occur in isolation. Target species for wildlife corridor assessment typically include species such as bobcat, mountain lion, and mule deer.

To assess the function and value of a particular site as a wildlife corridor, it is necessary to determine what areas of larger habitats it connects, and to examine the quality of the corridor as it passes through a variety of settings. High-quality corridors connect extensive areas of native habitat and are not degraded to the point where free movement of wildlife is significantly constrained. Typically, high-quality corridors consist of an unbroken stretch of undisturbed native habitat.

No Impact: Large mammals, such as mule deer and mountain lion, prefer large unfragmented natural areas that offer extensive adequate forage or hunting opportunities as well as the opportunity for movement across long distances. As determined in the Biological Resources Letter Report (see Appendix C), large mammal species likely use Guejito Creek as a movement corridor between Guejito Ranch and the Cleveland National Forest and the San Dieguito River.

However, the 5.6-acre project footprint is not located within Guejito Creek and implementation of the project would not affect wildlife movement through this corridor. Therefore, the project would not 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. No impact would occur.

e) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan or any other local policies or ordinances that protect biological resources?

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

Less than Significant Impact with Mitigation Incorporated: The MUP area is within the South County Multiple Species Conservation Program (MSCP) Subarea Plan and is designated as a Pre-Approved Mitigation Area (PAMA). The project would be consistent with the MSCP because it would not impact any sensitive natural habitats or impact wildlife connectivity and potential impacts to sensitive species (arroyo toad) would be mitigated to a level less than significant (Mitigation Measure BIO-1). As stated in the MSCP:

This species will be covered by the MSCP because the Multi-Habitat Planning Area (MHPA) all known locations, and 90-95 percent of the upland habitats within the Marron Valley area will be conserved. Impacts to upland habitats within 1 km of riparian corridors within the MHPA will be minimized during project review by CDFG and USFWS. Take authorization holders must minimize impacts to upland habitats which provide habitat for this species which are: within the MHPA and are within 1 km of riparian habitat which supports or is likely to support Arroyo toad. Participating jurisdictions' guidelines and ordinances, and state and federal wetland regulations will provide additional habitat protection resulting no net loss of wetlands.

Area specific management directives must address the maintenance of Arroyo toad through control of non-native predators, protection and maintenance of sufficient suitable low gradient sandy stream habitat (including appropriate water quality) to meet breeding requirements, and preservation of sheltering and foraging habitat within 1 km of occupied breeding habitat within preserved lands. Area specific management directives must include measures to control human impacts to the species within the preserve (e.g., public education, patrol, etc.)" (MSCP 1997)

Therefore, with implementation of Mitigation Measure BIO-1, the project would not conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation

Plan, or other approved local, regional or state habitat conservation plan, and impacts would be reduced to less than significant.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: County Planning & Development Services completed a Cultural Resources Survey Report for the project (Appendix D). County Staff conducted a records search of the project footprint and surrounding area using the California Historic Resources Inventory System (CHRIS), which determined that a total of 30 cultural studies have been conducted within a one-mile radius of the project. The records search identified 14 prehistoric archaeological sites, one multi-component archaeological site, and three historic buildings within a one-mile radius of the project. However, the records search did not identify any historic resources within the 5.6-acre project footprint, and the project would not affect any of the resources identified within the one-mile radius. The field survey did not identify the existing house, farm implement building, and associated sheds as historic or potentially historic resources. Furthermore, the project would not affect the Rockwood Ranch house. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5. No impact would occur.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: As described in Section V.a) above, the CHRIS records search identified 14 prehistoric archaeological sites and one multi-component archaeological site within a one-mile radius of the project. However, the records search did not identify any archaeological resources within the 5.6-acre project footprint, and the project would not affect any of the resources identified within the one-mile radius. No cultural materials or landscape features (i.e., water source, bedrock outcrops) indicative of cultural resources were observed during the field survey. The 404-acre MUP area is highly disturbed due to the active and historical use of area as an orchard. While agricultural use does not preclude the presence of cultural resources, the agricultural activities and movement of soils within the project footprint indicates soil conditions are not likely to yield inadvertent discoveries of cultural material. Therefore, the project would

not cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5, and impacts would be less than significant.

c) Disturb any human remains, including those interred outside of *dedicated* cemeteries?

- Potentially Significant Impact
- Less than Significant Impact
- Less Than Significant With Mitigation Incorporated
- No Impact

Discussion/Explanation:

Less than Significant Impact: There are no dedicated cemeteries or recorded burials within the project footprint or surrounding vicinity. In the unlikely event that unknown human burials are encountered during project grading and construction, they would be handled in accordance with procedures of the Public Resources Code Section 5097.98, the California Government Code Section 27491, and the Health and Safety Code Section 7050.5. These regulations detail specific procedures to follow in the event of a discovery of human remains. Therefore, the project would not disturb any human remains, including those interred outside of dedicated cemeteries, and impacts would be less than significant.

VI. ENERGY

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

- Potentially Significant Impact
- Less than Significant Impact
- Less Than Significant With Mitigation Incorporated
- No Impact

Discussion/Explanation:

Less than Significant Impact: The project would result in the use of electricity, natural gas, petroleum, and other consumption of energy resources during both the construction and operation phases of the project; however, the consumption is not expected to be wasteful, inefficient, or unnecessary for the following reasons.

During construction, Tier IV certified construction equipment would be utilized during all phases of construction. Tier IV diesel engine standards are the strictest EPA emissions requirement for off-highway diesel engines. This requirement regulates the amount of particulate matter, or black soot, and NOx that can be emitted from an off-highway diesel engine. Tier IV equipment also runs more efficiently and thus uses less energy resources. All new construction would be required to comply with the energy code in effect at the time of construction, which ensures efficient building construction.

Additional measures such as efficient water usage, efficient outdoor lighting, carpooling, and composting, would be employed by the project. Additionally, the applicant proposes to install rooftop solar on the winery which would minimize the demand electricity from the power grid. Therefore, the construction and operation of the project is not expected to result in the wasteful or inefficient use of energy, and impacts would be less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Many of the regulations regarding energy efficiency are focused on increasing the energy efficiency of buildings and renewable energy generation, as well as reducing water consumption and vehicle miles traveled (VMT). The project would be constructed in accordance with energy efficiency standards effective at the time building permits are issued which assuming 2019 standards, would result in a decrease energy consumption by 30 percent for non-residential buildings when compared to the 2016 Title 24 Energy Code. The project would not conflict with energy reduction policies of the County General Plan, including COS-14.3 which requires new development to implement sustainable practices to conserve energy. The project applicant has additionally agreed to install rooftop solar which would provide a source of renewable energy to the proposed project. Through compliance with the 2019 Building Energy Efficiency Standards at the time of project construction and installation of rooftop solar, the project would implement energy reduction design features and comply with the most recent energy building standards consistent with applicable plans and policies. Therefore, impacts would be less than significant.

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:
 - 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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

A Geologic Reconnaissance dated April 28, 2021 was prepared for the 5.6-acre project footprint by GEOCON Incorporated (Appendix E).

Less than Significant Impact: The Geological Reconnaissance determined there are no mapped Quaternary faults crossing or trending toward the project site. Additionally, the 5.6-acre project footprint is not located within a currently established Alquist-Priolo Earthquake Fault Zone. The nearest known active-fault zone is the Elsinore Fault, located approximately 11 miles from the northeast property corner of the 404-acre MUP. Therefore, the project would not cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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, and impacts would be less than significant.

ii. Strong seismic ground shaking?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site is located in the seismically active southern California region. To ensure the structural integrity of all buildings and structures, project structures would be designed consistent with seismic requirements of the California Building Code. Therefore, compliance with the California Building Code would ensure that the project would not expose people or structures to potential adverse effects from strong seismic ground shaking, and impacts would be less than significant.

iii. Seismic-related ground failure, including liquefaction?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: The project site is not within a “Potential Liquefaction Area” as identified in the County’s GPU EIR (2011). However, the Geologic Reconnaissance determined that the young alluvial deposits at the 5.6-acre project footprint may be liquefiable and compressible. However, consistent with the County Grading Ordinance (Section 87.209), the County will require implementation of recommendations of the engineering geology report prepared by a soils engineer to ensure the correction of weak or unstable soil conditions. Recommendations of the geology reports must be approved by the County Official and incorporated in the grading plan or specifications. With implementation of the County Grading

ordinance and associated recommendations of the soils engineering report, impacts related to seismic ground failure, including liquefaction would be less than significant.

iv. Landslides?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: Site reconnaissance, examination of aerial photographs, and review of available geologic information conducted as a part of the Geological Reconnaissance did not identify evidence of landslides on the 5.6-acre project footprint or within the surrounding area. Therefore, the project would not expose people or structures to potential adverse effects from landslides, and impacts would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: A Storm Water Quality Management Plan (SWQMP) was prepared by Rick Engineering dated ~~October 20, 2020~~ May 23, 2022 consistent with the requirements of the County of San Diego BMP Design Manual. The SWQMP contains a discussion of the proposed construction Best Management Practices (BMPs) to be implemented for the project. Such BMPs include vegetation stabilization planting, hydraulic stabilization hydroseeding, silt fencing, fiber rolls, and spill prevention/control measures that would prevent soil erosion and loss of topsoil. The project would introduce landscaping in order to preserve soils in the post-project condition. Therefore, the project would not result in substantial soil erosion or the loss of topsoil, and impacts would be less than significant.

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 an on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: As described in Section VII.a)iii above, the Geologic Reconnaissance determined that the young alluvial deposits at the project site may be liquefiable

and compressible. With implementation of the County Grading ordinance and implementation of recommendations from the soils engineering report, impacts related to unstable geology would be less than significant.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

- Potentially Significant Impact
- Less than Significant Impact
- Less Than Significant With Mitigation Incorporated
- No Impact

Discussion/Explanation:

Less than Significant Impact: As described in Section VII.a)iii above, the Geologic Reconnaissance determined that the young alluvial deposits at the project site may be liquefiable and compressible, and considered expansive soils per Table 18-1-B of the Uniform Building Code. With implementation of the County Grading ordinance and recommendations from the soils engineering report, impacts related to liquefiable and expansive soils would be less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

- Potentially Significant Impact
- Less than Significant Impact
- Less Than Significant With Mitigation Incorporated
- No Impact

Discussion/Explanation:

Less than Significant Impact: An on-site wastewater treatment system (septic system) for the wine tasting facility would be located west and north of the tasting facility along the existing dirt farm road and would be sized to handle wastewater from the tasting facility at buildout. A similar system for the event center would be located just south of the facility in the existing vineyard, or as determined by the contractor who is responsible for designing the system. As detailed in the County Code of Regulatory Ordinances Section 68.340, standards for the siting and design of on-site wastewater treatment systems are set forth in the County of San Diego's Local Agency Management Program for On-site Wastewater Treatment Systems (LAMP). Implementation of the proposed septic system will require a permit from the County DEH which will ensure the system is designed and installed in a manner that will support disposal of wastewater. Impacts would be less than significant.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

San Diego County has a variety of geologic environments and geologic processes which generally occur in other parts of the state, country, and the world. However, some features stand out as being unique in one way or another within the boundaries of the County.

No Impact: Review of Figure 2.5-3 of the County of San Diego GPU EIR (2011a) determined that the project site has been designated as having low paleontological sensitivity rating. The Geologic Reconnaissance determined that the 5.6-acre project footprint is underlain by younger alluvium (Qya) and granitic rock (Kgr), neither of which are identified as having high or moderate potential to yield paleontological resources by the County (County of San Diego 2009). Additionally, the project site does not contain any unique geologic features that have been listed in the County’s Guidelines for Determining Significance for Unique Geology Resources nor does the site support any known geologic characteristics that have the potential to support unique geologic features. No impact would occur.

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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: State CEQA Guidelines Section 15064.4 states that “the determination of the significance of greenhouse gas emissions (GHG) calls for careful judgment by the lead agency, consistent with the provisions in Section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate, or estimate the amount of greenhouse gas emissions resulting from a project.” Section 15064.4(b) further states that a lead agency should consider the following non-exclusive factors when assessing the significance of GHG emissions:

1. The extent to which the project may increase or reduce GHG emissions as compared to the existing environmental setting;

2. Whether the project emissions exceed a threshold of significance that the lead agency applies to the project; and
3. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

State CEQA Guidelines Section 15064(h)(1) states that “the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable.” A cumulative impact may be significant when the project’s incremental effect, though individually limited, is cumulatively considerable.

The County of San Diego (County) General Plan incorporates smart growth and land planning principles intended to reduce vehicle miles traveled, and thereby reduce GHG emissions. Specifically, the General Plan directed preparation of a County Climate Action Plan (CAP) with reduction targets; development of regulations to encourage energy-efficient building design and construction; and development of regulations that encourage energy recovery and renewable energy facilities, among other actions. These planning and regulatory efforts are intended to ensure that actions of the County do not impede Assembly Bill 32 (AB 32) and Senate Bill 375 (SB 375) mandates.

As such, on February 14, 2018, the County Board of Supervisors (Board) adopted a CAP, which identifies specific strategies and measures to reduce GHG emissions in the largely rural, unincorporated areas of San Diego County as well as County government operations (County of San Diego 2018). The CAP aims to meet the state’s 2020 and 2030 GHG reduction targets (AB 32 and SB 32, respectively), and demonstrate progress towards the 2050 GHG reduction goal.

On September 30, 2020, the Board voted to set aside its approval of the County’s 2018 CAP and related actions because the Final Supplemental Environmental Impact Report (2018 CAP SEIR) was found to be out of compliance with CEQA. In response to this Board action, the County is preparing a CAP Update to revise the 2018 CAP and correct the items identified by the 4th District Court of Appeal in San Diego within the Final 2018 CAP SEIR that were not compliant.

The County does not currently have locally adopted screening criteria or GHG thresholds. Pending adoption of a new CAP, appropriate GHG emissions thresholds were considered for purposes of this analysis. Based on the specific characteristics of this project including its low VMT generation, current guidance provided by the Bay Area Air Quality Management District (BAAQMD) was used to evaluate GHG emissions. For land use development projects, the BAAQMD recommends using the approach endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) (62 Cal.4th 204), which evaluates a project based on its effect on California’s efforts to meet the state’s long-term climate goals. As the Supreme Court held in that case, a project that would be consistent with meeting those goals can be found to have a less than significant impact on climate change under CEQA. If a project would contribute its “fair share” of what would be required to achieve those long-term climate goals, then a reviewing agency can find that the impact would not be significant because the project would help to solve the problem of global climate change (62 Cal.4th 220–223). If a land use project incorporates all of the design elements necessary for it to be carbon neutral by

2045, then it would contribute its portion of what is needed to achieve the state's climate goals and would help to solve the cumulative problem. It can therefore be found to make a less than cumulatively-considerable climate impact. Because this guidance supports how a project would contribute its "fair share" of the statewide long-term GHG reduction goals, it is not specific to the BAAQMD region and can also be applied in the San Diego region. BAAQMD's *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plan* (Justification Report), adopted April 2022, is provided in Appendix F. The information provided in the Justification Report is intended to provide the substantial evidence that lead agencies need to support their determinations about significance using these thresholds.

The Justification Report analyzes what would be required of new land use development projects to achieve California's long-term climate goal of carbon neutrality by 2045. A new land use development project being built today needs to incorporate the following design elements to do its "fair share" of implementing the goal of carbon neutrality by 2045:

- A) Projects must include, at a minimum, the following project design elements:
- 1) Buildings
 - a) The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
 - b) The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
 - 2) Transportation
 - a) Achieve a reduction in project-generated VMT below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:
 - (i) Residential projects: 15 percent below the existing VMT per capita
 - (ii) Office projects: 15 percent below the existing VMT per employee
 - (iii) Retail projects: no net increase in existing VMT
 - b) Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

Building Energy Use

Energy use emissions are generated by activities within buildings that utilize electricity and natural gas as energy sources. GHGs are emitted during the generation of electricity from fossil fuels off-site in power plants. These emissions are considered indirect but are calculated in association with a building's overall operation. Natural gas usage emits GHGs directly when it is burned for space heating, cooking, hot water heating and similar uses, whereas electricity usage emits GHGs indirectly to the extent that it is generated by burning carbon-based fuels. For the building sector to achieve carbon neutrality, natural gas usage will need to be phased out and replaced with electricity usage, and electrical generation will need to shift to 100 percent carbon-free sources. To support these shifts, new projects need to be built without natural gas and with no inefficient or wasteful energy usage.

The project would result in GHG emissions from energy used in the tasting facility and event center. The tasting facility and event center would be designed to run on all electric energy sources. Although not currently enacted as law, the 2022 Scoping Plan calls for all new commercial buildings to have all electric appliances by 2029 (CARB 2022). By designing the project to fully utilize electric energy within the tasting facility and event center, the project would not conflict with ultimate implementation of the Scoping Plan.

Additionally, the project would include rooftop solar. Although the project would include the use of propane to fuel the outdoor firepits and barbecues, these uses would be ancillary to the project and represent a negligible amount of GHG emissions that would not interfere with the statewide goal of becoming carbon neutral by 2045. Additionally, as discussed in detail in Section VI. Energy above, construction and operation of the project is not expected to result in the wasteful or inefficient use of energy. GHG emissions associated with electricity use would be eliminated as California decarbonizes the electrical generation infrastructure as committed to by 2045 through SB 100, the 100 percent Clean Energy Act of 2018. Therefore, the project would contribute its “fair share” of what is required to achieve carbon neutrality of buildings by 2045.

Transportation

GHG emissions from vehicles come from the combustion of fossil fuels in vehicle engines. Decarbonization of the transportation infrastructure serving land use development will come from shifting the motor vehicle fleet to EVs, coupled with a shift to carbon-free electricity to power those vehicles. Land use projects cannot directly control whether and how fast these shifts are implemented, but they can, and do, have an important indirect influence on California’s transition to a zero-carbon transportation system. The Justification Report states that “Motor vehicle transportation does not need to be eliminated entirely in order for the land use sector to achieve carbon neutrality, as carbon-free vehicle technology can be used (e.g., EVs powered by carbon-free electricity sources). But for that goal to be realistically implemented by 2045, California will need to reduce its per-capita VMT. How land use development is designed and sited can have a significant influence on how much VMT the project would generate.” New land use development can influence transportation-related emissions in two areas related to how it is designed and built. First, new land use projects need to provide sufficient electric vehicle EV charging infrastructure to serve the needs of project users who would be driving EVs. Second, new land use projects can influence transportation-related GHG emissions by reducing the amount of VMT associated with the project.

The 2022 CALGreen goes into effect on January 1, 2023, and the project would be subject to these requirements. The project would meet the 2022 CALGreen Tier 2 voluntary requirements for EV parking detailed in Table A5.106.5.3.2 of the 2022 California Green Building Standards Code (Title 24, Part 11, CALGreen). Tier 2 also requires 50 percent of the total parking spaces to be designated for any combination of zero-emitting, fuel-efficient and carpool/van pool vehicles. The project proposes ~~440~~108 parking spaces. In accordance with 2022 CALGreen Tier 2 voluntary requirements, the project would provide 19 EV capable spaces provided with Electric Vehicle Supply Equipment (EVSE) and 38 EV capable spaces. EV capable means a vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways, both underground and/or surface mounted, to support EV charging. The 19 spaces with EVSE equipment would include installation of the required branch circuit, electric vehicle charging connectors, plugs, and all other apparatus to allow for the transfer of energy between

the premises and the electric vehicle. Adherence to these Tier 2 voluntary requirements would be required prior to issuance of building permit predicated on sufficient load capacity from SDG&E in the project area.

The project would also designate 50 percent of the total parking spaces for any combination of zero-emitting, fuel-efficient and carpool/van pool vehicles, consistent with Tier 2 requirements. Spaces with EV charging would count toward this total. Therefore, the project would meet the first requirement of providing sufficient EV charging infrastructure.

A Local Mobility Analysis and a Vehicle Miles Traveled (VMT) Analysis were prepared for the project (Rick Engineering 2021a and 2021b). The VMT Analysis prepared for the project examined the nature of the trips generated by the project, the project's location to nearby attractions, and project features that would further reduce VMT. The project is located within the San Pasqual Valley which is dominated by agricultural uses. Since wineries and winery tasting rooms are often clustered nearby each other, a typical wine tasting outing involves groups of two or more leisurely visiting several wineries throughout the day. This means trips between these wineries are often captured by a diverted trip to or from another nearby winery. Therefore, trips to the proposed winery would most likely consist of existing trips that were redistributed and captured by the project serving the local area, effectively lowering the total VMT for the project. There are also several wine tour companies based in Ramona and Escondido which provide a shuttle to tour wineries within San Pasqual and Ramona Valley. The project is not expected to substantially increase VMT since the area already includes numerous wineries and would continue to capture trips that are currently being generated by the existing nearby attractions.

Additionally, the complimentary part of the project includes the special event facility. Both Orfila and Cordiano offer a special event facility. The event facility use is expected to operate mostly on weekends and for special occasions such as weddings. Other select uses of the event facility may occur during the weekdays for events such as retirement parties or business luncheons. However, the impacts related to the special event facility use are expected to be less than significant since the use of the facility would occur only on select occasions, and most often on weekends when overall regional vehicle travel is less (Rick Engineering 2021b). Furthermore, the event facility would not induce events, but would offer another option for facility use within the region.

Finally, development of the project would also have the effect of diverting trips that otherwise may go to destinations outside the County, such as Temecula, because the project would increase opportunities for wine tasting experiences in San Diego County. For these reasons, the VMT Analysis concluded that the project would not result in significant VMT impacts.

Therefore, the project would contribute its "fair share" of what is required to eliminate GHG emissions from the transportation sector by reducing levels of VMT per capita.

The project's "fair share" contribution towards the statewide goal of carbon neutrality by 2045, combined with the energy efficiency measures that would be implemented as described in Section VI. Energy, the project's consistency with the General Plan (refer to Section XI. Land Use and Planning), and the project's less than significant impact related to Vehicle Miles Traveled (refer to Section XVII. Transportation) demonstrates that the project would not make a cumulatively considerable contribution to GHG emissions.

Therefore, the project would not generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment, and impacts would be less than significant.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: Executive Order (EO) S-3-05 and EO B-30-15 established GHG emission reduction targets for the state, and AB 32 launched the CARB Climate Change Scoping Plan that outlined the reduction measures needed to reach the 2020 target, which the state has achieved. As required by SB 32, CARB’s 2017 Climate Change Scoping Plan outlines reduction measures needed to achieve the 2030 target. AB 1279, the California Climate Crisis Act, codified the carbon neutrality target as 85 percent below 1990 levels by 2045. CARB’s 2022 Scoping Plan is set to be heard by the CARB Board December of 2022. As detailed in the response in Section VIII.a) above, the project would provide its “fair share” contribution towards the statewide goal of carbon neutrality by 2045.

Furthermore, project emissions would decline beyond the buildout year of the project due to continued implementation of federal, state, and local reduction measures, such as increased federal and state vehicle efficiency standards, and SDG&E’s increased renewable sources of energy in accordance with RPS goals. Based on currently available models and regulatory forecasting, project emissions would continue to decline through at least 2050. Given the reasonably anticipated decline in project emissions that would occur post-construction, the project is in line with the GHG reductions needed to achieve the 2045 GHG emission reduction targets identified by AB 1279.

The 2017 and 2022 Scoping Plans identify state strategies for achieving the state’s 2030 and 2045 GHG emissions reduction targets codified by SB 32 and AB 1279, respectively. However, at time of writing the 2022 Scoping Plan has not been adopted. Measures under the 2017 Scoping Plan scenario build on existing programs such as the Low Carbon Fuel Standard, Advanced Clean Cars Program, RPS, SCS, Short-Lived Climate Pollutant Reduction Strategy, and the Cap-and-Trade Program. The project would comply with all applicable provisions contained in the 2017 Scoping Plan since the adopted regulations would apply to new development or the emission sectors associated with new development.

- **Transportation** – State regulations and 2017 Scoping Plan measures that would reduce the project’s mobile source emissions include the California Light-Duty Vehicle GHG Standards (AB 1493/Pavley I and II), and the Low Carbon Fuel Standard, and the heavy-duty truck regulations. These measures are implemented at the state level and would result in a reduction of project-related mobile source GHG emissions. The project would provide EV charging infrastructure consistent with 2022 CALGreen Tier 2 voluntary requirements and would result in less than significant VMT impacts.

