
Initial Study/Mitigated Negative Declaration

Twin Oaks Valley Winery Project

Project No.: CUP21-0003

Mitigated Negative Declaration ND22-009

FEBRUARY 2023

Prepared for:

CITY OF SAN MARCOS

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1 Initial Study Checklist

1. Project title:

Twin Oaks Valley Winery Project

2. Lead agency name and address:

City of San Marcos
Development Services Department, Planning Division
1 Civic Center Drive
San Marcos, California 92069

3. Contact person and phone number:

Norm Pedersen, Associate Planner
760.744.1050

4. Project location:

The proposed Twin Oaks Valley Winery Project (project) is located at 1451 Mulberry Drive, San Marcos, California. The project area falls within Section 1 of Township 12 South, Range 3 West of the San Marcos, California 7.5-minute Quadrangle (Figure 1). The project area consists of an approximately 4.25-acre area covering one parcel (Assessor's Parcel Number 182-132-09-00).

5. Project sponsor's name and address:

Architecture, J.A. Inc.
2296 Las Tunas Road
Santa Barbara, California 93103

6. General Plan designation:

The project site is currently designated as Agricultural/Residential (AG). The density/intensity for AG land use designations is described as 0.125 – 1 du/parcel, based on location and slope. According to the City's General Plan Land Use Element, the description for agricultural uses includes greenhouses, wholesale nurseries, and agricultural crops. Raising poultry, cattle, birds, small animals, horses, and bovine animals are also permitted (City of San Marcos 2012a).

The project site is also located within the General Plan's Twin Oaks Valley Neighborhood, which is a neighborhood located in the northern most section of the City of San Marcos (City of San Marcos 2012a). The Twin Oaks Valley neighborhood is characterized by a unique rural aesthetic with agricultural and equestrian uses, and estate homes on large lots. The project site is not located within a specific plan area (City of San Marcos 2012a).

7. Zoning:

The project site is currently zoned as Agriculture-1 (A-1) (City of San Marcos n.d.a.). Per the City's Municipal Code (Chapter 20.210 – Agricultural Zones), the purpose of the A-1 Zone is to provide a low-intensity Agricultural Zone that is consistent in character with larger residential areas. The A-1 Zone is intended to implement and be consistent with the Agricultural Residential (AG) land use designation of the General Plan. A Conditional Use Permit (CUP) would be required for the proposed new Winery/Tasting Room building. A CUP requires approval by the City's Planning Commission.

8. Description of project. (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary):

The project site is located at 1451 Mulberry Drive in the City of San Marcos (City). The project proposes development of a winery, including tasting room and production building, a processing area, an outdoor tasting patio, and associated parking. The project would be located on the northeastern corner of Assessor's Parcel Number (APN) 182-132-09-00, which encompasses 4.25 acres (project site). The project site is currently designated as Agricultural/Residential (AG) and has an existing residence and vineyard on site (City of San Marcos 2012a).

Under Director's Permit (DP 16-021), the applicant previously operated a winery facility with a tasting room on the adjacent property at 1575 Mulberry Drive. Currently, all equipment and wines are being stored at 1451 Mulberry Drive. The project would relocate the winery facility approximately 300 feet to the north, to a new building proposed for the project site.

The winery would occupy the northeast corner of the project site and disturb approximately 17,000 square feet of land to control slopes. The building footprint is approximately 2,000 square feet (sf). The proposed winery building would be two stories tall (approximately 33 feet in height), and the total building square footage would be 3,582 sf. The total enclosed building area would make up 3,107 sf, and the second story terrace would be approximately 475 sf. A public tasting area would encompass approximately 600 sf of the enclosed building area (Figure 2, Site Plan). The remaining enclosed building area would be wine production areas. The winery would include a 240 sf outdoor tasting area, overflow outdoor storage and production area, an indoor tasting room, a barrel room, a mechanical room, two bathrooms, and a case storage room on the first floor. The outdoor pad area on the lower level to the north of the building is called the 'wine processing support area' and would be used for facilitating the movement of equipment to make room in the building for processing. The winery building's upper level would hold the building's fermentation room, office space, a bathroom, an office, and a terrace. The outdoor patio on the upper level on the east side of the building is called the 'service pad' and would be used for receiving grapes for processing and equipment deliveries. There would be no public access to the upper floor of the building. No outdoor production is proposed as part of the project, with the potential exception of grape crushing which would occur once a year.