- **Energy** – State regulations and 2017 Scoping Plan measures that would reduce the project’s energy-related GHG emissions include RPS, Title 24 Energy Efficiency Standards, and CALGreen. The project would be served by SDG&E, which has achieved 44 percent renewables as of 2019. The project’s energy related GHG emissions would decrease as SDG&E increases its renewables procurement towards the 2030 goal of 60 percent. Additionally, the project would be constructed in accordance with energy efficiency standards effective at the time building permits are issued and the winery structure would be constructed with rooftop solar. As discussed in Section VIII.a) above, the project would contribute its “fair share” of what is required to achieve carbon neutrality of buildings by 2045.
- **Water** – State regulations and 2017 Scoping Plan measures that would reduce the project’s electricity consumption associated with water supply, treatment, and distribution, and wastewater treatment include RPS and CALGreen. The project would be required to reduce indoor water consumption by 20 percent in accordance with CALGreen. Additionally, the project would be subject to all County landscaping ordinance requirements.
- **Waste** – State regulations and 2017 Scoping Plan measures that would reduce the project’s solid waste-related GHG emissions are related to landfill methane control, increases efficiency of landfill methane capture, and high recycling/zero waste. The project would be subject to CALGreen, which requires a diversion of construction and demolition waste from landfills. Additionally, the project would include recycling storage and would divert waste from landfills in accordance with AB 341.

The project was also evaluated for consistency with the San Diego Forward, which is the Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) that demonstrates how the region would meet its transportation related GHG reduction goals. The project would be consistent with San Diego Forward as it would not conflict with implementation of its key goals. San Diego Forward goals include (1) the efficient movement of people and goods, (2) access to affordable, reliable, and safe mobility options for everyone, and (3) healthier air and reduced GHG emissions regionwide. As detailed in Section VIII.a, the project would implement 2022 CALGreen Tier 2 voluntary requirements for EV parking and would install rooftop solar panels for clean energy generation, supporting the goal of achieving healthy air and reduced GHG emissions regionwide.

As described in greater detail in Section XV.II.b) below, the VMT Analysis determined that the project would most likely capture existing trips that are currently being generated by existing nearby attractions, including wineries in the area. By adding an additional wine tasting opportunity located closer to San Diego communities, the project would increase the likelihood that wine tasting trips would stay local instead of seeking destinations that are farther away, thereby diverting trips that otherwise might go outside the County. The project would also include features such as shuttle/tour services and carpooling incentives which further reduce total VMT. Therefore, the project would not conflict with the transportation related GHG reduction goals outlined in San Diego Forward.

The project would not conflict with implementation of statewide GHG reduction goals, the 2017 Scoping Plan, San Diego Forward, or the County of San Diego General Plan. Therefore, the

project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of GHGs, and impacts would be less than significant.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Project construction may involve the use of small amounts of solvents, cleaners, paint, oils and fuel for equipment. However, these materials are not acutely hazardous, and use of these common hazardous materials in small quantities would not represent a significant hazard to the public or environment. Additionally, project construction would be required to be undertaken in compliance with applicable federal, state, and local regulations pertaining to the proper use of these common hazardous materials, including the California Occupational Safety and Health Administration and the California Department of Environmental Health Hazardous Materials Division. All site improvements and the driveway connection with San Pasqual Valley Road would be constructed consistent with all applicable County safety regulations. Similarly, improvements on SR-78 would be constructed consistent with applicable Caltrans safety regulations. Consequently, the project would not introduce accident conditions that could result in the release of hazardous materials into the environment. Operation of the project would not introduce a significant source of hazardous materials on-site. The wine tasting facility and event center would require the storage of cleaning supplies and other related chemicals. However, these materials are not acutely hazardous, and the project would handle and store these materials consistent with all applicable regulations. Landscaping activities would be conducted consistent with applicable regulations. Therefore, the project would not create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials or wastes or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and impacts would be less than significant.

- b) 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: There are no schools located within a quarter mile of the project site. The nearest school is the San Pasqual Academy located approximately 0.5 mile southeast of the 5.6-acre project footprint. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact would occur.

c) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: A Phase I Environmental Site Assessment was prepared for the project on July 14, 2020 by C. Young Associates (Appendix G). The assessment revealed no evidence of “recognized environmental conditions” in connection with the project site. Additionally, the 404-acre MUP area is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a significant hazard to the public or the environmental and no impact would occur.

d) 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project is not located within an airport land use plan or within two miles of a public airport or public use airport. The nearest airport is the Lake Wohlford Resort Airport located approximately 5.9 miles northwest of the project site. Therefore, the project would not result in a safety hazard or excessive noise for people residing or working in the project area. No impact would occur.

e) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

The following sections summarize the project’s consistency with applicable emergency response plans or emergency evacuation plans.

i. OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

Less than Significant Impact: The Operational Area Emergency Plan is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan includes an overview of the risk assessment process, identifies hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives and actions for each jurisdiction in the County of San Diego, including all cities and the County unincorporated areas. As described in greater detail in Section XX.b) below, the Conceptual Wildland Fire Evacuation Plan prepared for the project determined that the project would add 121 vehicles potentially evacuating during an emergency to an existing total of less than 3,000 total evacuating vehicles, which would constitute an increase of approximately 4 percent. Evacuation travel times from existing population areas associated with the San Diego Safari Park’s visitors, Rancho San Pasqual, Vista Monte and the San Pasqual Union Elementary School are estimated to be roughly 15 minutes (from Cloverdale/SR-78 intersection) to 52 minutes (from San Pasqual Academy) to reach Bear Valley Parkway assuming 1,340 vehicles per hour can be accommodated on SR-78. This assumes a vehicular travel speed average of 8 mph (1,340 vehicles per hour), a realistic speed during a large evacuation, particularly achievable with law enforcement control of downstream intersections. The addition of 121 evacuating vehicles could add up to approximately 2 minutes to the evacuation travel times and therefore, would not be expected to materially impact the travel speed of 8 mph or the overall time for existing residents to reach urban areas of Escondido. Therefore, the project would be consistent with the Operational Area Emergency Plan and Multi-Jurisdictional Hazard Mitigation Plan, and impacts would be less than significant.

ii. SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY RESPONSE PLAN

No Impact: The project would not conflict with the San Diego County Nuclear Power Station Emergency Response Plan due to the location of the project, plant, and the specific requirements of the plan. The emergency plan for the San Onofre Nuclear Generating Station (SONGS) includes an emergency planning zone within a 10-mile radius. All land area within 10 miles of

the plant is not within the jurisdiction of the unincorporated County and as such a project in the unincorporated area is not expected to interfere with any response or evacuation.

iii. OIL SPILL CONTINGENCY ELEMENT

No Impact: The Oil Spill Contingency Element would not be interfered with because the project is not located along the coastal zone or coastline.

iv. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN

No Impact: The project would not conflict with the Emergency Water Contingencies Annex and Energy Shortage Response Plan because it does not propose altering major water or energy supply infrastructure, such as the California Aqueduct.

v. DAM EVACUATION PLAN

Less than Significant Impact: The project is within a Dam Inundation Zone flood hazard from the Lake Sutherland dam approximately 13 miles upstream. In the event that this dam had a major, rapid dam failure while full, the project area would be inundated with floodwater from Santa Ysabel Creek to depth of several feet. However, the project would not exacerbate risk associated with dam failure beyond any current risk, and the Rancho Guejito property currently has procedures in place that result in the closure of the site and the evacuation of personnel in the event that significant rainfall is forecasted that could result in an overtopping of the dam. The wine tasting facility and event center would be subject to these procedures as well. Therefore, impacts associated with a dam evacuation plan would be less than significant.

f) Propose a use, or place residents adjacent to an existing or reasonably foreseeable use that would substantially increase current or future resident’s exposure to vectors, including mosquitoes, rats or flies, which are capable of transmitting significant public health diseases or nuisances?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project would not involve or support uses that allow water to stand for a period of 72 hours (3 days) or more (e.g., artificial lakes, agricultural irrigation ponds). The project proposes a large fountain in front of the tasting facility that would circulate water at all time. Therefore, the fountain would not allow water to stand for a period of 72 hours (3 days) or more. The project would not involve or support uses that would produce or collect animal waste, such as equestrian facilities, livestock agricultural operations (chicken coops, dairies, etc.), solid waste facility or other similar uses. Therefore, the project would not substantially increase current or future resident’s exposure to vectors, including mosquitoes, rats or flies. No impact would occur.

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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Projects have the potential to generate pollutants during both the construction and postconstruction phases. In order for the project to avoid potential violations of any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality, storm water management plans are prepared for both phases of the development project.

A SWQMP was prepared by Rick Engineering dated ~~October 20, 2020~~ May 23, 2022 (Appendix H) consistent with the requirements of the County of San Diego BMP Design Manual. The BMP Design Manual is a design manual for compliance with local County of San Diego Watershed Protection Ordinance (Sections 67.801 et seq.) and regional MS4 Permit (California Regional Water Quality Control Board San Diego Region Order No. R9-2013-0001, as amended by Order No. R9-2015-0001 and Order No. R9-2015-0100) requirements for storm water management. The SWQMP includes a list of construction BMPs that would be implemented by the project. Such BMPs include vegetation stabilization planting, hydraulic stabilization hydroseeding, silt fencing, fiber rolls, and spill prevention/control measures that would preserve water quality. The project would introduce landscaping in order to preserve soils in the post-project condition. In addition, the project would continue to implement existing pollution prevention measures, such as pesticide control, proper trash and recycling disposal, in order to preserve water quality in the post-project condition. Therefore, the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality, and impacts would be less than significant.

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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The existing Small Winery permit area solely utilizes groundwater for both potable water within existing structures and irrigation of the on-site

agricultural use. The water supply memorandum prepared for the project determined that the existing agricultural crops within the 5.6-acre project footprint consume approximately 8.5 acre-feet of groundwater per year. The water supply memorandum determined that the wine tasting facility, event center, including 0.7 acre of new grape plantings, 0.4 acres of drought tolerant landscaping, and an estimated 135 fixture units would consume approximately 5.20 acre-feet of groundwater per year (Appendix I). Consequently, the wine tasting facility and event center would result in a reduction of approximately 3.4 acre-feet of groundwater consumption per year compared to the existing condition. Although the project implementation would convert ~~2.3~~2.4 acres of land to impervious surfaces, the majority of the approximately 404-acre MUP area would remain undeveloped and allow for continued groundwater recharge. Therefore, the project would not decrease groundwater supply or interfere substantially with groundwater recharge, and impacts would be less than significant.

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:

(i) result in substantial erosion or siltration on- or off-site;

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: A Drainage Study was prepared by Rick Engineering dated ~~October 20, 2020~~November 8, 2021 (Appendix J). The project is located within the Guejito Creek ~~W~~Watershed, which covers approximately 27.7 square miles ranging from Rodriguez Mountain at the northern extent to the confluence with Santa Ysabel Creek, south of SR-78. Drainage generally flows from northeast to southwest through largely natural and agricultural areas. The watershed is bordered by steep hillsides to the north, east, and west. Drainage follows relatively well-defined flowpaths, especially in the southern portions of the watershed. Several watercourses confluence upstream of the existing vineyards, and are eventually all collected within Guejito Creek, which runs along the western edge of the project site.

The Project Local drainage Watershed, which drains through the 404-acre MUP area, consists of the area upstream of the project site that is not collected within Guejito Creek prior to SR-78. This drainage area consists largely of agricultural areas with few developments, including single-family residences and additional accessory structures. Concentrated drainage flows from the adjacent hillsides onto the 404-acre MUP area, where the flow transitions into a sheet flow condition. Runoff the sheet flows southerly through the vineyards within the existing Small Winery permit area at a mild slope (approximately 0.6 percent) prior to being collected within an existing depression that is located adjacent to the existing site access driveway along the north side of SR-78. From this collection point, an existing culvert conveys runoff beneath SR-78 and into an existing drainage ditch along the southern roadway shoulder. Runoff in the ditch then flows westerly and confluences with Guejito Creek.

As described in Section X.a) above, BMPs would be implemented consistent with the requirements of the County BMP Design Manual during construction to control storm flows and introduce landscaping in order to preserve soils in the post-project condition. Post construction, site drainage would remain the same. Runoff from the buildings and parking lots would be directed towards the adjacent pervious areas and dispersed via splash block/riprap and flow spreaders that would control the flow of runoff during storm events. As a result, a hydrologic analysis was conducted for the Project Local Watershed, which determined that the project would reduce peak flows during the 100-year storm event for the local drainage basin from 194.8 cubic feet per second (cfs) to 191.2 cfs in the post-project condition.

Additionally, a hydrologic analysis was conducted for the Project Local Watershed related to Caltrans facilities, which determined that the project would decrease 100-year storm event peak flows reaching the Caltrans culvert in the post-project condition in comparison to the pre-project condition. Although project improvements would result in slight increases in 10-year storm event peak flow rates at the Caltrans culvert and downstream of the culvert, the project extension of the existing dual-cell 5 feet (width) by 2 feet (height) reinforced concrete box would ensure that the project would comply with the Caltrans' Highway Design Manual and ensure capacity to convey the 10-year storm event peak flow rate without causing the headwater elevation to rise above the inlet top of the culvert, as well as convey the 100-year storm event peak flow rate without headwaters rising above an elevation that would cause objectionable backwater depths or outlet velocities. Therefore, the project would not substantially alter the existing drainage pattern in manner that would result in substantial erosion or siltration on- or off-site, and impacts would be less than significant.

(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"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Less than Significant Impact: As described in Section X.a) above, BMPs would be implemented consistent with the requirements of the County BMP Design Manual during construction to control storm flows. As described in Section X.a) above, post construction, site drainage would remain the same. Runoff from the buildings and parking lots would be directed towards the adjacent pervious areas and dispersed via splash block/riprap and flow spreaders that would control the flow of runoff during storm events. As a result, the project would reduce peak flows during the 100-year storm event for the local drainage basin from 194.8 cfs to 191.2 cfs in the post-project condition. Additionally, the project would decrease peak flows reaching the Caltrans culvert in the post-project condition in comparison to the pre-project condition. Therefore, the project would not substantially alter the existing drainage pattern in manner that would substantially increase the rate or amount of surface runoff, and impacts would be less than significant.

(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

- Potentially Significant Impact
- Less than Significant Impact
- Less Than Significant With Mitigation Incorporated
- No Impact

Less than Significant Impact: As described in Section X.c)ii above, the project would reduce storm flows in the 100-year storm under the post-project condition. Therefore, the project would not 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, and impacts would be less than significant.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

- Potentially Significant Impact
- Less than Significant Impact
- Less Than Significant With Mitigation Incorporated
- No Impact

Less than Significant Impact: The project is not located within a FEMA special flood zone. The project site is located more than 20 miles from the coast; therefore, in the event of a tsunami, would not be inundated. The project is within a Dam Inundation Zone flood hazard from the Lake Sutherland dam approximately 13 miles upstream. In the event that this dam had a major, rapid dam failure while full, the project area would be inundated with floodwater from Santa Ysabel Creek to depth of several feet.

The hydraulic analysis within Appendix J utilized a conservative peak flow rate, calculated using the following methodologies outlined in the County of San Diego Hydrology Manual dated 2003, and determined the area where the development is proposed may be inundated by approximately 2.5 to 3.5 feet of water above existing elevations should this unlikely event occur. Based on the results of these analyses, the design of the proposed structures has been elevated at or above the 100-year calculated water surface elevation. The Rancho Guejito property currently has procedures in place that result in the closure of the site and the evacuation of personnel in the event that a significant rainfall is forecast. Therefore, the project would not result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation, and impacts would be less than significant.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

- Potentially Significant Impact
- Less than Significant Impact
- Less Than Significant With Mitigation Incorporated
- No Impact

Less than Significant Impact: As described in Section X.b) above, the project would result in a reduction of approximately 3.4 acre-feet per year of groundwater consumption compared to the existing condition. As described in Section X.a) above, the project would implement BMPs consistent with the requirements of the County BMP Design Manual during construction to preserve water quality and implement existing pollution prevention measures that are currently in place at the winery, such as pesticide control, proper trash and recycling, in order to preserve water quality in the post-project condition. The proposed BMPs are consistent with regional surface water, storm water and groundwater planning and permitting process that has been established to improve the overall water quality in County watersheds and would ensure that the project is consistent with the Water Quality Control Plan for the San Diego Basin. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be less than significant.

XI. LAND USE AND PLANNING

Would the project:

a) Physically divide an established community?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: The project is limited to a wine tasting facility, event center, and fire water storage tank that would be located within the 5.6-acre project footprint entirely within the confines of the 404-acre MUP area and would not affect any adjacent properties. The project would also widen SR-78 along the project frontage to construct a two-way left-turn lane and a westbound acceleration lane taper on SR-78 between Driveway #1 and Driveway #2 that would improve roadway function and safety within the local community. The project would not require the introduction of new infrastructure such as major roadways or water supply systems, or utilities to the area. Therefore, the project would not significantly disrupt or divide the established community, and impacts would be less than significant.

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"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: The project is located within the North County Metro Subregional Plan of the County of San Diego General Plan. The project is subject to the General Plan Rural Lands Regional Category and the Rural Lands 40 (RL-40) land use designation. Pursuant to the

County General Plan, the Rural Lands category identifies areas of the County that are appropriate for very low density privately owned lands that provide for agricultural uses and managed resource production, conservation, and recreation while retaining the rural character of the area. The project is a MUP to allow a wine tasting facility with a commercial kitchen and an event center. These uses are allowed with approval of required MUP findings under the existing Use Regulations. The project demonstrates consistency with the General Plan because the proposed wine tasting facility and event center would support the continuation of the existing on-site agricultural uses while conserving the community character of the North County Metro Subregional area by retaining low density, rural focused land uses. As described in Section II.b) above, the project was evaluated and determined to be consistent with the County Zoning ordinance and provisions of the Williamson Act Contract.

Overall, the project would not 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, and impacts would be less than significant.

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?

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

Less than Significant Impact: Review of Figure 2.10-3 of the County of San Diego GPU EIR (2011a) determined that the project site has been classified by the California Department of Conservation – Division of Mines and Geology as Mineral Resource Zone (MRZ) 3, which are areas that contain known mineral deposits that could qualify as mineral resources. Further exploration work within these areas could result in the reclassification of specific localities into the MRZ-2 category.

However, the 5.6-acre project footprint is surrounded by land in agricultural production and other uses associated with the existing Small Winery permit area, and is surrounded by developed land uses including residential, agricultural, open space, and undeveloped lands. Mining operation in this area would conflict with uses on the existing 404-acre MUP and neighboring properties, making mineral resource extraction infeasible. Therefore, the project would not result in the loss of availability of a known mineral resource that would be of value, and impacts would be less than significant.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: Review of Figure 2.10-2 of the County of San Diego GPU EIR (2011a) determined that the 5.6-acre project footprint is not delineated as a mineral resource extraction site. Additionally, Therefore, the project would not 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. No impact would occur.

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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

The County of San Diego General Plan, Noise Element, Tables N-1 and N-2 addresses noise sensitive areas and requires an acoustical study to be prepared for any use that may expose noise sensitive areas to noise in excess of a Community Noise Equivalent Level (CNEL) of 60 decibels [dB(A)] for single-family residences (including senior housing, convalescent homes), and 65 dBA CNEL for multi-family residences (including mixed-use commercial/residential). Moreover, if the project is excess of 60 dB(A) CNEL or 65 dBA CNEL, modifications must be made to the project to reduce noise levels. Noise sensitive areas include residences, hospitals, schools, libraries or similar facilities as mentioned within Tables N-1 and N-2 of the General Plan Noise Element (County of San Diego 2011b).

Less than Significant Impact:

Construction

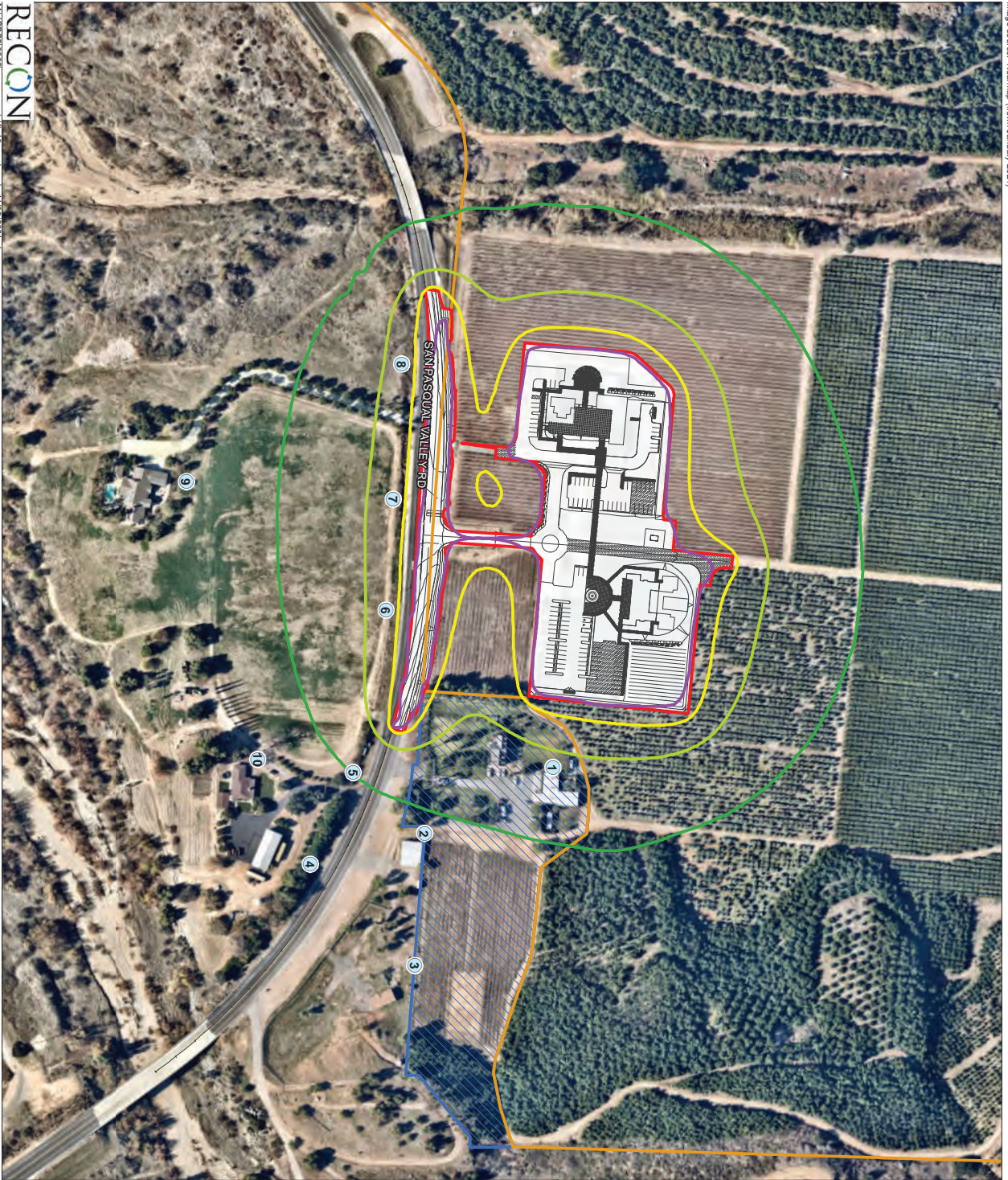
A Noise Analysis was prepared for the project site on November 1, 2021 by RECON Environmental (Appendix K). As addressed in the analysis, noise associated with project construction would potentially result in short-term impacts to surrounding properties. The project site and surrounding properties consist of existing agricultural operations. The Rockwood Ranch

house operates as a private residence and as the Rancho Guejito headquarters within the existing Small Winery permit area. The existing Rancho Guejito Vineyard tasting room is located adjacent to the Rockwood Ranch house. Two single-family residences are located south of the project site, south of San Pasqual Valley Road.

A variety of noise-generating equipment would be used during the construction phase of the project, such as excavators, backhoes, front-end loaders, and concrete saws, along with others. Construction noise levels were conservatively calculated based on three pieces of equipment being active simultaneously. To reflect the nature of grading and construction activities, equipment was modeled as an area source distributed over the project footprint. The total sound energy of the area source was modeled with three pieces of equipment operating simultaneously. Noise levels were modeled at a series of 10 receivers located at the adjacent properties (receiver). The results are summarized in Table 8. Modeled receiver locations and construction noise contours are shown on Figure 10.