A small surface lot would provide approximately 15 parking spots for the project, and would be located immediately west of the proposed winery building (Figure 2). Implementation of a permanent bioretention area in the northwest corner of the project parcel would be created as part of the project. Landscaping is proposed at the northeastern-most property line in order to screen potential views of the proposed winery building and associated noise from the adjacent neighbors.

Additionally, a portion of the property immediately adjacent to Mulberry Dr. will be provided to the City for the purpose of accommodating a multi-use path, as required by the City, as well as widening Mulberry Dr. along the project frontage.

The project would have a maximum of 2-3 employees at peak times of the year. The tasting room would likely have approximately 20 guests at any one time and about 50-60 guests total per day, with a total of about 30 cars throughout each day on a typical weekend. Tasting of wine will occur both in the tasting room and on the outdoor patio. Occasional special events would occur on site, such as food pairings, fundraisers, and wine club pick up parties. These special events would not be on a set schedule. Acoustic music is anticipated to be held at the winery during some of these special events. All events held at the proposed winery would be acoustic in nature. Estimated guests and cars coming and going from the project site on special event days is not expected to increase substantially from that of regular operating hours. Hours of operation for wine tasting would be 3:00 p.m. to 7:00 p.m. Thursday through Sunday, and 3:00 p.m. to 8:00 p.m. Friday and Saturday. Special events may occasionally run until 9:00 p.m.

The project site is surrounded by existing agricultural (vineyards) and single-family rural residences to the north and northeast. Low-density residential homes are located to the south and southeast of the project site, and single-family track homes are located to the west across Mulberry Drive. The existing winery, the Twin Oaks Valley Winery, is currently located approximately 300 feet northwest from the project, whose operations will cease when the new winery is constructed on the proposed site. There is a current residence on site that relies on septic for sewage. The applicant will be pursuing connection to the Vallecitos Water District sewer line that is currently in Mulberry Road. Additionally, the applicant will be pursuing water service through Vista Irrigation District.

The project would be built according to regulation for use of non-combustible materials. During operation of the project, deliveries would occur as needed, with anticipated deliveries 10 to 12 times per year. A bottling truck would come to the project site twice a year, and outbound shipments of wine from the project site would occur every other month. Wine production work would occur indoors, occasionally the crushing of grapes would also occupy the upper concrete (crush pad), on the east side of the proposed building.

9. Surrounding land uses and setting:

The project site is completely surrounded Agricultural/Residential (AG) land uses to the north, east and south; Rural Residential land uses further south across Mulberry Drive; and single family detached homes within a Specific Plan Area (SPA) to the west across Mulberry Drive. Mulberry drive borders the western boundary of the project site.

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

Additional approvals from other public agencies may include but are not limited to approval of a site-specific Stormwater Pollution Prevention Plan (SWPPP), a grading permit and building permit. Furthermore, project review and approval would be required by the Vista Irrigation District (VID) and Vallecitos Water District (VWD). Lastly, the project requires LAFCO approval for annexation into VWD for sewer service and connection to VWD facilities.

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

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

Yes, In compliance with Assembly Bill 52 the City, as lead agency, is responsible for conducting government to government consultation with pertinent tribal entities. Consultation has been initiated and the Draft and Final MND will be updated based on tribal correspondence.

Environmental Factors Potentially Affected:

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

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

Determination: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

Signature

Date

Evaluation Of Environmental Impacts:

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

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from 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"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.1 Aesthetics

a) Would the project have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. The City's General Plan does not identify any designated scenic vistas; however, the General Plan more generally aims to protect the City's scenic resources such as the San Marcos, Merriam, and Double Peak Mountains, creek corridors, mature trees, rock outcroppings, and ocean views. The project site slopes upward from Mulberry Drive, however majority of the project site and the immediate vicinity is relatively flat, as a result of on-site and adjacent agricultural uses and residential development. The project site and surrounding valley terrain are encompassed by mountains to the west that provide opportunities for elevated vantage points offering long and broad views, which may include views of the project site. However, due to the relatively flat terrain of the project site and surrounding area, and the project site's location on a currently developed site, development of the proposed project is not expected to impede views of existing scenic vistas, nor is the project site considered a scenic vista. Therefore, impacts related to aesthetic impacts are considered less than significant.

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

No Impact. SR-78 is located approximately 1.8 miles south of the project site. However, the section of SR-78 proximate to the project site is not identified as a Scenic Highway per the Caltrans State Scenic Highways Program, although the City has designated SR-78 as a view corridor to surrounding ridgelines

(Caltrans n.d). Additionally, a portion of SR-78 is also identified as an Eligible State Scenic Highway; however, this eligible segment begins approximately 24 miles east of the project site in Santa Ysabel. The nearest eligible state scenic highway is Interstate (I) 5. I-5 is located approximately 2.5 miles west of the project site and is not visible due to distance and intervening topography. The project site is not located within a ridgeline or view corridor and is surrounded on all sides by existing development. Therefore, the project site is not located within a viewshed of a state scenic highway.

Further, the project site does not support any historic buildings and there are no rock outcroppings or trees on site. Therefore, implementation of the proposed project would not substantially damage scenic resources within a state scenic highway, and no impact would occur.

c) ***Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from 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?***

Less Than Significant Impact. Although the project site is located in an agricultural area, the City of San Marcos (which includes the project site) is considered an urbanized area pursuant to PRC Section 21071. Therefore, the first question of Threshold 1.1(c) does not apply to the proposed project, as it is directed at non-urbanized areas.

The project site does not have any existing zoning related to scenic quality, such as a scenic overlay zone. The project is unlikely to degrade the existing visual character or quality of public views of the site and its surroundings due to the lack of public vantage points overlooking the project, the project location on an existing developed parcel, and the size of the proposed winery building at 3,582 sf with a maximum building height of approximately 33 feet. The proposed building would not exceed the 35-foot height limit of the A-1 Zone, and is compatible with the existing two-story residence on site.

The visual character of the existing site would be altered by the proposed project, as it would change a portion of the existing vineyard into a winery building. While the proposed project would change the existing visual character on the site, it is not characterized as substantial degradation since few public vantage points of the project site exist and the site is entirely surrounded by adjacent development in an urbanized area. Visual changes from existing conditions to those proposed with project implementation would be most apparent to the existing residence immediately north of the proposed project site. A landscape plan (please refer to Figures 3a and 3b) has been prepared for the project which shows implementation of a variety of trees and shrubs along the northern project site boundary which would help to shield and soften views of the proposed winery building and associated parking lot from the adjacent residence. The proposed architecture and color scheme would be compatible with the existing residence on site and the surrounding area. Due to the existing vineyard and terrain on site, the proposed parking lot to serve the new winery building would not be visible from Mulberry Drive (please refer to Figure 4 and Figure 5).

The Conservation and Open Space Element of the City's General Plan recognizes the habitat and scenic value of natural and cultural open spaces within the City and lists goals and policies that ensure long-term stewardship of these resources. As outlined in Section 1.11, Land Use and Planning, of this MND, the project would not conflict with the goals of the Conservation and Open Space Element; nor any other City goals or policies, or zoning ordinance related to scenic quality; including the City's Ridgeline Protection and Management Overlay Zone. As the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings, impacts are considered to be less than significant.

d) ***Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

Less Than Significant Impact. Lighting in the project vicinity is associated with roadway/motorist lighting and lighting associated with the existing residential uses that surround the project site. Development of the proposed project would result in new sources of light from the winery and patio, landscaping lighting, security lighting, and internal circulation and pedestrian lighting. These proposed land uses would introduce new sources of light to the developed parcel and to the project site which currently produces no light sources as a vineyard.