Receiver	Construction Noise Level [dB(A) L_{eq}]
1	64
2	59
3	56
4	57
5	60
6	68
7	68
8	68
9	57
10	57
dB(A) L_{eq} = A-weighted decibels equivalent noise level	

As shown in Table 8, construction noise levels are not anticipated to exceed 75 dB(A) L_{eq} (equivalent noise level) at the adjacent properties. Additionally, based on the maximum noise levels for construction equipment and the distance to the nearest sensitive receptor (290 feet), maximum impulsive noise levels are not anticipated to exceed 82 dB(A) L_{eq} at the adjacent residential uses or 85 dB(A) L_{eq} at the adjacent agricultural uses. Although the existing adjacent residences would be exposed to construction noise levels that could be heard above ambient conditions, the exposure would be temporary. Therefore, project construction would not exceed noise level limits established in the County's Noise Ordinance, and temporary increases in noise levels during construction would be less than significant.



RECON
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- Project Footprint
- MUP Boundary
- Not A Part (Portion of Existing Admin Permit)
- Site Plan
- Receivers
- Construction Noise**
- 60 dB(A) L_{eq}
- 65 dB(A) L_{eq}
- 70 dB(A) L_{eq}
- 75 dB(A) L_{eq}



FIGURE 10
 Construction Noise Contours

Operation*On-Site Noises*

The primary noise sources on-site would include music, people gathering on the wine tasting patios and central event center plaza, parking activities, and heating, ventilation, and air conditioning (HVAC) equipment. Using the on-site noise source parameters discussed in the noise analysis prepared by RECON Environmental, Inc. (see Appendix K), noise levels were modeled at a series of 10 receivers located at the adjacent properties. Wine tasting facility and event center operations would be allowed from 10:00 a.m. until 10:00 p.m. All noise sources discussed in the noise analysis were modeled during the daytime hours (10:00 a.m. to 10:00 p.m.). Only the HVAC equipment was modeled during the nighttime hours.

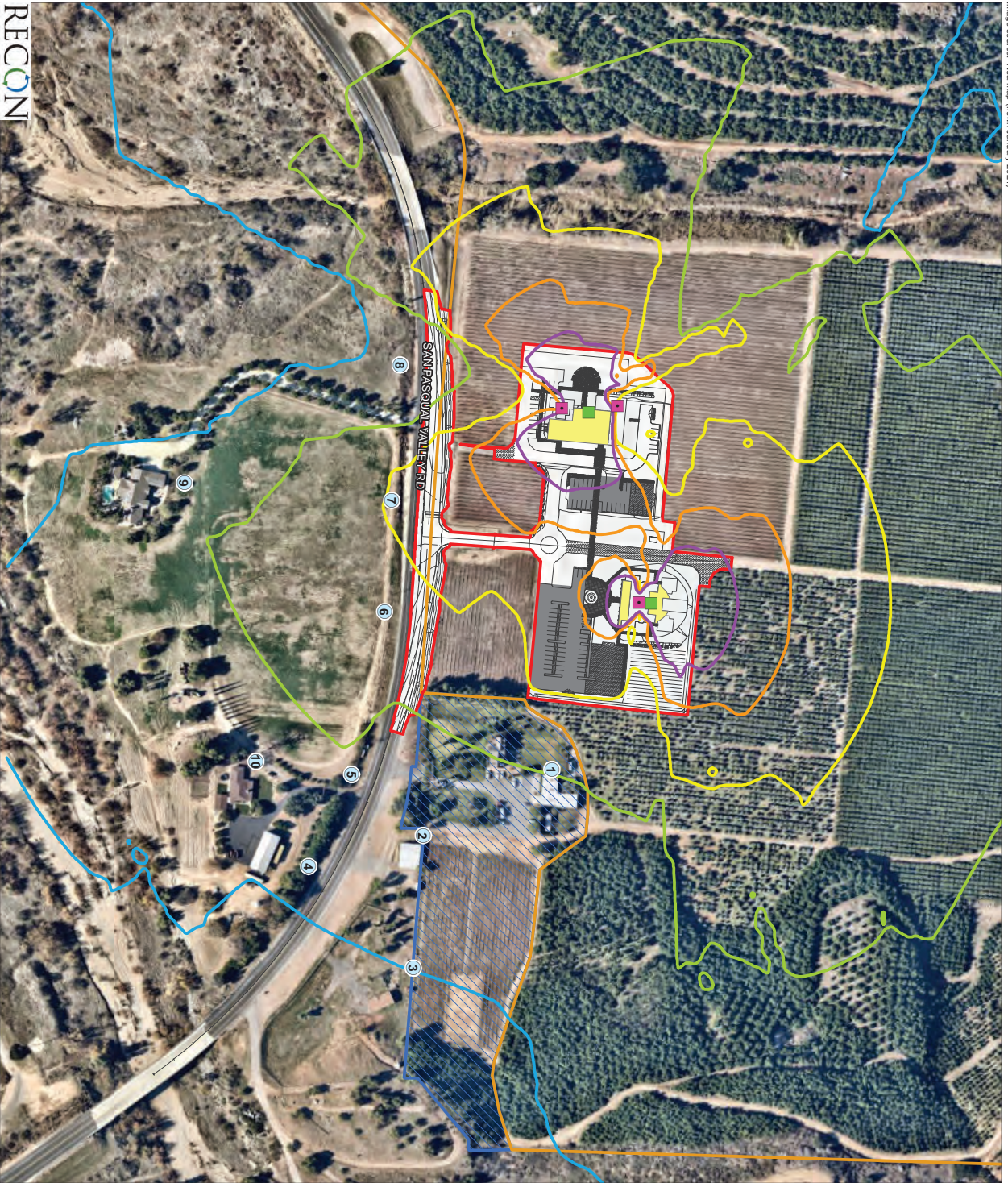
Figures 11 and 12 show the daytime and nighttime noise contours, respectively, along with the modeled receivers and the locations of the noise sources. SoundPLAN data is presented in the Noise Analysis (see Appendix K). Future projected noise levels are summarized in Table 9.

Table 9 On-Site Generated Noise Levels at Adjacent Property Lines [dB(A) L _{eq}]				
Receiver	Daytime (7:00 a.m. to 10:00 p.m.)		Nighttime (10:00 p.m. to 7:00 a.m.)	
	Noise Level	Noise Level Limit	Noise Level	Noise Level Limit
1	45	50	33	45
2	42	50	29	45
3	40	50	26	45
4	41	50	27	45
5	43	50	29	45
6	48	50	32	45
7	50	50	33	45
8	41	50	33	45
9	42	50	28	45
10	44	50	28	45

dB(A) L_{eq} = A-weighted decibels equivalent noise level

As shown in Table 9, at the adjacent properties, on-site generated noise levels would range from 40 to 50 dB(A) L_{eq} during the daytime hours and 26 to 33 dB(A) L_{eq} during the nighttime hours. Noise levels would not exceed the applicable Noise Ordinance limits. Note that this is a worst-case analysis with amplified music occurring at both the tasting facility and the event center simultaneously. At the event center, music could also be played within the event barn; however, since this music would be located indoors, noise levels at the adjacent properties would be less than those summarized above. Therefore, on-site generated noise would not exceed noise level limits established in the County's Noise Ordinance, and impacts would be less than significant.

Image source: Nearmap (flown January 2021)



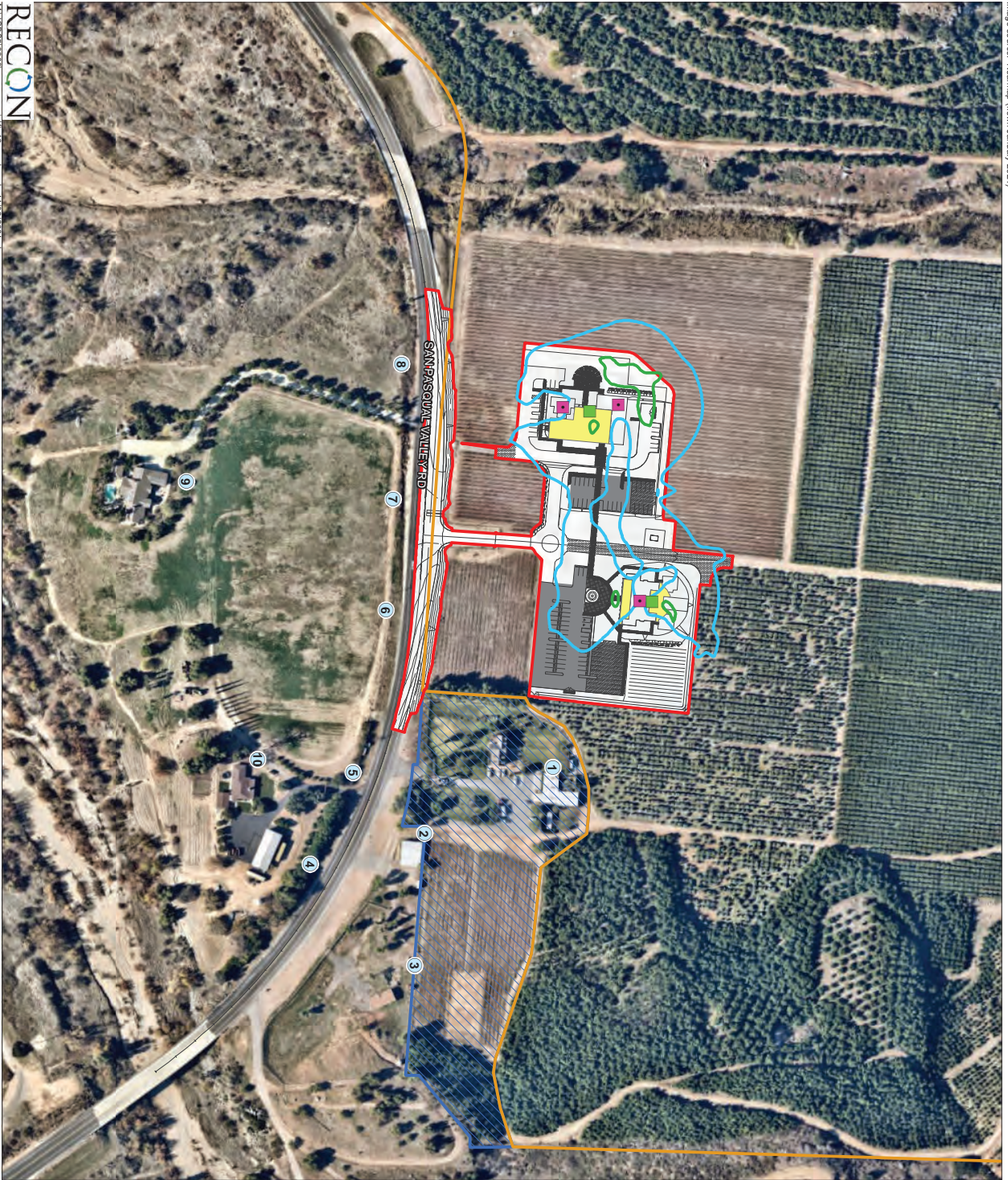
RECON
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- Project Footprint
- MUP Boundary
- Not A Part (Portion of Existing Admin Permit)
- Site Plan
- Speakers
- HVAC
- Receivers
- Gathering Areas
- Parking
- On-site Daytime Noise**
- 40 dB(A) L_{eq}
- 45 dB(A) L_{eq}
- 50 dB(A) L_{eq}
- 55 dB(A) L_{eq}
- 60 dB(A) L_{eq}



FIGURE 11
 Daytime On-Site Generated Noise Contours

Image source: Nearmap (flown January 2021)



RECON
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- Project Footprint
- MUP Boundary
- Not A Part (Portion of Existing Admin Permit)
- Site Plan
- Speakers
- HVAC
- Receivers
- Gathering Areas
- Parking
- On-site Nighttime Noise**
- 40 dB(A) L_{90}
- 45 dB(A) L_{90}



FIGURE 12
 Nighttime On-Site Generated Noise Contours

Off-Site Vehicle Traffic

The project was also evaluated to determine if the addition of project-generated trips would result in a significant direct or cumulative increase in noise at nearby noise sensitive land uses. The project would increase traffic volumes on local roadways. Noise level increases would be greatest nearest the project site, which would represent the greatest concentration of project-related traffic. Traffic noise is primarily a function of volume, vehicle mix, speed, and proximity. For purposes of this evaluation, the vehicle mix, speed, and proximity are assumed to remain constant in the future. Consequently, the primary factor affecting noise levels would be increased traffic volumes. The traffic volumes for the existing condition were compared to the existing plus project traffic volumes. Based on the Local Mobility Analysis, the existing traffic volume on San Pasqual Valley Road is 9,964 ADT, and, as a worst-case analysis, the project would generate 512 daily trips (Rick Engineering 2021a). Typically, a project would have to double the traffic volume on a roadway in order to have a significant direct noise increase of 3 dB or more or to be major contributor to the cumulative traffic volumes. An increase of 512 trips on San Pasqual Valley Road would result in a noise increase of 0.2 dB, which would not be an audible change in noise levels. Therefore, the project would not result in the exposure of noise sensitive land uses to significant noise levels, and impacts would be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: Construction would have the potential to result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and operations involved. Ground vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. The effects of ground vibration may be imperceptible at the lowest levels, low rumbling sounds and detectable vibrations at moderate levels, and damage to nearby structures at the highest levels. Vibration perception would occur at structures, as people do not perceive vibrations without vibrating structures.

Human reaction to vibration is dependent on the environment the receiver is in as well as individual sensitivity. For example, vibration outdoors is rarely noticeable and generally not considered annoying. Typically, humans must be inside a structure for vibrations to become noticeable and/or annoying. Based on several federal studies, the threshold of perception is 0.035 inch per second (in/sec) peak particle velocity (PPV), with 0.24 in/sec PPV being a distinctly perceptible (Caltrans 2013). Neither cosmetic nor structural damage of buildings occurs at levels below 0.1 in/sec PPV. Construction equipment could include equipment such as loaded trucks, excavators, dozers, and loaders. Vibration levels from these pieces of equipment would generate vibration levels with a PPV ranging from 0.035 to 0.089 in/sec PPV at 25 feet. Using a vibration level of 0.089 in/sec PPV as a reference, vibration levels would exceed 0.1 in/sec PPV at distances closer than 23 feet. There are no structures within 23 feet of the construction

footprint; therefore, vibration levels would be below the cosmetic and structural damage of buildings thresholds.

A vibration level of 0.089 in/sec PPV would attenuate to 0.035 in/sec PPV at approximately 60 feet. The closest structure is the existing wine tasting facility located approximately 80 feet from the construction footprint. The closest residential structures are located at much greater distances (290 feet and more) from the construction footprint. Therefore, vibration due to construction would not be perceptible. Once operational, the project would not be a source of groundborne vibration. Music during events would not be played at levels that would generate groundborne vibration. Therefore, the project would not expose persons to or generate excessive groundborne vibration or groundborne noise, and impacts would be less than significant.

c) For a project located 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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project is not located within an airport land use plan or within two miles of a public airport or public use airport. The nearest airport is the Lake Wohlford Resort Airport located approximately 5.9 miles northwest. Therefore, the project would not expose people residing or working in the project area to excessive noise levels. No impact would occur.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project consists of a wine tasting facility, event center, and fire water storage tank, and would not construct any housing. The wine tasting facility and event center would support the continuation of the existing Small Winery permit area and on-site agricultural uses. Therefore, the project would not constitute a new commercial use. The project would not extend

any existing roads or expand existing infrastructure facilities that could induce growth. Therefore, the project would not directly or indirectly induce substantial unplanned population growth in an area. No impact would occur.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

No Impact: The project would demolish an existing house, farm implement building, and associated sheds that currently exist within the proposed footprint of the wine tasting facility and event center. However, the house is unoccupied and is not in a condition that would allow for habitation. Therefore, the project would not displace people or habitable housing, necessitating the construction of replacement housing elsewhere. No impact would occur.

XV. PUBLIC SERVICES

Would the project:

a) 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 service ratios, response times or other performance objectives for any of the public services:

i. Fire protection?

- Potentially Significant Impact
- Less Than Significant With Mitigation Incorporated
- Less than Significant Impact
- No Impact

Discussion/Explanation:

No Impact: The project site is located within the County's responsibility area and the City of San Diego's (City) sphere of influence. Emergency response for the project would be provided, initially, by San Diego Fire-Rescue Department's two-person fire-rescue Fast Response Squad (FRS) from San Diego County Fire Authority Fire Station 84. Fire Station 84 is located at 17701 San Pasqual Valley Road with adjacency to San Pasqual Academy. The FRS vehicle carries a two-person crew: a fire captain/emergency medical technician and a firefighter/paramedic. The FRS has a complement of tools, equipment, and medical supplies. It also carries a small quantity of water and foam, but does not have the capability to hook up to a hydrant. The FRS crew can treat patients and extinguish small fires. Station 84 is approximately 1.14 miles from the most

remote portion of the project site with a calculated travel time of approximately 2 minutes and 35 seconds. Therefore, FRS can respond to the project site within the City’s adopted performance goal of responding to emergency calls with a first-due unit within 7:30 minutes (5:00 minutes travel time), 90 percent of the time (Dudek 2020).

In addition, the facility availability form received for the project (Appendix L), stated that fire protection facilities would be adequate to serve the project based on the capacity and capability of the District’s existing and planned facilities. Therefore, the project would not increase demand for fire protection services that would necessitate the need for new or physically altered facilities. No impact would occur.

ii. Police protection?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: Police services are provided by the San Diego County Sheriff’s Department. The Sheriff’s station that serves the project site is the San Diego County Sheriff’s Department Ramona Substation located at 1424 Montecito Road, Ramona, approximately 9 miles south-east of the project site. The project does not include new homes that would require additional services or extended response times for police services, and the winery is already served by the San Diego County Sheriff’s Department. Therefore, the project would not increase demand for police services that would necessitate the need for new or physically altered facilities. No impact would occur.

iii. Schools?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project consists of a wine tasting facility, event center, and fire water storage tank, and would not construct any housing. Therefore, the project would not result in population growth that would increase demand for schools that would necessitate new or physically altered facilities. No impact would occur.

iv. Parks?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project consists of a wine tasting facility, event center, and fire water storage tank, and would not construct any housing. Therefore, the project would not result in population growth that would increase demand for parks that would necessitate new or physically altered facilities. No impact would occur.

v. Other public facilities?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project consists of a wine tasting facility, event center, and fire water storage tank, and would not construct any housing. Therefore, the project would not result in population growth that would increase demand for other public facilities such as libraries that would necessitate new or physically altered facilities. No impact would occur.

XVI. RECREATION

Would the project:

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?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project consists of a wine tasting facility, event center, and fire water storage tank, and would not construct any housing. Therefore, the project would not result in population growth that would increase in the use of existing neighborhood and regional parks or other recreational facilities. No impact would occur.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The project consists of a wine tasting facility, event center, and fire water storage tank, and does not include the provision of recreational facilities or require the construction or expansion of recreational facilities. No impact would occur.

XVII. TRANSPORTATION

Would the project:

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

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: The County's General Plan identifies standards for maintaining an adequate LOS for County roadways and intersections. To evaluate project consistency with the General Plan Circulation Element, a Local Mobility Analysis, which includes an LOS analysis, was prepared for the project by Rick Engineering on January 26, 2021 (Appendix M). Although the requirement for the Local Mobility Analysis is not currently in effect based on Board of Supervisors direction that rescinded the County's Transportation Study Guidelines (TSG), it provides useful information to inform the transportation analysis in the absence of updated guidance for transportation analysis. The LOS analysis would be considered by the County's decisionmakers when making General Plan consistency findings for the project. The LOS summary is consistent with County General Plan Policy M-2.1, which requires projects to provide associated road improvements necessary to achieve a LOS D or better on all Mobility Element roads except for those where a failing LOS (E or F) has been accepted by the County. The results of the analysis show that all three intersections studied currently operate at acceptable levels of service (LOS D or better). Under Opening Year 2023 Plus Project conditions, Opening Year 2026 Plus Project conditions, and Opening Year 2027 Plus Project conditions, study intersections would continue to operate at acceptable levels of service. Therefore, no physical improvements to the study intersections are recommended, and the project would not conflict with the General Plan.

There are currently no bike lanes or existing sidewalk provided along either side of SR-78 (San Pasqual Valley Road) within the project area. The County of San Diego Active Transportation Plan (ATP) currently does not have any plans to construct new bike facilities on the segment within the project area, and due to the rural location and lack of existing bicycle facilities in the adjacent surrounding area, no specific improvements to bicycle facilities along San Pasqual Valley Road are proposed as part of the project. In addition, the County of San Diego ATP does not recommend any pedestrian improvements in the immediate vicinity of the project site, and due to the rural location and lack of existing pedestrian facilities in the adjacent surrounding

area, no specific improvements to pedestrian facilities along San Pasqual Valley Road are proposed as part of the project.

Therefore, the project would not conflict with adopted policies, plans, and programs regarding public transit, bicycle, and pedestrian facilities, and impacts would be less than significant.

b) Would the project conflict or be consistent with CEQA Guidelines Section 15064.3, subdivision (b)?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

In December 2018, new CEQA guidelines were approved that shifted traffic analysis from delay and operations to VMT when evaluating transportation impacts under CEQA. This change in methodology was a result of SB 743, which changed the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 requires the Governor’s Office of Planning and Research to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. CEQA Guidelines Section 15064.3 states that, generally, VMT is the most appropriate measure of transportation impacts, and a project’s effect on automobile delay shall not constitute a significant environmental impact. Land use projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact. If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project’s VMT qualitatively. A lead agency has discretion to choose the most appropriate methodology to evaluate a project’s vehicle miles traveled.

The CEQA transportation analysis prepared for the project was based on the County’s TSG, which were in effect at the time of the analysis but have been since been rescinded by the Board of Supervisors. Despite the rescission of the TSG, the VMT analysis demonstrates consistency with requirements of CEQA Guidelines Section 15064.3 as discussed below.

Less than Significant Impact: A VMT Analysis Memorandum (VMT Memo) was prepared for the project by Rick Engineering on January 28, 2021 (Appendix N). As discussed in Appendix N, the project cannot be evaluated with existing quantitative methods including the SANDAG Regional Travel Demand Model, since these methods fail to capture the nature of winery and event facility trips. Therefore, a qualitative VMT evaluation was conducted for the project (Rick Engineering 2021b). The proposed winery and event center trip generation analysis were examined by reviewing the nature of wine tasting and trip generation and the project’s proximity to local and regional attractions. The wine tasting facility and event center would not induce events, but would provide another option for facility use within the region. The project is centrally located next to several large urban centers within the San Diego County region. For example, the project is located approximately 20 miles northeast of the City of San Diego and 6 to 10 miles

away from urban centers such as Escondido and San Marcos. Conversely, Temecula Valley is located an additional 35 miles north of the project, and 55 miles north of the city of San Diego. Wineries within the San Pasqual and Ramona Valley offer a significantly closer alternative to Temecula. Additionally, the event facility component of the project would also offer a closer winery venue option for weddings and special events, which would divert longer trips that would possibly go from the city of San Diego to Temecula.

In addition to offering locals a closer wine tasting experience, there are several other major attractions located adjacent to the project, including the San Diego Zoo Safari Park (Safari Park) and the City of Escondido. The Safari Park averages approximately 2,000,000 visitors annually, and the City of Escondido has an estimated population of 150,000. Proximity to these attractions effectively lowers overall VMT by providing options for entertainment closer to where San Diego residents live and already travel.

The VMT Memo utilizes findings from the 2019 San Diego County Economic Impact of Wineries report (2019 Report) which states that existing trips generated within the area largely center around wine tasting, and residents who want to go wine tasting would do so irrespective of whether the project were developed. Therefore, trips to the project site would most likely capture trips that are currently being generated by existing nearby attractions, and per the 2019 Report, “trips between wineries are often captured by a diverted trip to or from another nearby winery” rather than creating new trips. Similarly, the project adds an additional wine tasting opportunity that is closer to San Diego communities, providing an opportunity for wine tasting trips to stay local instead of seeking destinations that are farther away, thereby also providing the opportunity to divert trips that otherwise might go outside the County.

Additionally, the project includes several features that further reduce VMT and benefit the overall region. These features include shuttle/tour services and carpooling incentives that include preferred parking. These VMT reducing project features are also supported by the OPR Technical Advisory. The project would designate preferred spaces for those who carpool. Spaces would also be made available to the tour companies which regularly travel through the area. The project applicant would also provide free tastings to those who use shuttle/tour services or carpool. By incentivizing carpooling and shuttle/tour services, the project would reduce parking demand and the overall vehicle trips through the area. Therefore, the project would not conflict with and would be consistent with CEQA Guidelines Section 15064.3, subdivision (b), and impacts would be less than significant.