All lighting associated with the project would be required to comply with the City's Municipal Code Section 20.300.080, Light and Glare Standards. Although the proposed project would result in new sources of light on site, the project site is in an urbanized area and is surrounded by existing development with existing sources of day and nighttime lighting. Compliance with the City's Municipal Code would minimize and restrict nighttime light pollution and light trespass on adjacent properties. Additionally, all light fixtures on the proposed building would be shielded and directed downward as to not spill onto the adjacent property. No parking lot lighting standards are proposed; however, proposed landscaping would screen car headlights and prevent the potential for headlights to shine into the adjacent property. Therefore, new sources of day or nighttime lighting associated with the project would not be considered substantial, and impacts related to lighting would be considered less than significant.

Implementation of the proposed project could potentially include sources of glare from architectural finishes, winery facilities and equipment, and/or amenities on site. The project developer would be required by the City's Municipal Code Section 20.300.080, Light and Glare Standards, to minimize use of reflective building materials and finishes, as well as reflective lighting structures and metallic surfaces to the extent feasible to impede any potential-generated glare. It is expected that the proposed winery would incorporate materials and finishes that would minimize the potential for glare, including set back windows, window awnings, and neutral colors for building facades. Due to the nature of the project, substantial new sources of glare that would adversely affect daytime or nighttime views in the area is not anticipated, and impacts related to glare are determined to be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				

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

1.2 Agriculture and Forestry Resources

a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

Less Than Significant Impact. The project site is designated as Agricultural Residential (AG) by the City's General Plan, as well as Farmland of Statewide Importance in the City's General Plan and by the Farmland Mapping and Monitoring Program. The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Local Importance (City of San Marcos 2012b). The project proposes construction of a winery on the existing vineyard site, which is still considered an agricultural use. Therefore, the project would not convert Farmland of Statewide Importance to a non-agricultural use, and impacts are determined to be less than significant.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The project site is not designated as land under the Williamson Act. Construction of a new Winery/Tasting Room building would require a CUP. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact would occur.

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

No Impact. The project site is not zoned for forest land or timberland production. No impact would occur.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. As previously described, the proposed project site is not zoned for forest land, and therefore would not result in the loss or conversion of forest land. No impact would occur.

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

Less Than Significant Impact. Under the Agriculture-1 (A-1) zoning and Agricultural Residential (AG) land use designation for the project site, an existing vineyard is located on the project parcel and within the proposed project site boundary where the winery would be developed. As described above, the project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance per the City's General Plan (City of San Marcos 2012b). Implementation of the project would assist with expansion of existing vineyard and winery operations and production. The proposed project would result in the loss of a portion of the existing vineyard on site; however, the proposed project is considered an agricultural use and would not result in conversion of farmland to non-agricultural use. Furthermore, as described above, there is no forest land on site or within the vicinity of the project and therefore the project would not result in conversion of forest land to non-forest use. For these reasons, impacts are determined to be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

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

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.3 Air Quality

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

Less Than Significant Impact. the San Diego Air Pollution Control District (SDAPCD) is responsible for developing and implementing the clean air plans for attainment and maintenance of the ambient air quality standards in the basin—specifically, the State Implementation Plan (SIP) and Regional Air Quality Strategy (RAQS).¹ The San Diego Association of Governments (SANDAG) is responsible for developing forecasts and data that are used by the SDAPCD in preparing the SIP and RAQS.

Although the SDAPCD and City do not provide guidance regarding the analysis of impacts associated with air quality plan conformance, the County's *Guidelines for Determining Significance and Report and Format and Content Requirements – Air Quality* does discuss conformance with the RAQS (County of San Diego 2007). The guidance indicates that, if the project, in conjunction with other projects, contributes to growth projections that would not exceed SANDAG's growth projections for a City, the project would not be in conflict with the RAQS. If a project includes development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might be in conflict with the SIP and RAQS and may contribute to a potentially significant cumulative impact on air quality (County of San Diego 2007).