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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less Than Significant Impact: The project would widen SR-78 along the project frontage to construct a two-way left-turn lane and a westbound acceleration lane taper on SR-78 between the westernmost driveway (Driveway #1) and the central driveway (Rockwood Grove/Driveway

#2). All road improvements would be constructed according to the County of San Diego Public and Private Road Standards. Therefore, the project would not significantly increase hazards due to design features or incompatible uses, and impacts would be less than significant.

d) Result in inadequate emergency access?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input checked="" type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact: There are three existing driveways that provide access to the project site. The westernmost driveway (Driveway #1) is currently fenced off and it is not operational. The central driveway (Rockwood Grove/Driveway #2) is a gated access which serves as the primary access point for the project and its guests. The project would widen SR-78 along the project frontage to construct a two-way left turn lane and a westbound acceleration lane taper on SR-78 between Driveway #1 and Driveway #2. The easternmost driveway (Driveway #3) is gated and serves as access to an existing farmhouse and wine tasting area previously permitted.

Because access improvements are required to SR-78 to construct the two-way left-turn lane and westbound acceleration lane taper, the project may result in lane closures during such activities that may affect local traffic flows. Additionally, the movement of equipment and haul trucks to and from the site would have the potential to restrict or influence emergency access and circulations. Such conditions would have the potential to create a temporary significant impact. Implementation of mitigation measure TRA-1 would reduce this impact to a level less than significant.

Mitigation Measure

TRA-1 Prior to the start of construction, the County shall require the construction contractor to prepare and implement a traffic control plan to show specific methods for maintaining traffic flows. Traffic control measures could include but are not limited to the following tasks:

- Develop circulation and detour plans to minimize impacts to local street circulation, including the use of signage and flagging to guide vehicles through or around the construction zone.
- Schedule truck trips outside the range of peak morning (7:00 a.m. to 9:00 a.m.) and evening (4:00 p.m. to 6:00 p.m.) commute hours.
- Limit lane closures during peak hours to the extent possible.
- Use haul routes that minimize truck traffic on local roadways to the extent possible.

- Store construction materials only in designated areas.
- Develop comprehensive strategies for maintaining emergency traffic flows. Strategies shall include, but are not limited to, maintaining steel trench plates at the construction sites to restore access across open trenches and identification of alternate routing around construction zones. Police, fire, and other emergency service providers shall be notified of the timing, location and duration of the construction activities and the location of detours and lane closures.

The project applicant shall submit the traffic control plan to Caltrans District 11 for review prior to the start of construction.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- a) Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code §21074 as either a site, feature, place, or 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 §5020.1(k), or
 - 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 §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.

- | | |
|--|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input checked="" type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact with Mitigation Incorporated: The County initiated consultation with California Native American tribes traditionally and culturally affiliated with the project site consistent with the requirements of AB 52 on December 29, 2021. The Rincon Band of Luiseño Indians and the San Pasqual Band of Mission Indians requested consultation, which began in March 2022 and is currently ongoing. At this time, no tribal cultural resources have been identified on the site through the consultation process. However, the Rincon Band of Luiseño Indians requested that ethnographic research be completed for the project, and an addendum to the Cultural Resources Survey Report was subsequently prepared, which documented that

ethnohistorical and ethnographic evidence indicates that the Shoshonean-speaking group that occupied the northern portion of San Diego County were the Luiseño. When contacted by the Spanish in the sixteenth century, the Luiseño occupied a territory bounded on the west by the Pacific Ocean, on the east by the Peninsular Range mountains, including Palomar Mountain to the south and Santiago Peak to the north, on the south by Agua Hedionda Lagoon, and on the north by Aliso Creek in present-day San Juan Capistrano. The Rancho Guejito area was used by the Luiseño as evidenced by the presence of cultural sites in the area, including a pictograph of a conquistador. However, this resource is not located within the project footprint and surrounding area and would not be impacted by the project. As described in Section V.a) above, the CHRIS records search identified 14 prehistoric archaeological sites and one multi-component archaeological site within a one-mile radius of the project. However, the records search did not identify any archaeological resources within the 5.6-acre project footprint, and the project would not affect any of the resources identified within the one-mile radius. No cultural materials or landscape features (i.e., water source, bedrock outcrops) indicative of cultural resources were observed during the field survey. The 404-acre MUP area is highly disturbed due to the active and historical use of area as an orchard. Consequently, it is not anticipated that the project would impact any tribal cultural resources. Nonetheless, the project would have the potential to unearth previously unknown tribal cultural resources, which would be considered a significant impact (Impact TCR-1). Implementation of mitigation measure TCR-1 would reduce potential impacts on tribal cultural resources to a level less than significant.

Mitigation Measure

TCR-1 The project would implement a Construction Monitoring Program that would include the following:

- The Construction Monitoring Program would require both archaeological and Native American monitors to attend a pre-construction meeting and to be present during ground-disturbing activities, such as vegetation clearing, grading or trenching. The frequency of inspections would be determined by the Project Archaeologist in consultation with the Native American monitor and would vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features.
- If previously unidentified potentially significant cultural resources are discovered, construction activities would be diverted away from the discovery and the resources evaluated for significance. Isolates and non-significant deposits would be minimally documented in the field. Significant archaeological discoveries include intact features, stratified deposits, previously unknown archaeological sites, and human remains. The Principal Investigator would inform the County Archaeologist of the discovery and together determine its significance. To mitigate potential impacts to significant cultural resources, a Data Recovery Program for any newly discovered cultural resource would be prepared by the Principal Investigator, approved by the County Archaeologist, and implemented using professional archaeological methods. Construction activities would be allowed to resume after the completion of the recovery of an adequate sample or the recordation of features.

- All cultural material collected during the Data Recovery and Construction Monitoring Programs would be processed and curated at a San Diego County facility that meets federal standards per 36 Code of Federal Regulations Part 79 unless the tribal monitors request the collection.
- If human remains are discovered, work shall halt in that area and the procedures set forth in the California Public Resources Code (Section 5097.98) and State Health and Safety Code (Section 7050.5) will be followed. The Principal Investigator shall contact the County Coroner.
- After the completion of the monitoring, an appropriate report shall be prepared. If no significant cultural resources are discovered, a brief letter shall be prepared. If significant cultural resources are discovered, a report with the results of the monitoring and data recovery (including the interpretation of the data within the research context) shall be prepared.

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 stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact:

Water

The existing Small Winery permit area solely utilizes groundwater for both potable water within existing structures and irrigation of the on-site agricultural use. Connections to the winery's existing groundwater system would be located within the project footprint. Consequently, potential impacts associated with construction of these water connections have been evaluated throughout this ~~Draft~~Final IS/MND.

The project proposes fire water storage, consisting of a 37,000-gallon corrugated metal tank, to be located approximately 1,360 feet north of the wine tasting-event center complex, adjacent to the existing central farm road that runs the length of the permit area. The tank would be at least 350 feet from any existing buildings. The tank would be in a vacant area now being used for storage. A fire pump and control system would be housed in a proposed pump house constructed midway between the tasting facility and event center. The tank and pump house

would be installed on an elevated pad that would be approximately 36 inches higher than the surrounding grade. The storage tank would supply water to the fire protection system via a six-inch water line. The pump house would be connected to the FDCs and fire hydrants via six-inch polyvinyl chloride (PVC) piping. Fire water would be supplied to the fire storage tank from an existing agricultural well. Power to the pump house would come underground via an existing SDG&E pole about 500 feet from the pump house. The fire pump would be on a separate electrical meter from the wine tasting facility and event center. These facilities would be located within the project footprint. Consequently, potential impacts associated with construction of these water facilities have been evaluated throughout this ~~Draft~~Final IS/MND. All potable water facilities would be processed through a Transient, Non-Community Water System Permit from the State of California. Therefore, the project would not require or result in the relocation or construction of new or expanded water facilities that would cause environmental effects, and impacts would be less than significant.

Wastewater

A wastewater treatment system for the wine tasting facility would be located west and north of the tasting facility along the existing dirt farm road and would be sized to handle wastewater from the tasting facility at buildout. A similar system for the event center would be located just south of the facility in the existing vineyard, or as determined by the contractor who is responsible for designing the system. The leach fields would be a minimum of 75 feet from the event center, over 165 feet from the existing agricultural wells and over 380 feet east of the flow line of Rancho Guejito Creek. These facilities would be located within the project footprint. Consequently, potential impacts associated with construction of these wastewater facilities have been evaluated throughout this ~~Draft~~Final IS/MND. Therefore, the project would not require or result in the relocation or construction of new or expanded wastewater facilities that would cause environmental effects, and impacts would be less than significant.

Stormwater

Stormwater runoff from new impervious areas constructed for the site would be treated via impervious area dispersion in compliance with the San Diego County's BMP design manual. Runoff from the buildings and parking lots would be directed towards the adjacent pervious areas and dispersed via splash block/riprap and flow spreaders. No changes in the current flowage patterns are proposed. Design features that would direct flows towards adjacent pervious areas would be located within the project footprint. Consequently, potential impacts associated with drainage features have been evaluated throughout this ~~Draft~~Final IS/MND. Therefore, the project would not require or result in the relocation or construction of new or expanded stormwater facilities that would cause environmental effects, and impacts would be less than significant.

Natural Gas

Propane tanks would be added and placed to service the fuel the outdoor firepits and barbecues. One would be placed at the east edge of the tasting facility parking lot to provide fuel for various appliances in the tasting facility, commercial kitchen and outdoor fire pit(s). A second would be placed approximately 50 feet north of the banquet barn. The locations of these propane tanks are located within the project footprint. Consequently, potential impacts associated with construction of these natural gas facilities have been evaluated throughout this ~~Draft~~Final

IS/MND. Therefore, the project would not require or result in the relocation or construction of new or expanded natural gas facilities that would cause environmental effects, and impacts would be less than significant.

Electric Power and Telecommunications

The project would connect to electrical and fiber optic infrastructure that already serves the project site. Connections to this infrastructure would be located within the project footprint. Consequently, potential impacts associated with these infrastructure connections have been evaluated throughout this ~~Draft~~Final IS/MND. Therefore, the project would not require or result in the relocation or construction of new or expanded electric power or telecommunications facilities, and impacts would be less than significant.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: The MUP area is not located within the service boundaries of the SDCWA. The project site has a groundwater source for both potable water and irrigation of the onsite agricultural use; however, the project does not propose any increase in water usage as the amount used by the tasting facility and event center would be significantly less than that used by the existing crops. The water supply memorandum prepared for the project determined that the agricultural crops within the project footprint consume approximately 8.5 acre-feet of groundwater per year. However, the wine tasting facility, event center, including 0.7 acre of new grape plantings, 0.4 acres of drought tolerant landscaping, and an estimated 135 fixture units would consume approximately 5.20 acre-feet of groundwater per year (see Appendix I). Consequently, the project would result in a reduction of approximately 3.4 acre-feet of groundwater consumption per year compared to the existing condition. Therefore, the project would have sufficient water supplies available to serve the project and reasonably foreseeable future. No impact would occur.

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"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Discussion/Explanation:

No Impact: A wastewater treatment system for the wine tasting facility would be located west and north of the tasting facility along the existing dirt farm road and would be sized to handle wastewater from the tasting facility at buildout. A similar system for the event center would be located just south of the facility in the existing vineyard, or as determined by the contractor who is responsible for designing the system. The leach fields would be a minimum of 75 feet from the event center, over 165 feet from the existing agricultural wells and over 380 feet east of the flow line of Rancho Guejito Creek. Because the project proposes its own wastewater treatment system, the project would not require any wastewater treatment service. No impact would occur.

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"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Implementation of the project would generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). There are five, permitted active landfills in San Diego County with remaining capacity. Therefore, there is sufficient existing permitted solid waste capacity to accommodate the project’s solid waste disposal needs, and impacts would be less than significant.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: Implementation of the project would generate solid waste. All solid waste facilities, including landfills require solid waste facility permits to operate. In San Diego County, the County Department of Environmental Health, Local Enforcement Agency issues solid waste facility permits with concurrence from the California Integrated Waste Management Board under the authority of the Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440et seq.). There are five, permitted active landfills in San Diego County with remaining capacity. Solid waste services are currently provided for the MUP by EDCO that would serve the

project as well. The Small Winery permit area currently has one large solid waste collection bin located near the existing structures within the 404-acre MUP area. The Small Winery permit area also has two recycling trash bins. One is located by the tasting patio near the portable restroom and the other is located by the McBrearty barn. These existing facilities have excess capacity to collect solid waste and recycling from the wine tasting facility and event center.

In October 2014 Governor Brown signed AB 1826 Chesbro (Chapter 727, Statutes of 2014), requiring businesses to recycle their organic waste. On and after January 1, 2016, local jurisdictions across the state were required to implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units. Organic waste for the purposes of AB 1826, means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. The law phased in the requirements for businesses over time, while offering an exemption process for rural counties. The project would comply with applicable state law regarding source separation consistent with the requirements of EDCO. Therefore, the project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste, and impacts would be less than significant.

XX. WILDFIRE

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

Would the project:

- a) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

A Fire Prevention Plan (FPP) Letter Report was prepared for the project by Dudek on April 16, 2020 (Appendix O). The FPP Letter Report demonstrates that the project would be in compliance with applicable portions of the 2020 San Diego County Consolidated Fire Code (Ordinance Number 10337) and Tiered Winery Ordinance (Section 6910) Amendment (POD-14-005, adopted by the County Board of Supervisors on April 27, 2016). The project would also be consistent with the 2019 California Building Code, Chapter 7A; 2019 California Fire Code, Chapter 49; and 2019 California Residential Code, Section 237 as adopted by the County.

Less than Significant Impact: The project includes the construction of a wine tasting facility and event center, along with associated parking lots, outdoor areas, fire water storage and storm water infiltration facilities. The project’s wildland urban interface location is primarily in an area statutorily designated within the state responsibility area Moderate Fire Hazard Severity Zone (FHSZ) for the Rockwood Canyon valley bottom and Very High FHSZ for the steeper slopes in

the canyon, by the County and California Department of Forestry and Fire Protection (CAL FIRE) (Dudek 2021).

All new structures would meet applicable Fire and Building Codes pursuant to requirements for ignition resistance (California Building Code, Chapter 7A). The wine tasting room and banquet barn would provide a dual-purpose as temporary refuge structures. These structures would be intended to provide temporary refuge as a contingency to evacuation should evacuation be considered less safe. Hardening each building against a wildfire would require upgraded building features as follows:

- Type 1B exterior walls construction
- NFPA and San Diego County consistent, automatic fire protection sprinkler system
- Windows dual pane, both panes tempered or fire rated glazing for all sides of building
- Backup diesel or equivalent generator
- Air handling system to minimize smoke in ventilation
- Communication systems, including television, computers, internet, and telephone
- Basic supplies to accommodate a short-term sheltering, including water, first aid, and food
- Minimum 100 feet of defensible space around structure

In addition, the minimum setback as regulated by the County of San Diego Zoning Ordinance and 2020 Consolidated Fire Code, Sections 4907.1 would be maintained to protect all Project structures from a wildfire. An approved, automatic fire sprinkler system would be installed in all new structures for the Project in accordance with at minimum, NFPA 13R3 standards, 2019 CFC and CBC, and 2020 Consolidated Fire Code or the current, adopted Code editions. All commercial cooking equipment that produces grease laden vapor shall be provided with a Type1 hood, in accordance with the California Mechanical Code, and a pre-engineered wet chemical system, complying with Underwriters Laboratories Inc. (UL) 300. In addition, a Class “K” (Potassium acetate) Fire Extinguisher must be within 30 feet of travel distance of areas with heat processing equipment for food, using combustible cooking media.

The additional facilities associated with the winery would bring additional patrons to the site within areas with a high risk of ignition. Risk from increased human presence within high fire hazard areas would be addressed through the operational characteristics of the site that would keep visitors within designated areas of the site. The risk of inadvertent ignition would additionally be reduced by the location of the proposed site operations within an active agricultural area that is subject to ongoing agricultural management and irrigation. To further minimize the risk of ignition, the project has incorporated fuel modification zones that extend beyond 100 feet around structures on site. This defensible space consists of irrigated and well-maintained vineyards and orchards that act as a 100+ feet of Fuel Modification Zone 1. The orchards and vineyards would be maintained in a healthy state at all times as follows:

- Fruit or grape plants would be irrigated to maintain a high moisture content.
- Dead or dying grape vines or trees and debris would be removed from the area on an ongoing basis.
- Grape plants would be grown on trellises made of non-combustible material.
- Dead grasses and weeds between rows of trees or vines would be mowed to 3 inches in height.

Additionally, as required in the 2020 Consolidated Fire Code, from the exterior wall surface of the building extending 5 feet on a horizontal plane shall be constructed of continuous hardscape or limited fire-resistant plantings acceptable to the Fire Authority Having Jurisdiction. Vegetation in this space shall not exceed 6 inches to 18 inches in height and irrigation is required. Additionally, this space shall be free of combustible materials and the use of mulch is prohibited. Firepits constructed on the project site would be required to have a minimum of 50 feet of hardscape surrounding each firepit. Furthermore, events occurring during a Red Flag Warning or Watch would provide a qualified Fire Watch on-site for the duration of the event.

The project would also be required to adhere to ornamental landscaping requirements. Ornamental groundcovers, shrubs, and trees planted around the wine tasting room, bridal suite, and banquet barn are required to be selected from an approved fire-resistant plant list that is maintained by the County of San Diego, Department of Planning and Land Use. Ornamental trees, excluding orchard trees, planted adjacent to these structures would be limited to groupings of 2–3 trees with canopies for each grouping separated horizontally by 10 feet as presented in Table 4907.3.1 in the 2020 Consolidated Fire Code.

Project adherence to applicable Fire and Building Codes above would ensure the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, and impacts would be less than significant.

b) Substantially impair an adopted emergency response plan or emergency evacuation plan?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Discussion/Explanation:

Less than Significant Impact: A Conceptual Wildland Fire Evacuation Plan was prepared for the project by Dudek in April, 2020 (Appendix P).

The potential occurrence of a large evacuation event including evacuation of existing populations to the west of the project is possible. In this case, the existing populations would be associated with the Safari Park’s visitors, Rancho San Pasqual, Vista Monte, and the San Pasqual Union Elementary School and total a worst case 2,829 vehicles, possibly more if parents disregard emergency evacuation protocols at the elementary school and attempt to pick up their children, as follows:

- Safari Park – 4,100 visitors per day average, estimated 1,142 vehicles
- Rancho San Pasqual – 580 units x 2.2 vehicles/unit = 1,276 vehicles
- Vista Monte – 80 units x 2.2 vehicles/unit = 176 vehicles
- San Pasqual Union Elementary School – 560 students and staff = up to 10 busses and 25 staff vehicles (200 vehicles estimated for parents who disregard protocols and who are not associated with Rancho San Pasqual or Vista Monte)

Estimated total worst case evacuating vehicles: 2,829.

The existing condition worst case assumes that a wildfire occurs when all families are home, school is in session, and a large crowd with 1,142 vehicles is at the Safari Park. This is overly conservative because school is in session for a specified period each morning until early afternoon, the Safari Park is not open overnight, and families are not typically at home during the day, when at least one parent is off-site working. However, even if a less conservative approach is utilized, the total number of existing vehicles that may be evacuating would still approach 3,000.

Adding 121 evacuating vehicles from the proposed project to an existing total of less than 3,000 evacuating vehicles is an addition of approximately 4 percent. Evacuation travel times from existing population areas are estimated to be roughly 15 minutes (from Cloverdale/SR-78 intersection) to 52 minutes (from San Pasqual Academy) to reach Bear Valley Parkway assuming 1,340 vehicles per hour can be accommodated on SR-78. This assumes a vehicular travel speed average of 8 miles per hour (mph) (1,340 vehicles per hour), a realistic speed during a large evacuation, particularly achievable with law enforcement control of downstream intersections. The addition of 121 evacuating vehicles could add up to approximately 2 minutes to the evacuation travel times and therefore, would not be expected to materially impact the travel speed of 8 mph or the overall time for existing residents to reach urban areas of Escondido. Thus, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant.

c) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentration from a wildfire or the uncontrolled spread of a wildfire?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant Impact : The project site is in Rockwood Canyon valley floor on generally flat terrain. Rockwood Canyon flat terrain tends to have little effect on fire spread, resulting in fires that are driven by wind. A wildland fire in Rockwood Canyon could easily spread to fuels on the opposite sides of the canyon by spotting. Wind eddies and strong upslope air movement could also be expected at sharp bends in the canyon.

The project area's climate has a large influence on the fire risk, as drying vegetation during the summer months becomes fuel available to advancing flames should an ignition be realized. Typically, the highest fire danger is produced by the high-pressure systems that occur in the Great Basin, which result in the Santa Ana winds of southern California. Sustained wind speeds recorded during recent major fires in San Diego County exceeded 30 mph and may exceed 65 mph during extreme conditions. The Santa Ana wind conditions are a reversal of the prevailing southwesterly winds that usually occur on a region-wide basis during late summer and early fall. Santa Ana winds are warm and dry winds that flow from the higher desert elevations

in the north through the mountain passes and canyons. As they converge through the canyons, their velocities increase. Consequently, peak velocities would be the highest at the mouth of Rockwood Canyon and dissipate as they spread across San Pasqual Valley floor. Santa Ana winds generally coincide with the regional drought period and the period of highest fire danger. The project site is affected by Santa Ana winds from the north (upper portion of Rockwood Canyon) and east of the site. The slopes are generally in alignment with the extreme Santa Ana wind events, which can influence fire spread by creating downslope and down canyon wind-driven fires.

Although the project site is affected by Santa Ana winds which can influence fire spread, the project footprint is surrounded by irrigated vineyards and orchards. Therefore, the project would not increase the potential for wildlife. Additionally, the project would be required to adhere to applicable Fire and Building Codes. Therefore, the project would not expose occupants to pollutant concentration from a wildfire or the uncontrolled spread of a wildfire, and impacts would be less than significant.

d) 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?

- Potentially Significant Impact
- Less than Significant Impact
- Less Than Significant With Mitigation Incorporated
- No Impact

Discussion/Explanation:

Less than Significant Impact.

Water Supply

On-site firefighting water needs would be met from an on-site water storage tank. Fire water storage, consisting of a 30,000 gallon corrugated metal tank, 15 feet high and 30 feet in diameter, would be located approximately 1,360 feet north of the wine tasting-event center complex adjacent to the existing central farm road that runs the length of the permit area. The tank would be located in a vacant area now being used for storage and would be at least 350 feet from any existing buildings. The tank shall comply with 2019 California Fire Code, County of San Diego 2017 County Fire Code, and National Fire Protection Association (NFPA) 22 - Private Fire Protection Water Tanks. Fire water would be supplied to the fire storage tank from an existing agricultural well.

A fire pump and control system would be housed in a proposed pump house constructed midway between the tasting room and event center. The fire pump installation and maintenance shall comply with 2019 California Fire Code, County of San Diego 2017 County Fire Code, and NFPA 20 - Standard for Installation of Stationary Pumps for Fire Protection. The tank and pump house would be installed on an elevated pad that would be approximately 18 inches higher than the surrounding grade. The pump house would be of masonry construction. Both the tank and pump house would be surrounded by a 5-foot-wide decomposed granite perimeter. Access to the fire

water storage tank area would be from existing farm roads of DG. Power to the pump house would come underground via an existing SDG&E pole about 500 feet from the pump house. A back-up, diesel power source or equivalent generator would be installed adjacent to the pump house in case SDG&E shuts off power to the project area during a wildfire.

Two fire hydrants and two FDCs are proposed for the project site. The first fire hydrant would be located on the east side of the entry road within 50 to 100 feet from the wine tasting room. The event center would also have a fire hydrant within 50 to 100 feet of each event center building. Each building would have a separate FDC for fire sprinkler system. The FDC located next to and typically within 40 feet or less of fire hydrant. The 30,000-gallon storage tank would supply water to the fire protection system via an eight inch water line. The pump house would be connected to the FDCs and fire hydrants via six-inch PVC piping.

Fire Access Roads

Access to the project site would be provided from San Pasqual Valley Road (SR-78) via a proposed 24-foot-wide asphalt cement (AC) pavement private roadway. Internal circulation would be provided by 24-foot-wide roadways with the exception of the proposed bridal suite parking area which would be 20 feet in width. Road grades would comply with the 2017 County Fire Code fire access roadway standard. Minimum vertical clearance of 13 feet 6 inches would be maintained for the entire required width of fire access roads.

All access and internal road surfaces would consist of asphalt pavement and would be capable of supporting the imposed loads of fire apparatus (not less than 75,000 pounds). All proposed roads would be improved with asphalt concrete and would be maintained to provide a fire buffer as well as to facilitate on-site circulation for emergency vehicles.

Dead-end Fire Access Roads

All dead-end fire access roads in excess of 150 feet in length have been designed with approved provisions for turning around emergency apparatus. Therefore, the project would be in compliance with 2017 County Fire Code.

As described above, the project would increase fire water storage on-site and would propose fire access roads in compliance with the 2017 County Fire Code. Project infrastructure improvements in compliance with the 2017 County Fire Code would help to minimize fire risk. Additionally, these infrastructure improvements would be located within the project footprint. Consequently, potential impacts associated with construction of these infrastructure improvements have been evaluated throughout this ~~Draft~~Final IS/MND. Therefore, project infrastructure would not exacerbate fire risk or result in temporary or ongoing impacts to the environment, and impacts would be less than significant.

e) Expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

- Potentially Significant Impact
- Less than Significant Impact
- Less Than Significant With Mitigation Incorporated
- No Impact

Discussion/Explanation:

Less than Significant Impact: As described in Section XX.a) above, the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. As described in Section X.c)ii. above, the project would reduce peak flows during the 100-year storm event for the local drainage basin. As described in Section X.d) above, the project site is not located within a FEMA special flood zone, and the project would not exacerbate any existing risk associated with dam failure associated with the Lake Sutherland dam approximately 13 miles upstream. As described in Section VII.a)iv. above, the Geological Reconnaissance did not identify evidence of landslides on the project site or within the surrounding area. Therefore, the project would not expose people or structure to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes, and impacts would be less than significant.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

Would the project:

a) 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?

- Potentially Significant Impact
- Less than Significant Impact
- Less Than Significant With Mitigation Incorporated
- No Impact

Discussion/Explanation:

Less than Significant Impact With Mitigation Incorporated: Based on the analysis in this document, the County of San Diego finds that this project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

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"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input checked="" type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Discussion/Explanation:

Less than Significant with Mitigation: As described in the ~~Draft~~Final IS/MND, all impacts would be mitigated to a level less than significant. Air quality is a regional issue and the cumulative study area for air quality impacts encompasses the San Diego Air Basin as a whole. Therefore, the cumulative analysis addresses regional air quality plans and policies, such as the RAQS, as well as the project’s contribution to a net increase of any criteria pollutant for which the SDAB is listed as a non-attainment area. As described in Section III.a), the project would not construct new housing or result in an increase in the anticipated growth projections. The project would provide wine tasting opportunities and event space for existing residents in the community. Furthermore, as described in Section III.b), the project would not result in construction or operational emissions in excess of the applicable significance thresholds for all criteria pollutants. Consequently, the project would not result in an increase in emissions that are not already accounted for in the RAQS. As described in Section IV.e), implementation of mitigation measure BIO-1 would reduce impacts to the arroyo toad to a level less than significant consistent with the requirements of the MSCP. Projects that comply with the MSCP would not result in a significant cumulative impact for biological resources. As described in Section VII.b), the project would not conflict with the applicable plans developed to reduce GHG emissions at the regional level. All other project impacts were determined to be less than significant, and due to the limited scope of the project would result in cumulatively considerable impacts.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> | No Impact |

Discussion/Explanation:

No Impact: Based on the analysis in this document, the County of San Diego finds that this project does not have the potential to result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST

All references to federal, state, and local regulation are available on the Internet. For federal regulation refer to <http://www4.law.cornell.edu/uscode/>. For state regulation refer to www.leginfo.ca.gov. For County regulation refer to www.amlegal.com. All other references are available upon request.

California Air Pollution Control Officers Association (CAPCOA)

2008 CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act, January.

2021 California Emissions Estimator model (CalEEMod). User's Guide Version 2020.4.1. May.

California Air Resources Board (CARB)

2005 Air Quality and Land Use Handbook: A Community Health Perspective. California Air Resources Board. April.

2022 2022 Scoping Plan for Achieving Carbon Neutrality. California Air Resources Board. November 16.

California Department of Transportation

2013 Transportation and Construction Vibration Guidance Manual. September.

2019 California State Scenic Highway Mapping System. <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983>.

Dudek

2020 Fire Protection Plan – Letter Report for the Rancho Guejito Wine Tasting Room and Event Venue Project. April 16.

2021 Conceptual Wildland Fire Evacuation Plan for the Rancho Guejito Wine Tasting and Event Venue.

Office of Environmental Health Hazard Assessment (OEHHA)

2015 Air Toxics Hot Spots Program Guidance Manual for the Preparation of Risk Assessments (Guidance Manual), February.

Rick Engineering

2021a Rancho Guejito Wine Tasting Facility and Event Center Local Mobility Analysis. Revised January 26.

2021b Rancho Guejito Wine Tasting Facility and Event Center VMT Analysis Memorandum. Revised January 28.

San Diego, County of

2009 County of San Diego Guidelines for Determining Significance Paleontological Resources. <https://www.sandiegocounty.gov/dplu/docs/Paleo-Guidelines.pdf>.

2011a San Diego County General Plan Update Final Environmental Impact Report. August. https://www.sandiegocounty.gov/content/dam/sdc/pds/gpupdate/docs/BOS_Aug2011/EIR/FEIR_2.10_-_Minerals_2011.pdf.

2011b Tables N-1 and N-2 of the General Plan Noise Element.

2018 County of San Diego Climate Action Plan. SCH # 2016101055. February.

U.S. Department of Conservation

2005 *Williamson Act Fact Sheet*. Division of Land Resource Protection.

LIST OF APPENDICES

- A Agricultural Resources Report
- B Air Quality Analysis
- C Biological Resources Letter Report
- D Cultural Resources Survey Report
- E Geologic Reconnaissance
- F Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plan
- G Phase I Environmental Site Assessment
- H Storm Water Quality Management Plan
- I Change in Total Water Usage at Wine Tasting Room and Banquet Facilities
- J Drainage Study
- K Noise Analysis
- L Facility Availability Form
- M Local Mobility Analysis
- N Vehicle Miles Traveled Analysis Memorandum
- O Fire Prevention Plan
- P Conceptual Wildland Fire Evacuation Plan

**MULTIPLE SPECIES CONSERVATION PROGRAM CONFORMANCE STATEMENT
For Rancho Guejito Wine Tasting and Event Venue
PDS2020-MUP-20-001
APN(s) 272-070-11-00**

September 23, 2021

I. Introduction

The Rancho Guejito project is the application for a Major Use Permit (MUP) to allow a tasting room and event venue on 403.10 acres in Rockwood Canyon on the north side of San Pasqual Valley Road in central San Diego County. The project will include a full commercial kitchen and an event center, along with associated parking lots, outdoor areas, fire protection water storage, and storm water infiltration facilities. Although the MUP area is large, construction activities will take place only on 5.6 acres at the south end of the site, on land currently in active agriculture. The project is located within the County's Multiple Species Conservation Program (MSCP) within Pre-Approved Mitigation Area (PAMA) and qualifies as a Biological Resources Core Area (BRCA).

Biological resources on the site were evaluated in a Biological Resources Letter Report (Everett and Associates; April 8, 2020). The project site is located within arroyo toad critical habitat and contains 219.66 acres of orchards and vineyards, 29.47 acres of southern cottonwood willow riparian forest, 1.15 Arundo dominated riparian, 128.66 acres of Diegan coastal sage scrub, 15.49 acres of coast live oak woodland, 3.67 non-native grassland, and 2.47 urban/developed habitat. Sensitive wildlife species identified on site were red-shouldered hawks (*Buteo lineatus*) and yellow warblers (*Setophaga petechia*). No sensitive plant species were identified onsite. The project will impact 5.6 acres of orchard/vineyard habitat.

Impacts orchard/vineyard habitats do not require mitigation per the Biological Mitigation Ordinance. Potential impacts to arroyo toad will be avoided through implementation of conservation measures and breeding season avoidance will also be implemented to ensure project consistency with the Migratory Bird Treaty Act (MBTA).

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site (ac.)	Proposed Impacts (ac.)	Mitigation Ratio	Required Mitigation
Orchards and Vineyards	IV	219.66	5.6	--	--
Diegan Coastal Sage Scrub	II	128.66	0.0	1.5:1	--
Southern Cottonwood-Willow Riparian Forest	I	29.47	0.0	2:1	--
Arundo-Dominated Riparian	I	1.15	0.0	2:1	--
Non-Native Grassland	III	3.67	0.0	1:1	--
Coast Live Oak Woodland	I	15.49	0.0	2:1	--
Urban/Developed	IV	2.47	0.0	--	--

Total:	--	403.10	5.6	--	--
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The findings contained within this document are based on County records and a Biological Resources Letter Report dated April 8, 2020, prepared by Everett and Associates. The information contained within these Findings is correct to the best of staff’s knowledge at the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes in circumstance shall need to have new findings completed based on the environmental conditions at that time.

The project has been found to conform to the County’s Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Wildlife and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to the County’s Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

II. Biological Resource Core Area Determination

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.

The proposed impact area is located within the County’s Multiple Species Conservation Program (MSCP) in land designated as a Pre-Approved Mitigation Area (PAMA). Therefore, the site qualifies as a Biological Resources Core Area (BRCA).

B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.

The project proposes to impact 5.6 acres of orchard/vineyard habitat. This habitat type does not require mitigation under the Biological Mitigation Ordinance (BMO).

III. Biological Mitigation Ordinance Findings

A. Project Design Criteria (Section 86.505(a))

The following findings in support of Project Design Criteria, including Attachments G and H (if applicable), must be completed for all projects that propose impacts to

Critical Populations of Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List), or within a Biological Resource Core Area.

1. Project development shall be sited in areas to minimize impact to habitat.

Project development will take place within 5.6 acres of orchard/vineyard habitat, at the south end of the site, adjacent to an existing road. Orchard/vineyard habitat is not considered a sensitive habitat under the Biological Mitigation Ordinance (BMO). Therefore, the project has been designed to minimize impacts to sensitive habitats.

2. Clustering to the maximum extent permitted by County regulations shall be considered where necessary as a means of achieving avoidance.

The project proposes development within the southern portion of the site, adjacent to an existing road, and limits impacts to 5.6 acres of orchard/vineyard habitat. This allows for the avoidance of sensitive species and an existing wildlife corridor.

3. Notwithstanding the requirements of the slope encroachment regulations contained within the Resource Protection Ordinance, effective October 10, 1991, projects shall be allowed to utilize design that may encroach into steep slopes to avoid impacts to habitat.

The project will develop a flatter portion of the land on the southern end of the property and will avoid the steep slope areas. Therefore, slope encroachment is not necessary to avoid habitat impacts.

4. The County shall consider reduction in road standards to the maximum extent consistent with public safety considerations.

A proposed access driveway will serve the proposed winery. Minimum private road standards have been applied to the proposed access driveway. No reduction in road standards are necessary.

5. Projects shall be required to comply with applicable design criteria in the County MSCP Subarea Plan, attached hereto as Attachment G (Preserve Design Criteria) and Attachment H (Design Criteria for Linkages and Corridors).

The project complies with the applicable design criteria, including the Preserve Design Criteria (Attachment G) and Design Criteria for Linkages and Corridors (Attachment H), in the County MSCP Subarea Plan. Compliance with design criteria is outlined in sections III.B and III.C of this document.

B. Preserve Design Criteria (Attachment G)

In order to ensure the overall goals for the conservation of critical core and linkage areas are met, the findings contained within Attachment G shall be required for all projects located within Pre-Approved Mitigation Areas or areas designated as Preserved as identified on the Subarea Plan Map.

- 1. Acknowledge the “no net loss” of wetlands standard that individual projects must meet to satisfy State and Federal wetland goals, policies, and standards, and implement applicable County ordinances with regard to wetland mitigation.**

Guejito Creek, which is located along the west edge of the project site, falls under RPO, Army Corps, and CDFW jurisdiction. No impacts to jurisdictional wetlands/waters are anticipated as a result of project implementation. Therefore, the project meets the no-net loss of wetlands standards.

- 2. Include measures to maximize the habitat structural diversity of conserved habitat areas, including conservation of unique habitats and habitat features.**

The project will maximize habitat structural diversity by limiting impacts to 5.6 acres of orchard/vineyard habitat and avoiding impacts to all sensitive habitats and jurisdictional features.

- 3. Provide for the conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological value by the MSCP habitat evaluation model.**

The MSCP habitat evaluation model ranks the site as very high, high, and moderate value habitat. While the project proposes development within an area ranked as having high value, the project will only impact 5.6 acres of orchard/vineyard habitat. All sensitive habitats will be avoided, including other areas of high and very high habitat value. These avoided habitats are connected to offsite habitat and contribute to large undeveloped areas of habitat with significant biological value.

- 4. Create significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats. Subsequently, using criteria set out in Chapter 6, Section 6.2.3 of the MSCP Plan, potential impacts from new development on biological resources within the preserve that should be considered in the design of any project include access, non-native predators, non-native species, illumination, drain water (point source), urban runoff (non-point source) and noise.**

The project proposes development within 5.6 acres of orchard/vineyard habitat and will avoid areas of sensitive habitat. These avoided areas connect to undeveloped land to the west, north, and east.

5. Provide incentives for development in the least sensitive habitat areas.

Project development will take place within 5.6 acres at the south end of the site, in orchard/vineyard habitat, which is not considered sensitive per the Biological Mitigation Ordinance (BMO). All other areas of sensitive habitats will be avoided.

6. Minimize impacts to narrow endemic species and avoid impacts to core populations of narrow endemic species.

No narrow endemic species or core populations of narrow endemic species have been identified on the project site. Sensitive wildlife species identified on site were red-shouldered hawks (*Buteo lineatus*) and yellow warblers (*Setophaga petechia*). No sensitive plant species were identified onsite. Although some birds may occasionally forage in the impact area, the remaining agricultural and surrounding undeveloped areas lands provide significant additional areas for foraging. Raptors may use the eucalyptus and coast live oak trees associated with Guejito Creek for nesting. With avoidance of sensitive habitats and implementation of breeding season avoidance measures, the project will minimize impacts to sensitive wildlife species. The project site is also located within arroyo toad critical habitat and will avoid potential impacts to this species with implementation of conservation measures.

7. Preserve the biological integrity of linkages between BRCAs.

The site is a Biological Resources Core Area and is adjacent to undeveloped land to the west, north, and east. There is an existing road to the south of the project site. The project will limit development to the southern portion of the land, adjacent to the existing road, and will avoid areas that allow for wildlife movement and habitat connections to the larger undeveloped areas to the west, north, and east that are also Biological Resource Core Areas.

8. Achieve the conservation goals for covered species and habitats (refer to Table 3-5 of the MSCP Plan).

The project site contains habitats for covered species under the MSCP Plan, as well as critical habitat for arroyo toad. The area to be impacted by project implementation consists entirely of existing vineyard and orchard habitat. Because these areas are routinely maintained it is unlikely that any covered species would use the site for nesting. Although some birds may occasionally forage in the area to be impacted, the remaining agricultural and surrounding undeveloped areas lands provide significant additional areas for foraging. The project also proposes conservation measures to avoid potential impacts to

arroyo toad. Therefore, the project will contribute to achieving the conservation goals for covered species and habitats contained in MSCP Plan.

C. Design Criteria for Linkages and Corridors (Attachment H)

For project sites located within a regional linkage and/or that support one or more potential local corridors, the following findings shall be required to protect the biological value of these resources:

1. Habitat linkages as defined by the BMO, rather than just corridors, will be maintained.

The project site contains a local wildlife corridor but is not part of a habitat linkage.

2. Existing movement corridors within linkages will be identified and maintained.

Guejito Creek, which is located along the west edge of the project site, is an existing corridor for wildlife movement. No impacts to this feature are anticipated as a result of project implementation. Therefore, the project will preserve the existing wildlife movement corridor.

3. Corridors with good vegetative and/or topographic cover will be protected.

The project proposes complete avoidance of Guejito Creek, which is a wildlife movement corridor, located along the west edge of the project.

4. Regional linkages that accommodate travel for a wide range of wildlife species, especially those linkages that support resident populations of wildlife, will be selected.

The avoidance of sensitive habitats and Guejito Creek will contribute to preserving a local wildlife corridor. However, the site is not part of a regional linkage.

5. The width of a linkage will be based on the biological information for the target species, the quality of the habitat within and adjacent to the corridor, topography, and adjacent land uses. Where there is limited topographic relief, the corridor must be well vegetated and adequately buffered from adjacent development.

The site is not part of a regional linkage. The local wildlife corridor, located along the west edge of the site, will be avoided and the development will be located 220 feet to the east of the corridor. Therefore, no impacts will occur due to project development.

- 6. If a corridor is relatively long, it must be wide enough for animals to hide in during the day. Generally, wide linkages are better than narrow ones. If narrow corridors are unavoidable, they should be relatively short. If the minimum width of a corridor is 400 feet, it should be no longer than 500 feet. A width of greater than 1,000 feet is recommended for large mammals and birds. Corridors for bobcats, deer, and other large animals should reach rim-to-rim along drainages, especially if the topography is steep.**

The wildlife corridor, located along the west edge of the site, provides hiding opportunities for small and large wildlife. The topography of the existing creek will remain unchanged upon implementation of the project, as the project does not propose any impacts and the development will be located 220 feet east of the creek.

- 7. Visual continuity (i.e., long lines-of-site) will be provided within movement corridors. This makes it more likely that animals will keep moving through it. Developments along the rim of a canyon used as a corridor should be set back from the canyon rim and screened to minimize their visual impact.**

Guejito Creek, located along the west side of the site, is an important wildlife corridor that allows for visual continuity to offsite areas of undeveloped land. No impacts are proposed to this feature and the proposed development will be located 220 feet to the east of the creek. Therefore, visual continuity will be maintained.

- 8. Corridors with low levels of human disturbance, especially at night, will be selected. This includes maintaining low noise levels and limiting artificial lighting.**

A wildlife movement corridor, Guejito Creek, is located along the west edge of the project site, adjacent to existing orchard and vineyard habitat, which is routinely maintained. The project development will avoid impacts to the corridor and will be located 220 feet east of the corridor.

- 9. Barriers, such as roads, will be minimized. Roads that cross corridors should have ten-foot-high fencing that channels wildlife to underpasses located away from interchanges. The length-to-width ratio for wildlife underpasses is less than 2, although this restriction can be relaxed for underpasses with a height of greater than 30 feet.**

The project contains one proposed driveway that will not cross any corridors. The project will avoid impacts to the corridor and will be located 220 feet east of the corridor.

10. Where possible at wildlife crossings, road bridges for vehicular traffic rather than tunnels for wildlife use will be employed. Box culverts will only be used when they can achieve the wildlife crossing/movement goals for a specific location. Crossings will be designed as follows: sound insulation materials will be provided; the substrate will be left in a natural condition, and vegetated with native vegetation if possible; a line-of-site to the other end will be provided; and if necessary, low-level illumination will be installed in the tunnel.

The project contains one proposed driveway that will not cross any corridors. Therefore, no wildlife crossings, including road bridges, box culverts, or other crossing, are necessary.

11. If continuous corridors do not exist, archipelago (or stepping-stone) corridors may be used for short distances. For example, the gnatcatcher may use disjunct patches of sage scrub for dispersal if the distance involved is less than 1-2 miles.

A continuous corridor, Guejito Creek, is located along the west edge of the site. No project impacts are proposed to occur within the corridor and development will be located 220 feet east of the corridor.

IV. Subarea Plan Findings

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.

Guejito Creek, which is located along the west edge of the project site, falls under RPO, Army Corps, and CDFW jurisdiction. No impacts to jurisdictional wetlands/waters are anticipated as a result of project implementation. Therefore, the project meets the no-net loss of wetlands standards.

2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.

The project will maximize habitat structural diversity by limiting impacts to 5.6 acres of orchard/vineyard habitat and avoiding impacts to all sensitive habitats and jurisdictional features.

3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.

The MSCP habitat evaluation model ranks the site as very high, high, and moderate value habitat. While the project proposes development within an area ranked as having high value, the project will only impact 5.6 acres of orchard/vineyard habitat. All sensitive habitat will be avoided, including other areas of high and very high habitat value. These avoided habitats are connected to offsite habitat and contribute to large undeveloped areas of habitat with significant biological value.

4. **The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.**

The project proposes development within 5.6 acres of orchard/vineyard habitat and will avoid areas of sensitive habitat. These avoided areas connect to undeveloped land to the west, north, and east.

5. **The project provides for the development of the least sensitive habitat areas.**

The project proposes development within 5.6 acres of orchard/vineyard habitat, which is not a sensitive habitat per the Biological Mitigation Ordinance (BMO). The project does not propose impacts to sensitive habitats.

6. **The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.**

No threatened, endangered, narrow endemic species were detected on the project site. The project proposes to limit development within 5.6 acres of orchard/vineyard habitat on the southern portion of the site. The project also proposes to implement conservation measures to avoid any potential impacts to arroyo toad. Therefore, the development will not eliminate highly sensitive habitat or impact key populations of covered species.

7. **Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.**

Project development will occur in the southern portion of the site, adjacent to an existing road, and will limit impacts to 5.6 acres of orchard/vineyard habitat. All other areas of the project site, which include sensitive habitats and are adjacent to other undeveloped land, will be avoided. This will allow for the conservation of large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species

8. **All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical**

populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.

No critical or narrow endemic species were detected on the site. Sensitive wildlife species identified on site were red-shouldered hawks (*Buteo lineatus*) and yellow warblers (*Setophaga petechia*). No sensitive plant species were identified onsite. Impacts to these species will be minimized by avoidance of sensitive habitats and implementation breeding season avoidance measures. The site is also located within arroyo toad critical habitat. Potential impacts to this species will be avoided with the implementation of conservation measures.

9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.

The majority of the project site is designated as Pre-Approved Mitigation Area. However, the project development is limited to 5.6 acres of orchard/vineyard habitat and avoids all sensitive habitats. Therefore, the project will not jeopardize the possible assembly of a preserve system within the Subarea Plan.

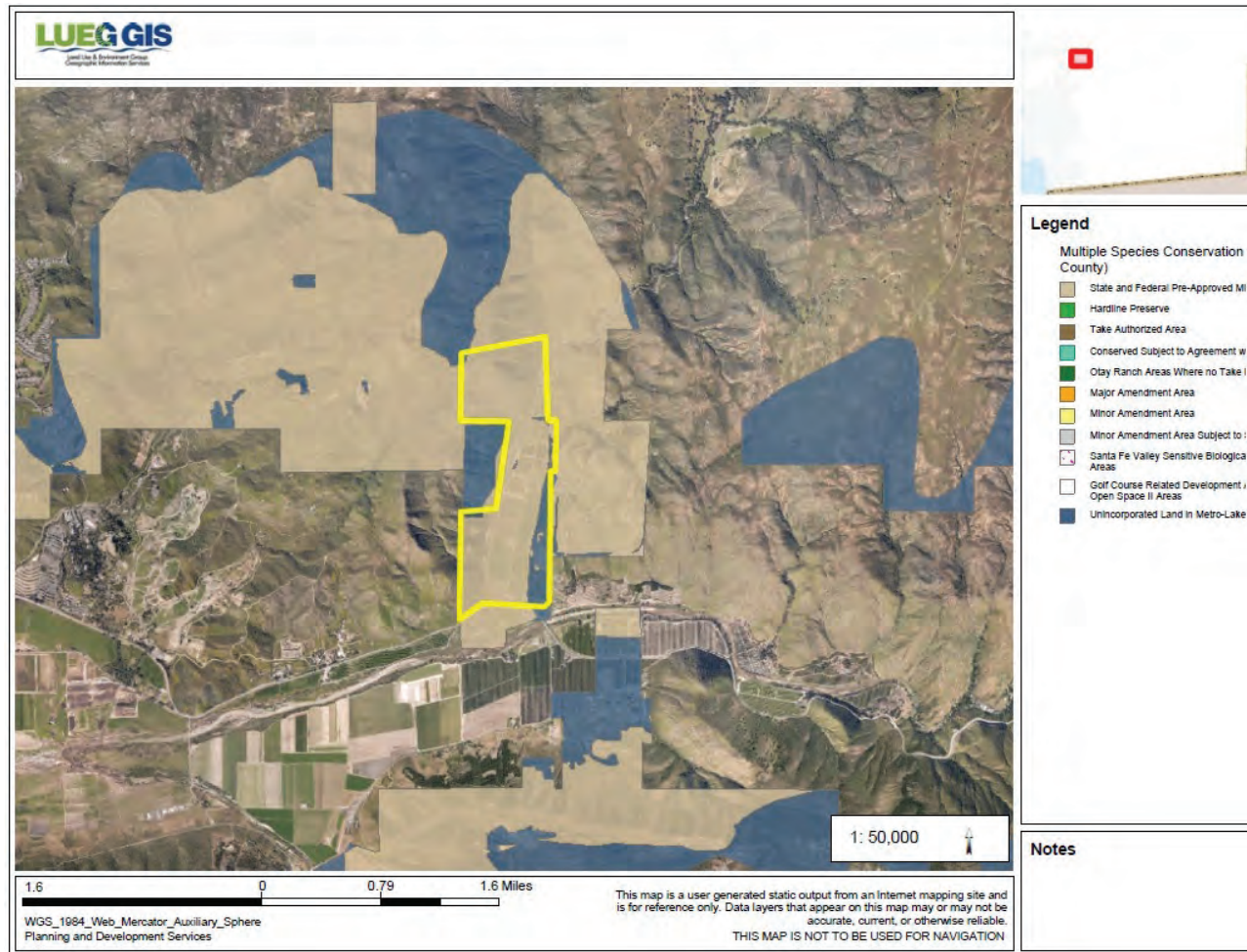
10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.