As previously described, the proposed winery building would be two stories tall (approximately 33 feet in height), and the total building square footage would be 3,582 sf. The public tasting area would encompass approximately 600 sf of the 3,582 sf building. The remaining enclosed building area would be wine production areas. The winery would include an outdoor tasting area, overflow outdoor storage and production area, an indoor tasting room, a barrel room, a mechanical room, two bathrooms, and a case storage room on the first floor. The winery building's upper level would hold the building's fermentation room, office space, a bathroom, an office, and a terrace. A small surface lot would provide approximately 15 parking spots to the project.

The project would have a maximum of 2-3 employees at peak times of the year. The tasting room will likely have approximately 20 guests at any one time and approximately 50-60 guests total per day, with a total of about 30 cars per day for a full day on a typical weekend. Tasting of wine will occur both in the tasting room and on the outdoor patio. Acoustic music is anticipated be held at the winery once every two months. On days of events, the increase in patrons is expected to be approximately 70-80 people per event, or 40 cars. No off-site improvements are proposed as part of this project. During operation of the project,

¹ For the purpose of this discussion, the relevant federal air quality plan is the Ozone Maintenance Plan (SDAPCD 2012). The RAQS is the applicable plan for purposes of state air quality planning. Both plans reflect growth projections in the basin.

deliveries would occur as needed, with anticipated deliveries 10 to 12 times per year. Outbound shipments of wine would occur every other month, and a bottling truck would come to the property twice a year. Most wine production work would occur indoors; however occasional crushing of grapes would also occupy the upper concrete (crush pad) on the east side of the proposed building. The winery would be built according to regulation for use of non-combustible materials.

Due to the scale and usage of the project, the project would not conflict with any applicable air quality plans. The project does not propose any habitable structures and therefore would not result in substantial growth inducement, nor exceed SANDAG's growth projections for the City. Therefore, implementation of the project would not conflict with the RAQS or SIP. Impacts would be less than significant.

b) *Would the project 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?*

Less Than Significant Impact. Construction of the proposed project would generate air pollutant emissions from dust, off-road equipment, vehicle emissions, architectural coatings, and asphalt pavement application. Following the completion of construction activities, the project would not generate a substantial amount of VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5} emissions due to the scale and usage of the proposed winery. As described above, during operation, deliveries to the project site would occur 10 to 12 times per year, outbound shipments of wine would occur every other month, and a bottling truck would come to the property twice a year. Most wine production work would occur indoors; however occasional crushing of grapes would also occupy the upper concrete (crush pad) on the east side of the proposed building. The winery would be built according to regulation for use of non-combustible materials. As such, air quality emissions associated with both construction and operation of the project is likely to be less than significant.

c) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Less Than Significant Impact. Sensitive receptors include residences, schools, playgrounds, childcare centers, athletic facilities, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes. The closest sensitive receptors to the project site are the existing residence on the project parcel, as well as the neighboring residence immediately north of the proposed project site. As described above, construction of the proposed project would generate air pollutant emissions from dust, off-road equipment, vehicle emissions, architectural coatings, and asphalt pavement application. However, construction activities would be temporary and short-term. Following the completion of construction activities, the project would not generate a substantial amount of VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5} emissions due to the scale and usage of the proposed winery. Considering the existing Twin Oaks Valley Winery located just 300 feet from the new proposed location operates without concern; moving the winery operation to the proposed site is not expected to result in exposing sensitive receptors to substantial pollutant concentrations. Therefore, impacts are determined to be less than significant.

d) *Would the project result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?*

Less Than Significant Impact. Land uses associated with odor complaints include agricultural uses, wastewater treatment plants, food-processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The project proposes development of a winery to move existing operations from a site approximately 300 feet north to the proposed project site. During construction, odors would be

generated from vehicles and/or equipment exhaust emissions during construction of the proposed project. Odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment and architectural coatings. Such odors would disperse rapidly from the project site and generally occur at magnitudes that would not affect substantial numbers of people. Additionally, construction would be temporary and short-term. Following the completion of construction activities, the project would not generate a substantial amount of VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5} emissions due to the scale and usage of the proposed winery. Wineries do not generate odors with the possible exception of pomace from grape crushing which can create objectionable odors if not handled properly. Most wine production work will occur indoors, with occasional crushing of grapes on the upper concrete (crush pad), on the east side of the building. Pomace and other waste products from processing would be disposed of in a manner that does not create nuisance odor conditions, attract nuisance insects or animals, nor create discharge to surface water. Although some odors may occur during processing of the wine, such odors would not be so substantial to impact the closest receptors, nor visitors at the winery. Due to the nature and scale of the proposed project, impacts associated with odors during construction or operation would be considered less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES – Would the project:

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

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.4 Biological Resources

a) ***Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?***

Less Than Significant Impact. The project parcel as it exists is completed developed with a single-family residence, paved driveway, and vineyard. Due to the existing nature of the developed and disturbed project site, impacts to special status plant and animal species as a result of project implementation is not anticipated. The project site is within the San Diego Multiple Habitat Conservation Program (MHCP) Plan, Draft San Marcos Subarea Plan boundary, but outside of the Northern Focused Planning Area. The project site is designated agricultural land by the City and no known special status plant or animal species are known to exist within the existing vineyard where the proposed development would occur. Therefore, impacts are determined to be less than significant.

b) ***Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?***

Less Than Significant Impact. As discussed above, the project parcel as it exists is completed developed with a single-family residence, paved driveway, and an existing vineyard. Due to the existing nature of the developed and disturbed project site, no known riparian habitat or other sensitive natural community exist on site and would not be impacted as a result of project implementation. Therefore, impacts are determined to be less than significant.

c) ***Would the project 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?***

Less Than Significant Impact. As described above, the project parcel as it exists is completed developed with a single-family residence, paved driveway, and an existing vineyard. Jurisdictional waters are not present within the project site or surrounding area. As such, project implementation would not impact any wetland or non-wetland water features, and impacts are determined to be less than significant.

D) ***Would the project 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?***

Less Than Significant Impact. Development on the project site would not interfere with wildlife movement or nursery functions. The project site does not support fish habitat, is entirely bounded by existing development, is not contiguous with native habitats, and is outside of areas where wildlife movement opportunities do occur (along undeveloped open space habitat corridors). Areas may be used by smaller urban-adapted mammal species and bird species, but such areas are not considered refuge as a wildlife corridor or habitat linkage.

The project site is within the San Diego MHCP Draft San Marcos Subarea Plan boundary, but outside of the Northern Focused Planning Area. The project site is designated agricultural land and not identified to support critical biological population. Therefore, development on the project would not interfere or impede with wildlife movement, corridors, or nursery sites, and impacts would be less than significant.

e) ***Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

Less Than Significant Impact. Section 14.12.200 of the City's Municipal Code provides that where a permit is required for excavation, fill, or obstruction for installation or repair of utilities under any public street, sidewalk, trail, or public place, such construction should be located away from trees. No off-site work is proposed as part of the project, and no trees within the public right-of-way would be disturbed.

Per General Plan Policy COS-2.6, healthy mature trees are to be preserved, where feasible; and where removal is necessary, trees shall be replaced at a ratio of 1:1. Project development would require removal of a portion of the existing vineyard on site; however, the project as proposed would not require the removal of any healthy mature trees. The proposed project would incorporate a conceptual landscape plan that would detail tree planting plans and would be drafted to be aligned with all relevant General Plan policies, including this tree preservation policy.

Furthermore, the proposed project would remain consistent with the existing land use and zoning designation for the site. For these reasons, the project would not conflict with any local policies or ordinances, and impacts are determined to be less than significant.

f) ***Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?***

Less Than Significant Impact. The project site is recognized for future incorporation in the MHCP and corresponding Draft San Marcos Subarea Plan. Because the project site is not incorporated, the draft policies and guidelines of the Draft San Marcos Subarea Plan are currently not applicable to the proposed project. Further, the Draft San Marcos Subarea Plan has not been adopted and remains in draft form since 2001; therefore, the project would not be in conflict with an adopted habitat conservation plan. Nonetheless, the implementation of the proposed project would not preclude or prevent finalizing and adoption of the Draft San Marcos Subarea Plan because the conservation estimates/requirements exclude the project site, and its adoption is not reliant on incorporating the project site as open space or protected habitat.

The project parcel as it exists is completed developed with a single-family residence, paved driveway, and vineyard. Due to the existing nature of the developed and disturbed project site, impacts to biological resources as a result of project implementation is not anticipated. The project site is within the San Diego Multiple Habitat Conservation Program (MHCP) Plan, Draft San Marcos Subarea Plan boundary, but outside of the Northern Focused Planning Area. The project site is designated agricultural land by the City, and the proposed project would remain consistent with the existing land use and zoning designation for the project parcel. Therefore, the project would not conflict with an applicable local, regional or state habitat conservation plan, and impacts are determined to be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES – Would the project:

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

1.5 Cultural Resources

a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064?*

Less Than Significant Impact. A Negative Cultural Resources Phase I Inventory Report was prepared for the project by Dudek in January 2023 (included as Appendix A to this MND). Dudek conducted a California Historical Resources Information Systems (CHRS) records search of the project area and a 1-mile radius buffer at the SCIC located at San Diego State University on May 9, 2022. The records search results indicate that 37 previous cultural resources studies have been conducted within 1 mile of the project area. Of the 37 previous studies, three studies intersect the project area. These studies consist primarily of an archaeological inventory report, an archaeological records search and literature review, and a draft Environmental Impact Report. Overall, the entire project area has been previously studied.

The SCIC records search did not identify any cultural resources within the project area. The records search did identify 15 previously recorded cultural resources within the 1-mile search radius buffer of the project area. Of the total 15 previously recorded cultural resources identified in the 1-mile buffer, six are prehistoric resources, three are prehistoric isolates, five are historic resources, and one is a multi-component site. The closest resource to the project area is P-37-030889, a prehistoric habitation site located approximately 180 feet from the project area. Site P-37-030889, also known as the Vista Irrigation District Bench Flumes, is a historic resource recorded by S. Van Wormer in 2009. These gunite bench flumes run along various ridges and are connected by steel and concrete pipe siphons that convey water across canyons and valleys where

the flumes are located. They are constructed of welded wire mesh sprayed with gunite that rest on a roadbed. Both the flumes and the roadbed were constructed at the same time. The flumes were built in 1926 by the Vista Irrigation District Consulting Engineers J.B. Lippincott and Chief Engineer K.Q. Volk. The flumes were assessed for eligibility for listing on the NRHP and CRHR. The flumes are significant under Criteria A for their association with the area's development as they have functioned as the Vista Irrigation District's main water conduit for over 85 years. The flumes are also eligible under Criteria C for their unique design and method of construction. The proposed project would not impact (direct or indirect) P-37-030889.

There is a historic age structure (single-family property) located in the southeastern section of the project parcel, however, the proposed project would be constructed in the northeastern corner of the project parcel and would not impact the existing single-family property on site. No historic addresses are located within the project area or within the one-mile search radius.

Due to the existing condition of the project site and based on the findings of the Negative Cultural Resources Phase I Inventory Report, it is determined that implementation of the proposed project would not result in a significant impact to a historical resource. Therefore, impacts would be less than significant.

b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Less Than Significant Impact. Dudek's Phase I Cultural Resources Inventory of the project indicates that there is low sensitivity for identifying intact subsurface archaeological deposits during project implementation. The SCIC records search and the pedestrian survey did not identify any cultural resources within the project area. The review of aerial photographs reveals that a majority of the project area has been heavily disturbed by agricultural activities related to the existing winery. Any archaeology that was present would have been disturbed by years of continuous agricultural activities and would no longer remain intact. Due to the negative SCIC records search results, negative pedestrian survey results, and history of agricultural activities impacting the project area, no further cultural efforts or mitigation, including cultural construction monitoring, are recommended to be necessary in support of implementation of the project.

In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist meeting the Secretary of the Interior's Professional Qualification Standards can evaluate the significance of the find. Construction activities may continue in other areas but should be redirected a safe distance from the find. If the new discovery is evaluated and found to be significant under CEQA and avoidance is not feasible, additional work such as data recovery may be warranted. A data recovery plan shall be developed by the qualified archaeologist in consultation with the City and Native American representatives, if applicable. Ground disturbance can continue only after the resource has been properly mitigated and with approval by the City.