The project does not propose to count onsite preservation toward their mitigation. Therefore, the project does not require provisions to reduce edge effects.

11. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined in the BMO.

The site is located within a Biological Resources Core Area and includes an important local wildlife corridor, Guejito Creek, and critical habitat for arroyo toad. The project design limits development to 5.6 acres of orchard/vineyard habitat in the southern portion of the site, located adjacent to an existing road. The project development is also located 220 feet to the east of the wildlife movement corridor. Sensitive wildlife species identified on site were red-shouldered hawks (*Buteo lineatus*) and yellow warblers (*Setophaga petechia*). No sensitive plant species were identified onsite. Impacts to these species will be minimized due to the avoidance of the remaining agricultural and sensitive habitat onsite that provide significant additional areas for foraging and nesting, as well as implementation of breeding season avoidance measures. The project will avoid potential impacts to arroyo toad with the implementation of conservation measures. Therefore, through project design and mitigation measures, the project has made every effort to avoid impacts to BRCAs, sensitive resources, and sensitive species.

MSCP Designation



MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measure	Implementation/Timing	Responsible Monitoring Party	Compliance Action	Certified Complete
<p>BIO-1: Arroyo Toad Pre- and Post-Construction Conservation</p> <p>Intent: In order to avoid potential impacts to arroyo toad, which are a listed species pursuant to the Endangered Species Act (ESA), conservation measures shall be implemented.</p> <p>Description of Requirement: The applicant shall implement the following conservation measures to ensure compliance with the federal ESA:</p> <p>A. Prior to project initiation and during the non-breeding season, temporary arroyo toad exclusionary fencing shall be installed in a manner that prevents individuals from entering work areas during the breeding season and for the duration of project construction. In areas without water flows, the fence will consist of woven nylon fabric or similar material at least 0.6 meter (2 feet) high, staked firmly to the ground. In areas where soils are suitable for aestivation, the lower 0.3 meter (1 foot) of material will stretch outward along the ground and be secured with a continuous line of sandbags to prevent burrowing beneath the fence. Doubling this line (i.e., stacking sand or gravel bags two-deep) may reduce maintenance and should be considered to improve the integrity of the fencing. In areas where soils are not suitable for aestivation, (i.e., hardpack soils), fencing may be buried to reduce maintenance concerns and improve the integrity of the fencing over time. The fenced areas shall include room for all staging and stockpiling, as warranted. The fencing will prevent potential arroyo toad movement into the project site from Guejito Creek in the event work extends into the breeding season. This would require the installation of temporary exclusionary fencing around the perimeter of the project site boundaries including the water tank and temporary trench which would extend south to the project site. Based on final project design features, temporary wire mesh may also be warranted and installed across the existing</p>	<p>Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction.</p>	<p>Applicant/County of San Diego</p>	<p>Pre-construction Survey</p>	<p>Certified Complete</p>

MITIGATION MONITORING AND REPORTING PROGRAM			
Mitigation Measure	Implementation/Timing	Responsible Monitoring Party	Compliance Action
<p>box culvert located adjacent to the southern boundary to prevent potential movements of the arroyo toad north toward the project site during the breeding season. A qualified arroyo toad biological monitor will oversee the location and installation of the temporary exclusionary fencing.</p> <p>B. Conduct at least six consecutive night surveys for the arroyo toad within the project site following installation of the temporary exclusionary fencing and active irrigation. If no arroyo toads are detected, construction activities will proceed. If an arroyo toad is detected, an arroyo toad translocation program that has been approved by the USFWS will be implemented. The program will include the following requirements:</p> <ol style="list-style-type: none"> 1. Arroyo toads found within the project area will be captured and translocated, by the Carlsbad Fish and Wildlife Office (CFWO)-approved arroyo toad biologist, to an area approved by the Service prior to construction. In addition, any arroyo toads captured will be checked for a Passive Integrated Transponder (PIT) tag with a PIT-tag reader by the CFWO-approved arroyo toad biologist. The CFWO-approved arroyo toad biologist will maintain a complete record of all arroyo toads encountered and relocated in association with the project. The date, time of capture, specific location of capture (using Geographic Positioning Systems), PIT-tag code, approximate size, age, and health of the individuals will be recorded and provided in both hard copy and digital format to the CFWO within two weeks of the translocation. 2. When capturing and translocating arroyo toads from the project area, the CFWO approved arroyo toad biologist will minimize the amount of time that animals are held in captivity. Captured arroyo toads will be maintained in a manner that does not expose them to temperatures or any other environmental conditions that could cause injury or undue stress. To avoid transferring disease or pathogens between aquatic habitats 			
			Certified Complete

MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measure	Implementation/Timing	Responsible Monitoring Party	Compliance Action	Certified Complete
<p>during the course of the capturing and translocating arroyo toads, the CFWO-approved arroyo toad biologist will follow the Declining Amphibian Population Task Force's Fieldwork Code of Practice (DAPTF 1998), or newer version when available. If available, all translocated arroyo toads will be placed in the vicinity of accessible water to allow individuals the opportunity to rehydrate. Arroyo toads will be placed within vegetative cover located adjacent to the active channel to provide protection against predation. Under no circumstance will arroyo toads be actively buried or placed within a mammal burrow. The following additional guidelines will also be followed during translocation:</p> <ul style="list-style-type: none"> a. All arroyo toads will be translocated. b. Arroyo toads will not be sedated. c. Gloves will be worn by the biologist when handling arroyo toads and changed between individuals. d. Arroyo toads will be placed individually in separate dual-purpose arthropod/small animal containers (7 inches x 6 inches x 6.5 inches) unless large numbers are captured (e.g., emergents that can be housed together). e. Moist, sandy or sandy/loam substrate from the capture site will be placed in terrariums including detritus and small woody debris, if available. f. A small amount of river/creek water will be placed in the terrariums to keep the soil saturated during transportation. g. A spray bottle filled with river/creek water will be used during transportation to spray arroyo toads, if needed. h. Air temperature and humidity will be monitored during transportation. i. Vibrations, noise, and other stress factors will be minimized during transportation. 				

MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measure	Implementation/Timing	Responsible Monitoring Party	Compliance Action	Certified Complete
<p>j. In the absence of surface water, de-chlorinated water will be added to the animal container sufficient to saturate the soil to allow individuals the opportunity to rehydrate prior to release.</p> <p>k. Arroyo toads will not be handled for longer than 15 minutes.</p> <p>3. American bullfrogs (<i>Lithobates catesbeiana</i>) or other exotic animal species that prey upon or compete with arroyo toads for resources will be excluded, destroyed, or otherwise permanently removed from the habitat by the CFWD-approved arroyo toad biologist if encountered.</p> <p>C. A qualified arroyo toad biological monitor will provide an environmental briefing for all construction workers. The briefing will focus on presenting how to identify the arroyo toad, implications for non-compliance with the federal ESA, a card handout including a species photograph and measures to implement in the event an individual is detected.</p> <p>D. A qualified arroyo toad biological monitor will be present during initial ground disturbing activities to ensure that no arroyo toads are impacted as a result of project implementation.</p> <p>E. A qualified arroyo toad biological monitor will assess the temporary exclusionary fencing at least once a week during project construction to ensure that fencing is secure and devoid of breaches.</p> <p>F. A final letter report will be prepared summarizing the results of the monitoring efforts and compliance with the federal ESA.</p> <p>G. If arroyo toads are detected after the initial survey effort within the temporary exclusionary fenced work area or during implementation of the preceding conservation measures, all work will cease, until the project biologist implements the measures identified in the translocation program.</p> <p>H. The project proponent will coordinate with the Wildlife Agencies to identify BMPs to minimize impacts to arroyo toads from ongoing agricultural operations.</p>				

MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measure	Implementation/Timing	Responsible Monitoring Party	Compliance Action	Certified Complete
<p>Documentation: The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, no grading shall occur until concurrence is received from the County and the Wildlife Agencies.</p> <p>Timing: Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies.</p> <p>Monitoring: The [DPW, PDCI] shall not allow any grading, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.</p>				
<p>BIO-2: Resource Avoidance (PDS, Fee X2)</p> <p>Intent: In order to avoid impacts to migratory birds and raptors, which are sensitive biological resources pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans.</p> <p>Description of Requirement: There shall be no brushing, clearing and/or grading such that none will be allowed within 300 feet of migratory bird nesting habitat or 500 feet of raptor nesting habitat during the breeding season of the migratory bird or raptor within RAA as indicated on these plans. The breeding season is defined as occurring between February 1 and August 31. The Director of PDS [PDS, PPD] may waive this condition, through written concurrence from the USFWS and the CDFW, provided that no migratory birds or raptors are present in the vicinity of the brushing, clearing, or grading as demonstrated by a survey completed no more than 72 hours prior to grading or clearing.</p> <p>Documentation: The applicant shall provide a letter of agreement with this condition; alternatively, the applicant</p>	<p>Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, during the breeding season defined as occurring between February 1 and August 31.</p>	<p>Applicant/County of San Diego</p>	<p>Pre-construction Survey</p>	

MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measure	Implementation/Timing	Responsible Monitoring Party	Compliance Action	Certified Complete
<p>may submit a written request for waiver of this condition. Although, no grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies.</p> <p>Timing: Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies.</p> <p>Monitoring: The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [PDS, PPD] is received. The [PDS, PPD] shall review the concurrence letter.</p>				
Transportation				
<p>TRA-1: Prior to the start of construction, the County shall require the construction contractor to prepare and implement a traffic control plan to show specific methods for maintaining traffic flows. Traffic control measures could include but are not limited to the following tasks:</p> <ul style="list-style-type: none"> • Develop circulation and detour plans to minimize impacts to local street circulation, including the use of signage and flagging to guide vehicles through or around the construction zone. • Schedule truck trips outside the range of peak morning (7:00 a.m. to 9:00 a.m.) and evening (4:00 p.m. to 6:00 p.m.) commute hours. • Limit lane closures during peak hours to the extent possible. • Use haul routes that minimize truck traffic on local roadways to the extent possible. • Store construction materials only in designated areas. • Develop comprehensive strategies for maintaining emergency traffic flows. Strategies shall include, but are not limited to, maintaining steel trench plates at the construction sites to restore access across open 	Prior to, and during construction.	Applicant/County of San Diego	Traffic Control Plan	

MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measure	Implementation/Timing	Responsible Monitoring Party	Compliance Action	Certified Complete
<p>trenches and identification of alternate routing around construction zones. Police, fire, and other emergency service providers shall be notified of the timing, location and duration of the construction activities and the location of detours and lane closures.</p> <p>The project applicant shall submit the traffic control plan to Caltrans District 11 for review prior to the start of construction.</p>				
<p>Tribal Cultural Resources</p> <p>TRA-1: The project would implement a Construction Monitoring Program that would include the following:</p> <ul style="list-style-type: none"> • The Construction Monitoring Program would require both archaeological and Native American monitors to attend a pre-construction meeting and to be present during ground-disturbing activities, such as vegetation clearing, grading or trenching. The frequency of inspections would be determined by the Project Archaeologist in consultation with the Native American monitor and would vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. • If previously unidentified potentially significant cultural resources are discovered, construction activities would be diverted away from the discovery and the resources evaluated for significance. Isolates and non-significant deposits would be minimally documented in the field. Significant archaeological discoveries include intact features, stratified deposits, previously unknown archaeological sites, and human remains. The Principal Investigator would inform the County Archaeologist of the discovery and together determine its significance. To mitigate potential impacts to significant cultural resources, a Data Recovery Program for any newly discovered cultural resource would be prepared by the Principal Investigator, approved by the County Archaeologist, and implemented using professional archaeological methods. Construction activities would be allowed to resume after the completion of the recovery of an adequate sample or the recordation of features. 	Prior to, and during construction.	County of San Diego Department of General Services	Construction Monitoring Program	

MITIGATION MONITORING AND REPORTING PROGRAM				
Mitigation Measure	Implementation/Timing	Responsible Monitoring Party	Compliance Action	Certified Complete
<ul style="list-style-type: none"> • All cultural material collected during the Data Recovery and Construction Monitoring Programs would be processed and curated at a San Diego County facility that meets federal standards per 36 Code of Federal Regulations Part 79 unless the tribal monitors request the collection. • If human remains are discovered, work shall halt in that area and the procedures set forth in the California Public Resources Code (Section 5097.98) and State Health and Safety Code (Section 7050.5) will be followed. The Principal Investigator shall contact the County Coroner. • After the completion of the monitoring, an appropriate report shall be prepared. If no significant cultural resources are discovered, a brief letter shall be prepared. If significant cultural resources are discovered, a report with the results of the monitoring and data recovery (including the interpretation of the data within the research context) shall be prepared. 				

Attachment D – Environmental Findings

RANCHO GUEJITO WINE TASTING FACILITY AND EVENT CENTER

**PDS2020-MUP-20-001;
PDS2020-ER-20-09-001**

**ENVIRONMENTAL FINDINGS
July 14, 2023**

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

- 1) Find that the Planning Commission has reviewed and considered the information contained in the Mitigated Negative Declaration on file with Planning & Development Services as Environmental Review Number PDS2020-ER-20-09-001 before making its decision on the proposed project.
- 2) Adopt the Mitigation and Monitoring Program as incorporated into the project conditions of approval pursuant to CEQA Guidelines section 15074(d).
- 3) Find that the proposed project is consistent with the Resource Protection Ordinance (RPO) (County Code, Section 86.601 et seq.).
- 4) Find that plans and documentation have been prepared for the proposed project that demonstrate that the project complies with the Watershed Protection, Stormwater Management, and Discharge Control Ordinance (County Code, Section 67.801 et seq.).

Attachment E – Public Documentation



County of San Diego, Planning & Development Services
Project Planning Division

Memorandum

TO: File

FROM: Annica Ly, Land Use/Environmental Planner, Project Planning

SUBJECT: Response to Comments; Rancho Guejito Wine Tasting Facility and Event Center; PDS2020-MUP-20-001 and PDS2020-ER-20-09-001

DATE: June 29, 2023

The following are staff's responses to comments received during the public review period for the Mitigated Negative Declaration (MND) prepared pursuant to the California Environmental Quality Act (CEQA) dated December 22, 2022. The document was released for public review from December 22, 2022 through February 6, 2023, and seven comment letters were received during that time.

Response to comments received from California Department of Transportation, February 6, 2023:

A1. Comment noted. Responses to specific comments are provided below. No changes to the CEQA document were required as a result of this comment.

A2. Comment noted. Final design of the project will be completed consistent with the requirements presented in this comment.

The comment does not raise an issue that would conflict with the project description as proposed or the analysis contained in the Initial Study (IS)/Mitigated Negative Declaration (MND).

No changes to the CEQA document were required as a result of this comment.

A3. Comment noted. Final design of the project will be completed consistent with the requirements presented in this comment. The comment does not raise an issue that would conflict with the project description as proposed or the analysis contained in the IS/MND.

No changes to the CEQA document were required as a result of this comment.

A4. Caltrans staff reviewed the project Drainage Study, dated October 20, 2020. The Drainage Study was subsequently updated, dated November 8, 2021, with revisions focused on comments received from County Planning and Development Services (PDS). The revised Drainage Study dated November 8, 2021 has been appended to the Final IS/MND. Additionally, Section X of the Final IS/MND has been revised to provide more detail based on the Drainage Study dated November 8, 2021. These revisions to Section X of the Final IS/MND have not altered any of the conclusions that were presented in the Draft IS/MND that was circulated for public review.

Both the Drainage Study dated October 20, 2020, and the revised Drainage Study dated November 8, 2021, performed extensive hydrologic and hydraulic analyses to demonstrate that the project would not significantly impact local runoff along the highway or runoff leaving the site and reaching the existing Caltrans five-foot-wide, two-foot-high double reinforced concrete box (RCB) State Highway 78 (SR-78) culvert. Furthermore, the project proposes to expand the existing RCB SR-78 culvert to address peak flow rates during 10-year and 100-year storm events. In addition to numerical quantification of peak flow rates and water surface elevations, the updated Drainage Study provides narrative to explain that the project would not result in objectionable backwater depths upstream of the culvert. Therefore, the project would comply with the Highway Design Manual related to culvert design. The Drainage Study includes descriptions of the methodologies, results, and conclusions of the various analyses in a manner that meets the standard of care of a preliminary study and that the County has accepted. It appears that the majority of the comments in the September 27, 2021 letter (Caltrans comments) will require additional detail commensurate with final engineering plans, which have not been prepared yet. The project applicant will be involved with further coordination with Caltrans if the project progresses towards final engineering design. At that time, additional Drainage Study exhibits will be provided to Caltrans to meet the specific requirements of the agency. This additional effort during final engineering design is not anticipated to change any of the conclusions presented in the IS/MND, but would provide additional information that further clarifies the conclusions presented in the IS/MND.

- A5. Comment noted. As described in Section XVII.d) of the Draft IS/MND, mitigation measure TRA-1 would require the project applicant to prepare and implement a traffic control plan to show specific methods for maintaining traffic flows. Mitigation measure TRA-1 has been updated to specify that the project applicant will submit the traffic control plan to Caltrans District 11 for review prior to the start of construction.
- A6. Comment Noted. No changes to the CEQA document were required as a result of this comment.
- A7. Nighttime lighting levels are limited to what is necessary to provide security and safety for users. Setbacks are sufficient to limit visibility from public travel ways to maintain the rural and scenic qualities of the San Pasqual River Valley. Exterior lighting will be consistent with the County's Dark Sky Ordinance (e.g., low mounted, downward casting, and fully shielded to prevent glare) to avoid hazardous conditions to vehicles traveling on SR-78.
- No changes to the CEQA document were required as a result of this comment.
- A8. Comment noted. The project will hydroseed areas within Caltrans right-of-way disturbed during construction per the seed mix suggested in this comment.
- No changes to the CEQA document were required as a result of this comment.
- A9. As described throughout the Draft IS/MND, all potential impacts, including impacts on the natural environment, would be reduced to a level less than significant. Furthermore, temporary impacts within Caltrans right-of-way would be limited to existing pavement, existing concrete drainage features, and disturbed

land that does not have any biological value. The applicant will comply with Caltrans' requirements for work within the Caltrans' right-of-way.

No changes to the CEQA document were required as a result of this comment.

- A10. The project is not receiving any federal funds and is not located on federal land; therefore, the project is not subject to the requirements of the National Environmental Policy Act.

As described throughout the Draft IS/MND, all potential impacts would be reduced to a level less than significant. Furthermore, all potential impacts within Caltrans right-of-way would be temporary and limited to existing pavement, existing concrete drainage features, and disturbed land that does not have any biological value. Therefore, no mitigation is required for construction within Caltrans right-of-way.

No changes to the CEQA document were required as a result of this comment.

- A11. Comment noted. Final design of the project will be completed consistent with the requirements presented in this comment. The comment does not raise an issue that would conflict with the project description as proposed or the analysis contained in the IS/MND.

No changes to the CEQA document were required as a result of this comment.

- A12. Conclusory comment. No changes to the CEQA document were required as a result of this comment.

Response to comments received from City of San Diego Public Utilities Department, February 6, 2023:

- B1. Comment noted. Responses to specific comments are provided below.

No changes to the CEQA document were required as a result of this comment.

- B2. This comment notes that the Draft IS/MND determined that impacts on groundwater supplies and sustainable groundwater management of the basin would be less than significant. Section X.b) of the Draft IS/MND states the following regarding groundwater:

“The existing Small Winery permit area solely utilizes groundwater for both potable water within existing structures and irrigation of the on-site agricultural use. The water supply memorandum prepared for the project determined that the existing agricultural crops within the 5.6-acre project footprint consume approximately 8.5 acre-feet of groundwater per year. The water supply memorandum determined that the wine tasting facility, event center, including 0.7 acre of new grape plantings, 0.4 acres of drought tolerant landscaping, and an estimated 135 fixture units would consume approximately 5.20 acre-feet of groundwater per year (Appendix I). Consequently, the wine tasting facility and event center would result in a reduction of approximately 3.4 acre-feet of groundwater consumption per year compared to the existing condition. Although the project implementation would convert 2.4 acres of land to impervious surfaces, the majority of the approximately 404-acre MUP area would remain undeveloped and allow for continued groundwater recharge. Therefore, the project would not decrease groundwater supply or interfere substantially with groundwater recharge, and impacts would be less than significant.”

Furthermore, this comment does not challenge the adequacy of the analysis of groundwater in the IS/MND.

No changes to the CEQA document were required as a result of this comment.

- B3. Conclusory comment. No changes to the CEQA document were required as a result of this comment.

Response to comments received from Sandra and Chuck Berry, February 1, 2023:

- C1. Comment noted. Responses to specific comments are provided below.

No changes to the CEQA document were required as a result of this comment.

- C2. Draft IS/MND, operation of both the tasting facility and event center would be allowed from 10:00 a.m. until 10:00 p.m. seven days per week. Operational noise from on-site music, people gathering, HVAC equipment, and parking was evaluated in Section XIII.a) of the Draft IS/MND and analyzed in the Noise Analysis prepared by RECON, which determined that noise levels would not exceed Noise Ordinance limits and that impacts would be less than significant.

While noise in excess of the Noise Ordinance limits is not anticipated with this project, the County's Code Enforcement Division may be notified in the event that events or amplified noise occurs during unauthorized hours. Furthermore, the project will include the following ongoing conditions of approval to ensure noise levels from proposed operations do not significantly affect noise levels at nearby residences:

"Noise levels at the nearest residential property lines shall not exceed 50 dB(A) during any scheduled event. Speakers shall be turned away from the closest residences, which are located west and south of the project site. Additionally, any amplified music or other use of amplification shall be prohibited after 10:00 p.m. To ensure that noise generated by a private party accessing the grounds for an event does not become a source of nuisance to neighboring residents, the terms of the standard rental contract to be used by the project shall contain specific requirements that any private amplified sound systems operated on the site shall comply with the noise standard of 50 dB(A) L_{eq} at the nearest residential property lines. A property representative shall be on call during events to respond to public complaints and concerns related to noise.

No changes to the CEQA document were required as a result of this comment.

- C3. Conclusory comment. No changes to the CEQA document were required as a result of this comment.

Response to comments received from Jason Lopez, February 6, 2023:

- D1. Comment noted. Responses to specific comments are provided below. No changes to the CEQA document were required as a result of this comment.

- D2. As documented in the Description of Project and Section XIII.a) of the Draft IS/MND, operation of both the tasting facility and event center would be allowed from 10:00 a.m. until 10:00 p.m. seven days per week. Operational noise from on-site music, people gathering, HVAC equipment, and parking was evaluated in Section XIII.a) of the Draft IS/MND and analyzed in the Noise Analysis prepared

by RECON, which determined that noise levels would not exceed Noise Ordinance limits and that impacts would be less than significant.

While noise in excess of the Noise Ordinance limits is not anticipated with this project, the County's Code Enforcement Division may be notified in the event that events or amplified noise occur during unauthorized hours. Furthermore, the project will include the following ongoing conditions of approval to ensure noise levels from proposed operations do not significantly affect noise levels at nearby residences:

"Noise levels at the nearest residential property lines shall not exceed 50 dB(A) during any scheduled event. Speakers shall be turned away from the closest residences, which are located west and south of the project site. Additionally, any amplified music or other use of amplification shall be prohibited after 10:00 p.m. To ensure that noise generated by a private party accessing the grounds for an event does not become a source of nuisance to neighboring residents, the terms of the standard rental contract to be used by the project shall contain specific requirements that any private amplified sound systems operated on the site shall comply with the noise standard of 50 dB(A) L_{eq} at the nearest residential property lines. A property representative shall be on call during events to respond to public complaints and concerns related to noise."

No changes to the CEQA document were required as a result of this comment.

- D3. As described in Section XVII.a) of the Draft IS/MND, the Local Mobility Analysis determined that all project intersections would continue to operate at acceptable levels of service under the Opening Year 2023 Plus Project conditions, Opening Year 2026 Plus Project conditions, and Opening Year 2027 Plus Project conditions. This impact analysis considered the operation of both the tasting facility and event center would be allowed from 10:00 a.m. until 10:00 p.m. seven days per week.

The project would improve SR-78 to improve roadway function and safety within the local community, as documented in the Description of Project section of the Draft IS/MND:

"The project would widen State Route 78 (SR-78) along the project frontage to construct a two-way left-turn lane and a westbound acceleration lane taper on SR-78 between Driveway #1 and Driveway #2."

Furthermore, as documented throughout the Draft IS/MND, improvements on SR-78 would be constructed consistent with applicable Caltrans safety regulations, and all road improvements would be constructed according to the County of San Diego Public and Private Road Standards. Therefore, the project would not result in any physical changes or otherwise affect road safety along SR-78, Via Rancho Parkway, San Pasqual Valley Road, or Old Milky Way Road as noted in this comment.

No changes to the CEQA document were required as a result of this comment.

Response to comments received from Tyson Short, February 5, 2023:

- E1. Comment noted. Responses to specific comments are provided below.

No changes to the CEQA document were required as a result of this comment.

- E2. The project is allowed to have 200 tasting room guests and 250 event guests. The project would comply with the County's parking regulations as well as industry-wide winery parking standards for each proposed use. The tasting room uses a ratio of 1 space per 100 square feet of gross floor area with the event center using a ratio of 1 space per 2.5 guests. The project proposes 110 parking spaces. Forty-one standard-sized parking spaces, three handicap-accessible, and eighteen overflow spaces would be provided for the tasting facility. Thirty-five standard parking spaces, one handicap accessible, and ten overflow parking spaces would be provided for event attendees and service personnel. All parking will be accommodated on-site.

Additionally, the project includes several features that further reduce parking demand and VMT. These features include shuttle/tour services and designated preferred parking spaces for those who carpool. Spaces would also be made available to the tour companies which regularly travel through the area. The project applicant would also provide free tastings to those who use shuttle/tour services or carpool. The project would also provide a passenger drop-off area in front of the tasting facility to encourage rideshare. By incentivizing carpooling, shuttle/tour services, and rideshare, the project would reduce parking demand and the overall vehicle trips through the area.

Additionally, the project would improve SR-78 to improve roadway function and safety within the local community. Specifically, the project would widen SR-78 along the project frontage to construct a two-way left-turn lane and a westbound acceleration lane taper on SR-78 between Driveway #1 and Driveway #2. As documented throughout the Draft IS/MND, improvements on SR-78 would be constructed consistent with applicable Caltrans safety regulations, and all road improvements would be constructed according to the County of San Diego Public and Private Road Standards. Therefore, the project would not result in any physical changes or otherwise affect road safety along SR-78, Via Rancho Parkway, San Pasqual Valley Road, or Old Milky Way Road as noted in this comment.

No changes to the CEQA document were required as a result of this comment.

- E3. As documented in the Description of Project and Section XIII.a) of the Draft IS/MND, operation of both the tasting facility and event center would be allowed from 10:00 a.m. until 10:00 p.m. seven days per week. Operational noise from on-site music, people gathering, HVAC equipment, and parking was evaluated in Section XIII.a) of the Draft IS/MND and analyzed in the Noise Analysis prepared by RECON, which determined that noise levels would not exceed Noise Ordinance limits and that impacts would be less than significant.

While noise in excess of the Noise Ordinance limits is not anticipated with this project, the County's Code Enforcement Division may be notified in the event that events or amplified noise occur during unauthorized hours. Furthermore, the project will include the following ongoing conditions of approval to ensure noise levels from proposed operations do not significantly affect noise levels at nearby residences:

"Noise levels at the nearest residential property lines shall not exceed 50 dB(A) during any scheduled event. Speakers shall be turned away from the closest

residences, which are located west and south of the project site. Additionally, any amplified music or other use of amplification shall be prohibited after 10:00 p.m. To ensure that noise generated by a private party accessing the grounds for an event does not become a source of nuisance to neighboring residents, the terms of the standard rental contract to be used by the project shall contain specific requirements that any private amplified sound systems operated on the site shall comply with the noise standard of 50 dB(A) L_{eq} at the nearest residential property lines. A property representative shall be on call during events to respond to public complaints and concerns related to noise.”

No changes to the CEQA document were required as a result of this comment.

- E4. Nighttime lighting levels associated with the project would be limited to what is necessary to provide security and safety for users. Setbacks would be sufficient to limit visibility from public travel ways to maintain the rural and scenic qualities of the San Pasqual River Valley. Exterior lighting would be in conformance with the County’s Dark Sky Ordinance and the Light Pollution Code, including the Zone B lamp type and shielding requirements per fixture and hours of operation limitations for outdoor lighting and search lights. For example, outdoor lighting associated with the project would be low mounted, downward casting, and fully shielded to prevent glare.

No changes to the CEQA document were required as a result of this comment.

- E5. The project would add a monument sign to the main project entry that would be located on the property. The comment references signage in off-site locations, which are legal per County regulations. Signs referenced in this comment are not part of the proposed project. The small placard signs referred to in this comment could be removed by Caltrans if there was a concern.

No changes to the CEQA document were required as a result of this comment.

- E6. The project is limited to the tasting room and event center and would not involve any changes to the winery. The existing winery would continue to be operational.

No changes to the CEQA document were required as a result of this comment.

Response to comments received from Matthew Witman, January 10, 2023:

- F1. Comment noted. Responses to specific comments are provided below.

No changes to the CEQA document were required as a result of this comment.

- F2. The project is allowed to have 200 tasting room guests and 250 event guests. The project would comply with the County’s parking regulations as well as industry-wide winery parking standards for each proposed use. The tasting room uses a ratio of 1 space per 100 square feet of gross floor area with the event center using a ratio of 1 space per 2.5 guests. The project proposes 110 parking spaces. Forty-one standard sized parking spaces, three handicap-accessible, and eighteen overflow spaces would be provided for the tasting facility. Thirty-five standard parking spaces, one handicap accessible, and ten overflow parking spaces would be provided for event attendees and service personnel. All parking will be accommodated on-site.

Additionally, the project includes several features that further reduce parking demand and VMT. These features include shuttle/tour services and designated

preferred parking spaces for those who carpool. Spaces would also be made available to the tour companies which regularly travel through the area. The project applicant would also provide free tastings to those who use shuttle/tour services or carpool. The project would also provide a passenger drop-off area in front of the tasting facility to encourage rideshare. By incentivizing carpooling, shuttle/tour services, and rideshare, the project would reduce parking demand and the overall vehicle trips through the area.

No changes to the CEQA document were required as a result of this comment.

- F3. Comment noted. As documented in the Description of Project section of the Draft IS/MND, operation of both the tasting facility and event center would be allowed from 10:00 a.m. until 10:00 p.m. seven days per week. This does not address the adequacy of the IS/MND.

No changes to the CEQA document were required as a result of this comment.

- F4. As documented in the Description of Project and Section XIII.a) of the Draft IS/MND, operation of both the tasting facility and event center would be allowed from 10:00 a.m. until 10:00 p.m. seven days per week. Operational noise from on-site music, people gathering, HVAC equipment, and parking was evaluated in Section XIII.a) of the Draft IS/MND and analyzed in the Noise Analysis prepared by RECON, which determined that noise levels would not exceed Noise Ordinance limits and that impacts would be less than significant.

While noise in excess of the Noise Ordinance limits is not anticipated with this project, the County's Code Enforcement Division may be notified in the event that events or amplified noise occur during unauthorized hours. Furthermore, the project will include the following ongoing conditions of approval to ensure noise levels from proposed operations do not significantly affect noise levels at nearby residences:

"Noise levels at the nearest residential property lines shall not exceed 50 dB(A) during any scheduled event. Speakers shall be turned away from the closest residences, which are located west and south of the project site. Additionally, any amplified music or other use of amplification shall be prohibited after 10:00 p.m. To ensure that noise generated by a private party accessing the grounds for an event does not become a source of nuisance to neighboring residents, the terms of the standard rental contract to be used by the project shall contain specific requirements that any private amplified sound systems operated on the site shall comply with the noise standard of 50 dB(A) L_{eq} at the nearest residential property lines. A property representative shall be on call during events to respond to public complaints and concerns related to noise."

No changes to the CEQA document were required as a result of this comment.

- F5. See response to comment F4 above regarding noise.

As described in Section XVII.a) of the Draft IS/MND, the Local Mobility Analysis determined that all project intersections would continue to operate at acceptable levels of service under the Opening Year 2023 Plus Project conditions, Opening Year 2026 Plus Project conditions, and Opening Year 2027 Plus Project conditions. This impact analysis considered the operation of both the tasting facility and event center would be allowed from 10:00 a.m. until 10:00 p.m. seven days per week.

Additionally, the project includes several features that further reduce parking demand and VMT. These features include shuttle/tour services and designated preferred parking spaces for those who carpool. Spaces would also be made available to the tour companies which regularly travel through the area. The project applicant would also provide free tastings to those who use shuttle/tour services or carpool. The project would also provide a passenger drop-off area in front of the tasting facility to encourage rideshare. By incentivizing carpooling, shuttle/tour services, and rideshare, the project would reduce parking demand and the overall vehicle trips through the area.

No changes to the CEQA document were required as a result of this comment.

- F6. The project would improve SR-78 based on the following to improve roadway function and safety within the local community, as documented in the Description of Project section of the Draft IS/MND:

“The project would widen State Route 78 (SR-78) along the project frontage to construct a two-way left-turn lane and a westbound acceleration lane taper on SR-78 between Driveway #1 and Driveway #2.”

Furthermore, as documented throughout the Draft IS/MND, improvements on SR-78 would be constructed consistent with applicable Caltrans safety regulations, and all road improvements would be constructed according to the County of San Diego Public and Private Road Standards.

No changes to the CEQA document were required as a result of this comment.

- F7. Conclusory comment. No changes to the CEQA document were required as a result of this comment.

Response to comments received from Anonymous, February 2, 2023:

- G1. Comment noted. Responses to specific comments are provided below.

No changes to the CEQA document were required as a result of this comment.

- G2. As described in Section X.c) of the Draft IS/MND, the Drainage Study determined that impacts related to hydrology would be less than significant. It should be noted that Santa Maria Creek is not located on the property.

Additionally, as described in Section VII.e) of the Draft IS/MND, the proposed septic system would require a permit from the County Department of Environmental Health that would ensure the septic system is designed and installed in a manner that would support disposal of wastewater. The leach line system would be a closed system. The tank would be sealed and closed, the leach lines would be buried three feet beneath the ground surface and covered.

No changes to the CEQA document were required as a result of this comment.

- G3. As required by CEQA, the impact analysis presented in the Draft IS/MND is based on the existing physical conditions of the site that exist at the time the environmental analysis begins. This is referred to as the baseline environmental condition. All agricultural use of the property has been conducted legally and therefore the analysis does not need to consider the prior biological condition of the site before disturbance ever occurred. Consequently, Section IV.a) of the Draft IS/MND accurately describes the project footprint by stating the following:

“The 5.6-acre project footprint does not represent suitable arroyo toad aestivation habitat based on the lack of suitable soils, vegetation and native detritus. The 5.6-acre project footprint consists of developed, disturbed, and agricultural (vineyard and orchard) vegetation.”

As described in Section IV.a) of the Draft IS/MND, mitigation measure BIO-1 includes measures to protect arroyo toad both during construction and in the post-project condition:

“BIO-1 Arroyo Toad Pre- and Post-Construction Conservation

Intent: In order to avoid potential impacts to arroyo toad, which are a listed species pursuant to the Endangered Species Act (ESA), conservation measures shall be implemented.”

“Description of Requirement: The applicant implement the following conservation measures to ensure compliance with the federal ESA:

- A. Prior to project initiation and during the non-breeding season, temporary arroyo toad exclusionary fencing shall be installed in a manner that prevents individuals from entering work areas during the breeding season and for the duration of project construction. In areas without water flows, the fence will consist of woven nylon fabric or similar material at least 0.6 meter (2 feet) high, staked firmly to the ground. In areas where soils are suitable for aestivation, the lower 0.3 meter (1 foot) of material will stretch outward along the ground and be secured with a continuous line of sandbags to prevent burrowing beneath the fence. Doubling this line (i.e., stacking sand or gravel bags two-deep) may reduce maintenance and should be considered to improve the integrity of the fencing. In areas where soils are not suitable for aestivation, (i.e., hardpack soils), fencing may be buried to reduce maintenance concerns and improve the integrity of the fencing over time. The fenced areas shall include room for all staging and stockpiling, as warranted. The fencing will prevent potential arroyo toad movement into the project site from Guejito Creek in the event work extends into the breeding season. This would require the installation of temporary exclusionary fencing around the perimeter of the project site boundaries including the water tank and temporary trench which would extend south to the project site. Based on final project design features, temporary wire mesh may also be warranted and installed across the existing box culvert located adjacent to the southern boundary to prevent potential movements of the arroyo toad north toward the project site during the breeding season. A qualified arroyo toad biological monitor will oversee the location and installation of the temporary exclusionary fencing.
- B. Conduct at least six consecutive night surveys for the arroyo toad within the project site following installation of the temporary exclusionary fencing and active irrigation. If no arroyo toads are detected, construction activities will proceed. If an arroyo toad is detected, an arroyo toad translocation program that has been approved by the USFWS will be implemented. The program will include the following requirements:
 1. Arroyo toads found within the project area will be captured and translocated, by the Carlsbad Fish and Wildlife Office (CFWO)-approved arroyo toad biologist, to an area approved by the Service prior to

construction. In addition, any arroyo toads captured will be checked for a Passive Integrated Transponder (PIT) tag with a PIT-tag reader by the CFWO-approved arroyo toad biologist. The CFWO-approved arroyo toad biologist will maintain a complete record of all arroyo toads encountered and relocated in association with the project. The date, time of capture, specific location of capture (using Geographic Positioning Systems), PIT-tag code, approximate size, age, and health of the individuals will be recorded and provided in both hard copy and digital format to the CFWO within two weeks of the translocation.

2. When capturing and translocating arroyo toads from the project area, the CFWO approved arroyo toad biologist will minimize the amount of time that animals are held in captivity. Captured arroyo toads will be maintained in a manner that does not expose them to temperatures or any other environmental conditions that could cause injury or undue stress. To avoid transferring disease or pathogens between aquatic habitats during the course of the capturing and translocating arroyo toads, the CFWO-approved arroyo toad biologist will follow the Declining Amphibian Population Task Force's Fieldwork Code of Practice (DAPTF 1998), or newer version when available. If available, all translocated arroyo toads will be placed in the vicinity of accessible water to allow individuals the opportunity to rehydrate. Arroyo toads will be placed within vegetative cover located adjacent to the active channel to provide protection against predation. Under no circumstance will arroyo toads be actively buried or placed within a mammal burrow. The following additional guidelines will also be followed during translocation:
 - a. All arroyo toads will be translocated.
 - b. Arroyo toads will not be sedated.
 - c. Gloves will be worn by the biologist when handling arroyo toads and changed between individuals.
 - d. Arroyo toads will be placed individually in separate dual-purpose arthropod/small animal containers (7 inches x 6 inches x 6.5 inches) unless large numbers are captured (e.g., emergents that can be housed together).
 - e. Moist, sandy or sandy/loam substrate from the capture site will be placed in terrariums including detritus and small woody debris, if available.
 - f. A small amount of river/creek water will be placed in the terrariums to keep the soil saturated during transportation.
 - g. A spray bottle filled with river/creek water will be used during transportation to spray arroyo toads, if needed.
 - h. Air temperature and humidity will be monitored during transportation.
 - i. Vibrations, noise, and other stress factors will be minimized during transportation.

- j. In the absence of surface water, de-chlorinated water will be added to the animal container sufficient to saturate the soil to allow individuals the opportunity to rehydrate prior to release.
 - k. Arroyo toads will not be handled for longer than 15 minutes.
3. American bullfrogs (*Lithobates catesbeiana*) or other exotic animal species that prey upon or compete with arroyo toads for resources will be excluded, destroyed, or otherwise permanently removed from the habitat by the CFWO-approved arroyo toad biologist if encountered.
- C. A qualified arroyo toad biological monitor will provide an environmental briefing for all construction workers. The briefing will focus on presenting how to identify the arroyo toad, implications for non-compliance with the federal ESA, a card handout including a species photograph and measures to implement in the event an individual is detected.
 - D. A qualified arroyo toad biological monitor will be present during initial ground disturbing activities to ensure that no arroyo toads are impacted as a result of project implementation.
 - E. A qualified arroyo toad biological monitor will assess the temporary exclusionary fencing at least once a week during project construction to ensure that fencing is secure and devoid of breaches.
 - F. A final letter report will be prepared summarizing the results of the monitoring efforts and compliance with the federal ESA.
 - G. If arroyo toads are detected after the initial survey effort within the temporary exclusionary fenced work area or during implementation of the preceding conservation measures, all work will cease, until the project biologist implements the measures identified in the translocation program.
 - H. The project proponent will coordinate with the Wildlife Agencies to identify BMPs to minimize impacts to arroyo toads from ongoing agricultural operations.”

No changes to the CEQA document were required as a result of this comment.

- G4. The Biological Resources Letter Report completed for the project did not identify an east-west wildlife corridor traversing the project footprint. Furthermore, the 5.6-acre project footprint constitutes a very small portion of the 404-acre Major Use Permit area (MUP), and wildlife could continue to traverse the remainder of the undeveloped portion of the MUP, including in an east-west direction in the substantial amount of land within the MUP that would remain undeveloped north of the project footprint. It should also be noted that removal of a small area of existing crops within the MUP would not impact Guejito Creek.

No changes to the CEQA document were required as a result of this comment.

- G5. The project would improve safety on SR-78 to improve roadway function and safety within the local community, as documented in Description of Project section of the Draft IS/MND:

“The project would widen State Route 78 (SR-78) along the project frontage to construct a two-way left-turn lane and a westbound acceleration lane taper on SR-78 between Driveway #1 and Driveway #2.”

Furthermore, as documented throughout the Draft IS/MND, improvements on SR-78 would be constructed consistent with applicable Caltrans safety regulations, and all road improvements would be constructed according to the County of San Diego Public and Private Road Standards. Therefore, the project would not result in any physical changes or otherwise affect the safety of any other segments of SR-78 or any other nearby roadways or intersections.

As described in Section XX of the Draft IS/MND, a Fire Prevention Plan Letter Report was prepared for the project which determined that all impacts related to fire would be less than significant. Risk from increased human presence within high fire hazard areas would be addressed through the operational characteristics of the site that would keep visitors within designated areas of the site. The risk of inadvertent ignition would additionally be reduced by the location of the proposed site operations within an active agricultural area that is subject to ongoing agricultural management and irrigation. To further minimize the risk of ignition, the project has incorporated fuel modification zones that extend beyond 100 feet around structures on site. This defensible space consists of irrigated and well-maintained vineyards and orchards that act as a 100+ feet of Fuel Modification Zone 1. The orchards and vineyards would be maintained in a healthy state at all times, as described further in the Draft IS/MND.

Additionally, as required in the 2020 Consolidated Fire Code, from the exterior wall surface of the building extending 5 feet on a horizontal plane shall be constructed of continuous hardscape or limited fire-resistant plantings acceptable to the Fire Authority Having Jurisdiction. Vegetation in this space shall not exceed 6 inches to 18 inches in height and irrigation is required. Additionally, this space shall be free of combustible materials and the use of mulch is prohibited. Firepits constructed on the project site would be required to have a minimum of 50 feet of hardscape surrounding each firepit. Furthermore, events occurring during a Red Flag Warning or Watch would provide a qualified Fire Watch on-site for the duration of the event.

The project would also be required to adhere to ornamental landscaping requirements. Ornamental groundcovers, shrubs, and trees planted around the wine tasting room, bridal suite, and banquet barn are required to be selected from an approved fire-resistant plant list that is maintained by the County of San Diego, Department of Planning and Land Use. Ornamental trees, excluding orchard trees, planted adjacent to these structures would be limited to groupings of 2–3 trees with canopies for each grouping separated horizontally by 10 feet as presented in Table 4907.3.1 in the 2020 Consolidated Fire Code.

No changes to the CEQA document were required as a result of this comment.

California Department of Transportation

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February 6, 2023

11-SD-78
PM 26.592

Rancho Guejito Wine Tasting Facility and Event Center
MND/ SCH# 2022120692

Ms. Ashley Smith
Chief – Project Planning
County of San Diego
5510 Overland Avenue
San Diego, CA 92123

Dear Ms. Smith:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Mitigated Negative Declaration (MND) (SCH# 2022120692) for the Rancho Guejito Wine Tasting Facility and Event Center Project located near State Route 86 (SR-86). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans has the following comments:

Design

- The project's developers will need to consult the Caltrans Highway Design Manual (HDM) to evaluate all proposed features that will be in the Caltrans Right-of-Way (R/W). Some of these design features may be existing conditions that will be

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Ms. Ashley Smith, Chief - Project Planning

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perpetuated or maintained, but they may need to be documented in a Design Standard Decision Document (DSDD).

- The location of the driveway shall be designed to maximize corner sight distance. For corner sight distance, see the Caltrans Highway Design Manual (HDM) Index 405.1(2)(c). Driveway proposals that do not meet sight distance requirements will not be permitted. The minimum corner sight distance shall be equal to the stopping sight distance as given in HDM Table 201.1. HDM Table 101.2 shows appropriate ranges of design speeds that shall be used for the various types of facilities, place types, and conditions listed. (See HDM Table 101.2 Vehicular Design Speed; Table 201.1 Sight Distance Standards; Index 205.4 Driveways on Frontage roads and in Rural Areas; Index 405.1(2) Corner Sight Distance).
- Driveways connecting to State highways shall be paved a minimum of 20 feet from the edge of shoulder or to the edge of State Right-of-Way (R/W), whichever is less to minimize or eliminate gravel from being scattered on the highway and to provide a paved surface for vehicles and bicycles to accelerate and merge. Where larger design vehicles are using the driveway (e.g., dump trucks, flatbed trucks, moving vans, etc.), extend paving so the drive wheels will be on a paved surface when accelerating onto the roadway (See HDM Index 205.4 Driveways on Frontage roads and in Rural Areas).
- Design details are shown on HDM Figure 205.1. This detail, without the recess, may be used on conventional highways (See HDM Figure 205.1 Access Openings on Expressways).
- Approach and departure tapers should be 50 feet longitudinal and 8 feet from edge of traveled way at the end of the taper. Approach and departure tapers are not required where the existing paved shoulder is at least 8 feet wide (See HDM Figure 205.1 Access Openings on Expressways).
- Approach and departure tapers should have structural sections matching the existing State highway shoulders. An alternate shoulder design is allowed. See Caltrans HDM Figure 613.4B for details. For asphalt driveway the structural section should be equal to or greater than edge of shoulder or approach and departure tapers. Minimum thickness of surface course is 0.35 foot. Aggregate base depth should match State highway shoulders. Details (cross section, etc.) for concrete driveways are shown on Standard Plan A87A. Minimum thickness at driveway shall be 4 inches for residential and 6 inches for J-1 commercial. (See HDM 613.4(2) Shoulders; Standard Plan A87A Curb and Driveways).

A-2

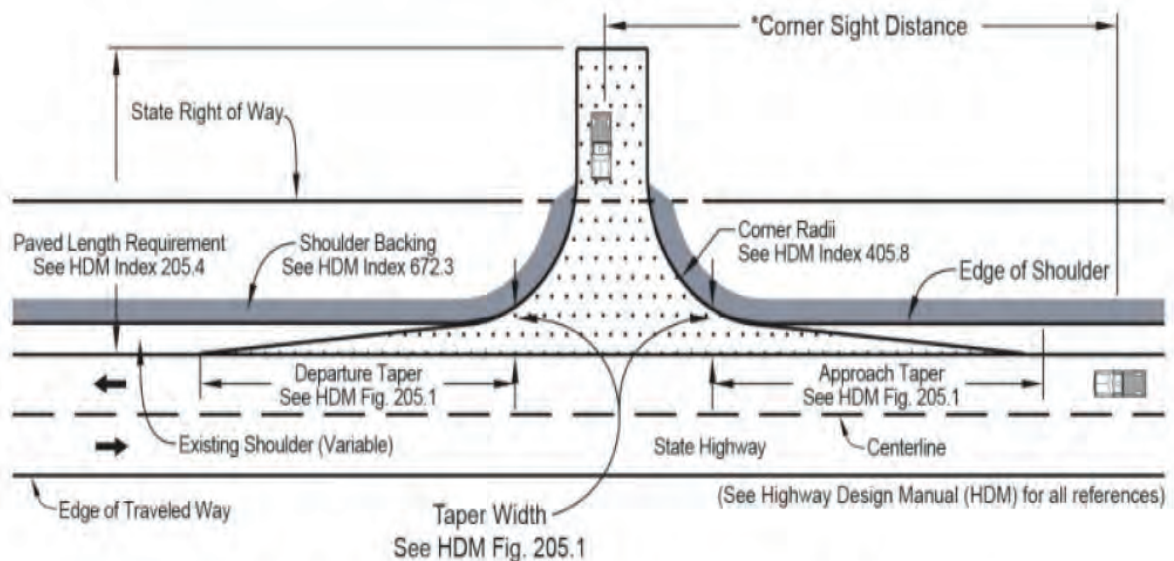
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- Place shoulder backing from the edge of pavement (EP) to the hinge point (HP). Shoulder backing should be placed on a width of at least 2 feet from EP. For placement of shoulder backing thickness greater than 0.5 foot for slope repair; shoulder backing behind dikes; and where longitudinal drainage are present; see HDM for details. (See HDM Index 672 Shoulder Backing and HDM Figures 672.3 A through E).
- Where County Regulations differ from the State's, it may be desirable to follow County regulations (See HDM Index 205.4 Driveways on Frontage roads and in Rural Areas).

Driveway Design Requirements for Rural Areas with Unimproved Frontage on Conventional State Highways



*Corner Sight Distance shall be calculated from all directions of approach. See HDM Index 405.1(2) & Figure 405.7 for set back and sight distance calculations.

- Confirm that the existing fence will be relocated outside of the proposed Caltrans R/W dedication, and will not be located within the ultimate sight distance lines. Provide the final location of the fence in the final engineering plans as part of your encroachment permit submittal package.

Materials Engineering

- Please match the existing structural section and thickness within Caltrans’ right-of-way (R/W). All materials within Caltrans’ R/W shall be in accordance with the latest Standard Specifications. See Materials Engineering’s Redline Comment pdf attachment for further detail. The asphalt concrete design mix and all improvements within the Caltrans R/W would need to adhere to Caltrans 2022 standards.

A-3

Hydrology and Drainage Studies

- It appears that the Developer did not address the Hydraulics Branch’s comments sent to the County of San Diego and Rick Engineering via email on September 27, 2021, for the proposed development Drainage Study, therefore the Hydraulics Branch concludes that the proposed development constitutes an adverse impact to the Department’s facilities. The Hydraulics Branch cannot support the proposed development as documented in the MND document at this time.

A-4

Traffic Control Plan/Hauling

- A Traffic Control Plan is to be submitted to Caltrans District 11, including the intersection at SR-78 and the Rancho Guejito Winery driveway (Rockwood Grove – central driveway) at least 30 days prior to the start of any construction. Traffic shall not be unreasonably delayed. The plan shall also outline suggested detours to use during closures, including routes and signage.
- Potential impacts to the highway facilities (SR-78) and traveling public from the detour, demolition and other construction activities should be discussed and addressed before work begins.

A-5

Noise

- The applicant must be informed that in accordance with 23 Code of Federal Regulations (CFR) 772, the Department of Transportation (Caltrans) is not responsible for existing or future traffic noise impacts associated with the existing configuration of SR-78.

A-6

Glare

- The proximity of the project site to SR-78 raises some concerns regarding potential glare that could pose a potential risk to motorists traveling on SR-78. General information was provided to Caltrans describing the reflective characteristics of these types of facilities, which is described as minimal. The

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project’s potential glare characteristics should be considered as part of the City’s/County’s Permit approval. Caltrans would want to ensure that all lighting, including reflected sunlight and reflected night lighting, within this project should be placed and/or shielded so as not to be hazardous to vehicles traveling on SR-78.

Environmental

- The plot plan indicates that the roadway widening will require soil disturbance and a fill slope within State R/W. All disturbed areas should be hydroseeded with a low-growing, non-irrigated CA native hydroseed mix to provide erosion control vegetative cover. A suggested seed mix is below.

SEED MIX 1 - (NON-IRRIGATED)

BOTANICAL NAME (COMMON NAME)	PERCENT GERMINATION (MINIMUM)	POUNDS PURE LIVE SEED PER ACRE (SLOPE MEASUREMENT)
ESCHSCHOLZIA CALIFORNICA (CALIFORNIA POPPY)	60	3.0
FESTUCA MICROSTACHYS (SMALL FESCUE)	35	3.0
LASTHENIA CALIFORNICA (DWARF GOLDFIELDS)	35	4.0
LUPINUS BICOLOR (PIGMY-LEAVED LUPINE)	65	3.0
PLANTAGO ERECTA (DOTSEED PLANTAIN)	60	3.0
TRIFOLIUM WILDENOVII (TOMCAT CLOVER)	25	2.0
	TOTAL	18.0

- Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans’ R/W through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W. We would appreciate meeting with you to discuss the elements of the EIR that Caltrans will use for our subsequent environmental compliance.
- An encroachment permit will be required for any work within the Caltrans’ R/W prior to construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, any CEQA determinations or exemption k. The supporting

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documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

- We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans' R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the project's draft Environmental Document.

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Mitigation

- Caltrans endeavors that any direct and cumulative impacts to the State Highway network be eliminated or reduced to a level of insignificance pursuant to the CEQA and National Environmental Policy Act (NEPA) standards.
- Mitigation measures for proposed intersection modifications are subject to the Caltrans Intersection Control Evaluation (ICE) policy (Traffic Operation Policy Directive 13-02). Alternative intersection design(s) will need to be considered in accordance with the ICE policy. Please refer to the policy for more information and requirements (<http://www.dot.ca.gov/trafficops/ice.html>).
- Mitigation conditioned as part of a local agency's development approval for improvements to State facilities can be implemented either through a Cooperative Agreement between Caltrans and the lead agency, or by the project proponent entering into an agreement directly with Caltrans for the mitigation. When that occurs, Caltrans will negotiate and execute a Traffic Mitigation Agreement.

A-10

Right-of-Way

- For new or relocated utilities, please consult the Project Development Procedures Manual, Chapter 17, Encroachments and Utilities, to ensure compliance with current standards. <https://dot.ca.gov/-/media/dot-media/programs/design/documents/pdpm-chapter17-a11y.pdf>.
- Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.

A-11

Ms. Ashley Smith, Chief - Project Planning

February 6, 2023

Page 7

- Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.
- Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158 or emailing D11.Permits@dot.ca.gov or by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Early coordination with Caltrans is strongly advised for all encroachment permits.

A-11

If you have any questions or concerns, please contact Charlie Lecourtois, LDR Coordinator, at (619) 985-4766 or by e-mail sent to Charlie.Lecourtois@dot.ca.gov.

A-12

Sincerely,

Maurice A. Eaton

MAURICE EATON
Branch Chief
Local Development Review

Attachment - Materials Engineering_Redline Cmmnts_Rancho Guejito



Public Utilities Department
Engineering and Program Management Division

February 6th, 2023

VIA EMAIL

Ashley Smith
County of San Diego Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Subject: Comments on Proposed Mitigated Negative Declaration for the Rancho Guejito Wine Tasting Facility and Event Center, PDS2020-MUP-20-001

Dear Ms. Smith:

The purpose of this letter is to provide comments on the proposed Mitigated Negative Declaration for the Rancho Guejito Wine Tasting Facility and Event Center. The following comments pertain to the Initial Study and Draft Mitigated Negative Declaration (MND) with Conditions document.

B-1

Pages 65-66

As a member of the San Pasqual Valley Groundwater Basin (SPV Basin) Groundwater Sustainability Agency (GSA), the City of San Diego (City) has an interest in ensuring Projects within the SPV Basin are consistent with the SPV Groundwater Sustainability Plan (GSP). Per the draft MND, the Project would have a less than significant impact on groundwater supplies and sustainable groundwater management of the Basin.

B-2

The City would appreciate additional information on the groundwater well that will be supplying water to the Project. Further, any new/replacement wells will require written verification of consistency with the GSP from the GSA, per Governor Newsom’s Executive Order N-7-22, adopted March 28th, 2022.

We thank you for your time and consideration of the City’s comments on the proposed MND. If staff have any questions, you can reach me at (619) 533-7402 or jmarlett@sandiego.gov.

B-3

Sincerely,

Julie MarLett
Principal Water Resources Specialist

cc: Keli Balo, Interim Deputy Director
Staci Domasco, Senior Planner

From: Chuck & Sandra <chuck.sandra.berry@sbcglobal.net>
Sent: Wednesday, February 1, 2023 8:12 PM
To: Smith, Ashley J <Ashley.Smith2@sdcounty.ca.gov>
Cc: Chuck/Sandra Berry <chuck.sandra.berry@sbcglobal.net>
Subject: [External] Public Comments for "Rancho Guejito Wine Tasting Facility and Event Center. PDS2020-MUP-20-001; Log No. PDS2020-ER-20-09-001"

Ashley,

We would like to provide the following comments to the Mitigated Negative Declaration for Rancho Guejito Wine Tasting and Event Center MUP application (PDS2020-MUP-20-001; Log no. PDS2020-ER-20-09-001).

C-1

We enjoy visiting Rancho Guejito Winery and in general are supportive of their efforts to expand operations. We are however concerned about the intent to host weddings and other large events with 200+ people and amplified music along with extending the hours of operations to 10pm 7 days per week.

Our residence sits on a ridge overlooking the San Pascual Valley including the existing Rancho Guejito wine tasting room. The existing operation adds a great deal of character to the area and is usually not disruptive as their existing wine tasting facility currently closes at 6pm. That said, they do occasionally have "smaller" private events and we can hear their amplified music later at night. Our concern is that expanding this to a wedding and event center with amplified music to 10pm 7 days per week will have a significant impact to our otherwise quiet neighborhood. Our house is situated atop a ridge 800 feet higher than Rancho Guejito and the amplified noise really travels during evenings across the quiet, dark and peaceful San Pascual Valley Agricultural Preserve.

C-2

As previously stated, we are supportive of Rancho Guejito's expansion efforts but would like to see amplified music limited to 10am-8pm. We are OK with events with no amplified music lasting to 10pm.

Please confirm receipt of these comments and if possible, keep us posted on the Rancho Guejito MUP application process.

C-3

Thank you for considering our comments,

Chuck and Sandra Berry
19985 Vista Del Otero
Ramona, CA 92065

858-207-7656

February 6, 2023

Ashley Smith
Planning & Development Services
5510 Overland Avenue. Suite 310.
San Diego, CA 92123

SUBJECT: The Rancho Guejito Wine Tasting Facility and Event Center

Dear Ashely,

Thank you for the opportunity to comment on the Mitigated Negative Declaration.

I am very concerned about the noise generated from the events. Amplified sound will fundamentally change the area. Currently when Rancho Guejito has weddings or events, the amplified music can be heard clearly about 1 mile away at my home. We can hear announcements and music distinctly. Sound easily travels through the entire valley and amplified sound travels far. There is a historic graveyard where people visit their relatives' graves and a major public trail system very close to the Event Center. We believe that it is reasonable that the County of San Diego require Rancho Guejito Wine Tasting Facility and Event Center to use acoustic music and low watt amplifiers for microphones only. This would insure that people that live in the area and the hundreds of people that visit weekly are not disturbed by this new use of the San Pasqual Valley.

D-1

I am also concerned about the increase in traffic on the narrow and dangerous rural roads in San Pasqual Valley. Most people using Rancho Guejito Wine Tasting Facility and Event Center will travel by way of Interstate 15 and access the event center by Via Rancho Parkway, San Pasqual Valley Road, Old Milky Way Road, and Highway 78. Mapping programs consistently route people this way whether coming from the North or South. The Old Milky Way Road and Highway 78 intersection is extremely dangerous especially the turn from Highway 78 to Old Milky Way. I do not think the turn can safely accommodate the traffic that may be generated from the end of an event when several vehicles leave about the same time.

D-2

Sincerely,

Jason Lopez

From: [Tyson Short](#)
To: [Smith, Ashley J](#)
Subject: [External] Re: Rancho Guejito Wine Tasting Facility and Event Center
Date: Sunday, February 5, 2023 2:39:02 PM

Hello Ashley,

My address is 17331 san pasqual valley rd Escondido ca, 92027.

These are some of the comments (concerns) regarding this project that I have. The project is directly across the street from my property so I will and have been impacted by a major business operation.

E-1

Currently they are supposed to be a small winery, wedding venue for what I believe is 150 people or under? On many occasions they have had numerous special events that have far exceeded that. Such as craft fairs and Easter events. So some of the major concerns for a much bigger venue are these items. With a 300 people limit it could be a couple thousand people?

1. Parking and using state property (right of way) for a personal business.

Currently they are using state property for employee and guest parking every time they are open for business. They are also using state property for ingress and egress, such as dumpsters and buildings. There has been several times cars were parked on both sides of hwy on a blind 55 mph turn with people usually going 65 mph. Cars blocking my driveway and all shoulders of the hwy. Very dangerous driveways for myself and there business. They need alot more parking on there own property.

E-2

2. Noise. They often have live music or dj. I understand there is a noise study for this new mup. But Currently they have had very loud music that is rattling my house in the evenings and I am probably at minimum 300 ft away and across a noisy hwy from them?

E-3

3. Lighting. They have added a lot of lights. With more in the proposed new venue they are talking street lights and such. We are very rural and lighting is not very conducive to rural agricultural land an living.

E-4

4. Signage. Right now they have numerous huge mobile trailer mounted and permanent signs for there business. Those signs are scattered from Cloverdale rd and san pasqual valley rd all the way to there business, again they are illegally on state right of way property. The san pasqual valley is a agricultural preserve and all these signs really look bad and are illegal. They do take them down when not operating. But they are up all weekend.

E-5

These are a few of the major concerns with this project. Are they still going to be operating the current winery or will all operations be a the new venue? Thank you Ashley.

E-6

From: [Matthew Witman](#)
To: [Smith, Ashley](#)
Subject: [External] Guejito ranch Wine facility
Date: Tuesday, January 10, 2023 1:08:30 PM

Hello Ashley. My name is Matthew Witman, I have been a farmer in the San Pasqual Valley since 1966. I am a neighbor of the Guejito Ranch. I commented on the original permit for the current wine tasting facility. My comments on the new, larger facility are as follows.

F-1

1. Vehicle parking should be adequate for the maximum number of cars at any time, whether this is normal operations, or any special events. All parking should take place on the Guejito ranch property since the parking along state highway 78 is minimal and dangerous since it is within the road right of way.

F-2

2. Normal operating hours should end at dusk. This is a rural area with no night lighting. It will be dangerous to have people walking or driving (especially since they would be drinking) after dark in an unfamiliar area.

F-3

3. Outdoor music should be limited to special events and take place on the rear of the facility farthest away from the highway. It is quiet here in the san pasqual valley and all noise travels great distance. . It is possible currently for the neighbors to hear the music. All outdoor music should cease at dusk. Music speakers should be placed so that the sound will project to the north onto Guejito Ranch property.

F-4

4. Special outdoor events should be limited to Saturday and Sunday only, for noise and traffic consideration.

F-5

5. A left turn lane from eastbound State highway 78 should be considered for the entrance to the facility. SH 78 is a commuter road and weekday mornings there is much traffic to the west and in the afternoon the traffic is heavy flowing east.

F-6

Thank you for your consideration

F-7

Matthew Witman, president
Witman Ranch Inc.

February 2, 2023

Ashley Smith

PLANNING & DEVELOPMENT SERVICES

5510 OVERLAND AVENUE, SUITE 310,

SAN DIEGO, CA 92123

PLEASE SEE BELOW concerning the Mitigation Negative Declaration for the Rancho Guejito Wine Tasting Facility and Event Center

G-1

HYDROLOGY and WATER QUALITY – The provided maps clearly shows that this project is in the center of the floodplain and this should initiate further evaluation. Because of farming operations, Santa Maria Creek here has been moved and reduced to a narrow channel that has been kept cleared of native vegetation. This project further compounds the problem. The project proposes a septic system that would leach into Guejito Creek. The sewer system should be planned and developed to ensure that there will never be leaching into the creek even when there is flooding or wet winters. The County of San Diego has a sewer treatment facility ½ mile away so this should be utilized instead of septic.

G-2

HABITAT - "Project development will take place within 5.6 acres at the south end of the site, in orchard/vineyard habitat, which is not considered sensitive per the Biological Mitigation Ordinance (BMO)" The Mitigated Negative Declaration document also states that "The MSCP habitat evaluation model ranks the site as very high, high, and moderate value habitat." Per the biological report, the site to be developed is identified as arroyo toad critical habitat. It also states that federally listed endangered Arroyo Toad is known to be on the north side of the 78, inside the project area. The creek corridor, even as it exists in a damaged state, has the potential to contain arroyo toad, least bell's vireo, and southwestern willow flycatcher, all federally listed species, and the event center is only a few hundred feet away from the creek. This project should be designed to fix some of the problems that were created by the applicants farming practices not compound them.

G-3

According to the findings of the Mitigated Negative Declaration: since Rancho Guejito damaged Santa Maria Creek in the past they should be able to develop an event center where the creek used to be since there is no habitat since it had been damaged in the past.

Also, there are arroyo toad mitigation measures proposed during construction only. The site is documented as arroyo toad habitat. There are arroyo toad in the area. It is logical to assume that once the facility is created and landscaped and that the landscaping is watered and that arroyo toad will be drawn to the developed site because of the watering. There is great potential for the toads to be harmed by event center operations and guests. This is "take" under the Endangered Species Act" and should be properly mitigated.

WILDLIFE CORRIDOR- "The project site contains a local wildlife corridor but is not part of a habitat Linkage The wildlife corridor, located along the west edge of the site, provides hiding opportunities for small and large wildlife. The topography of the existing creek will remain unchanged upon implementation of the project, as the project does not propose any impacts and the development will be located 220 feet east of the creek." There is a significant and important east and west wildlife corridor that is completely dismissed by the Mitigation Negative Declaration. Even with current agricultural operations, the site is most likely used by mule deer, coyote, bobcat, mountain lion, and other mammals. Its logical to assume that wildlife passes just north of the current facilities and that birds pass though the site at ground level as well. Where will the birds pass now? Not to the south because of highway 78 that is certain. There is cactus wren habitat east and west of this site so birds will pass through this area. The impacts to wildlife from noise and lighting was very much understated and the impacts go beyond the footprint of the proposed event center. The lights and noise will affect wildlife for several hundred feet from the developed site and this will only increase as the project expands. Lighting and noise will obviously effect both the north and south wildlife corridor and east and west corridor but this was not correctly addressed and needs further evaluation.

G-4

TRAFFIC – All roads in the area are already dangerous and not well maintained. Adding traffic, mixed with alcohol, needs to be more carefully considered. The site is 10 miles from the interstate and one must travel on narrow and winding roads. Local fire and police need to evaluate this project better including emergency response. This project increases the possibility of human caused fire from smoking and vehicles. This area is isolated and extremely hot and dry for many months of the year and fires are common along Highway 78 .

G-5

Thank you

Attachment F – Service Availability Forms



County of San Diego, Planning & Development Services
PROJECT FACILITY AVAILABILITY - FIRE
ZONING DIVISION

Please type or use pen

Rancho Guejito Corporation	800-519-4441	ORG _____	F
Owner's Name	Phone	ACCT _____	
17224 San Pasqual Valley Road, Escondido, CA 92027		ACT _____	
Owner's Mailing Address	Street	TASK _____	
Escondido	CA 92027	DATE _____	
City	State Zip	AMT \$ _____	

DISTRICT CASHIER'S USE ONLY

SECTION 1. PROJECT DESCRIPTION **TO BE COMPLETED BY APPLICANT**

A. Major Subdivision (TM) Specific Plan or Specific Plan Amendment
 Minor Subdivision (TPM) Certificate of Compliance:
 Boundary Adjustment
 Rezone (Reclassification) from _____ to _____ zone.
 Major Use Permit (MUP), purpose: wine tasting-event center
 Time Extension...Case No. _____
 Expired Map...Case No. _____
 Other _____

B. Residential Total number of dwelling units _____
 Commercial Gross floor area _____
 Industrial Gross floor area _____
 Other Gross floor area _____

C. Total Project acreage 403 Total lots _____ Smallest proposed lot _____

Assessor's Parcel Number(s)
(Add extra if necessary)

242-070-07,08	242-070-11,13
242-070-15,16	242-110-01
242-030-12,14	242-030-15,38

Thomas Guide. Page _____ Grid _____
 17224 San Pasqual Valley Road
 Project address Street
 North County Metro 92029
 Community Planning Area/Subregion Zip

OWNER/APPLICANT AGREES TO COMPLETE ALL CONDITIONS REQUIRED BY THE DISTRICT.
 Applicant's Signature: _____ Date: 12/10/2019
 Address: 17224 San Pasqual Valley Road Escondido Ca. 92027 Phone: 800-519-4441
 (On completion of above, present to the district that provides fire protection to complete Section 2 and 3 below.)

SECTION 2: FACILITY AVAILABILITY **TO BE COMPLETED BY DISTRICT**

District Name: SAN DIEGO COUNTY FIRE AUTHORITY - CSA 135
 Indicate the location and distance of the primary fire station that will serve the proposed project:
San Pasqual Station - 84

A. Project is in the District and eligible for service.
 Project is not in the District but is within its Sphere of Influence boundary, owner must apply for annexation.
 Project is not in the District and not within its Sphere of Influence boundary.
 Project is not located entirely within the District and a potential boundary issue exists with the _____ District.

B. Based on the capacity and capability of the District's existing and planned facilities, fire protection facilities are currently adequate or will be adequate to serve the proposed project. The expected emergency travel time to the proposed project is two minutes.
 Fire protection facilities are not expected to be adequate to serve the proposed development within the next five years.

C. District conditions are attached. Number of sheets attached: _____
 District will submit conditions at a later date.

SECTION 3. FUELBREAK REQUIREMENTS

Note: The fuelbreak requirements prescribed by the fire district for the proposed project do not authorize any clearing prior to project approval by Planning & Development Services.

Within the proposed project 100 feet of clearing will be required around all structures.
 The proposed project is located in a hazardous wildland fire area, and additional fuelbreak requirements may apply. Environmental mitigation requirements should be coordinated with the fire district to ensure that these requirements will not pose fire hazards.

This Project Facility Availability Form is valid until final discretionary action is taken pursuant to the application for the proposed project or until it is withdrawn, unless a shorter expiration date is otherwise noted.

Herman Reddick Herman Reddick, Director (658) 974-5813 12/16/19
 Authorized Signature Print Name and Title Phone Date

On completion of Section 2 and 3 by the District, applicant is to submit this form with application to:
 Planning & Development Services - Zoning Counter, 5510 Overland Ave, Suite 110, San Diego, CA 92123

Attachment G – Ownership Disclosure



County of San Diego, Planning & Development Services
APPLICANT'S DISCLOSURE OF OWNERSHIP INTERESTS ON APPLICATION FOR ZONING PERMITS/ APPROVALS
ZONING DIVISION

Record ID(s) PDS2020-MUP-20-001

Assessor's Parcel Number(s) _____

Ordinance No. 4544 (N.S.) requires that the following information must be disclosed at the time of filing of this discretionary permit. The application shall be signed by all owners of the property subject to the application or the authorized agent(s) of the owner(s), pursuant to Section 7017 of the Zoning Ordinance. **NOTE:** Attach additional pages if necessary.

A. List the names of all persons having any *ownership interest* in the property involved.

Rancho Guejito Corporation _____

B. If any person identified pursuant to (A) above is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

Rancho Guejito Corporation _____

C. If any person identified pursuant to (A) above is a non-profit organization or a trust, list the names of any persons serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

NOTE: Section 1127 of The Zoning Ordinance defines Person as: "Any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

[Signature]
Signature of Applicant

Hank Rupp
Print Name

12.4.19
Date

----- OFFICIAL USE ONLY -----
SDC PDS RCVD 1-23-20
MUP20-001

5510 OVERLAND AVE, SUITE 110, SAN DIEGO, CA 92123 • (858) 565-5981 • (888) 267-8770
<http://www.sdcounty.ca.gov/pds>