Although the Cultural Resources Inventory Report concluded that no further cultural efforts or mitigation is recommended, as a result of consultation efforts with San Luis Rey Band of Mission Indians and San Pasqual Band of Mission Indians, implementation of the City's standard tribal cultural resource mitigation measures is proposed. The project would implement mitigation measures MM-TCR-1 through MM-TCR-4, outlined below. Implementation of these mitigation measures would ensure impacts related to archaeological resources would remain at a less-than-significant level.

Mitigation Measure TCR-1: Pre-Excavation Agreement. Prior to the issuance of a Grading Permit, or ground disturbing activities, the Applicant/Owner shall enter into a Tribal Cultural Resources Treatment and Repatriation Agreement (Pre-Excavation Agreement) with a Traditionally and Culturally Affiliated Native American Tribe (TCA Tribe), identified in consultation with the City. The purpose of the Pre-Excavation Agreement shall be to formalize protocols and procedures between the Applicant/Owner and the TCA Tribe for the protection, treatment, and repatriation of Native American human remains, funerary objects, cultural and/or religious landscapes, ceremonial items, traditional gathering areas, and other tribal cultural resources. Such resources may be located within and/or discovered during ground disturbing and/or construction activities for the proposed project, including any additional culturally appropriate archaeological studies, excavations, geotechnical investigations, grading, preparation for wet and dry infrastructure, and other ground disturbing act

The landowner shall relinquish ownership of all non-burial related tribal cultural resources collected during construction monitoring and from any previous archaeological studies or excavations on the project site to the TCA Tribe for proper treatment and disposition per the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction. The requirement and timing of such release of ownership, and the recipient thereof, shall be reflected in the Pre-Excavation Agreement. If the TCA Tribe does not accept the return of the cultural resources, then the cultural resources will be subject to curation.

Mitigation Measure TCR-2: Construction Monitoring. Prior to the issuance of a Grading Permit or ground disturbing activities, the Applicant/Owner or Grading Contractor shall provide written documentation (either as signed letters, contracts, or emails) to the City's Planning Division stating that a Qualified Archaeologist and Traditionally and Culturally Affiliated Native American monitor (TCA Native American monitor) have been retained at the Applicant/Owner or Grading Contractor's expense to implement the construction monitoring program, as described in the Pre-Excavation Agreement.

Native American monitoring shall include up to one Luiseño monitor and up to one Kumeyaay monitor simultaneously. In the event that one or more TCA Tribe chooses not to enter into an agreement, or fails to respond to the offer, the City shall allow construction to proceed without the TCA Native American monitor(s) as long as the offer was extended and documented. In the event that more than one Luiseño or more than one Kumeyaay tribe requests to provide a TCA Native American monitor for activities subject to these measures, the City will allow for either: 1) the project proponent to select one Luiseño and one Kumeyaay tribe to perform the monitoring; or 2) for the tribes to develop a rotating schedule that alternates monitoring between the tribes on a daily or weekly basis, such that one Luiseño and one Kumeyaay monitor is present at all times.

The monitors shall be provided at least 72 hours' notice of the initiation of construction and be kept reasonably apprised of changes to the construction schedule. In the event that a monitor is not present at the scheduled time, work can continue without the monitor present, as long as the notice was given and documented.

The Qualified Archaeologist and TCA Native American monitor shall be invited to attend all applicable pre-construction meetings with the General Contractor and/or associated subcontractors to present the construction monitoring program. The Qualified Archaeologist and TCA Native American monitor shall be present on site during grubbing, grading, trenching, and/or other ground disturbing activities that occur in areas of native soil or other permeable natural surfaces that have the potential to unearth any evidence of potential archaeological resources or tribal cultural resources. In areas of artificial paving, the Qualified Archaeologist and TCA Native American monitor shall be present on site during grubbing, grading, trenching, and/or other ground disturbing activities that have the potential to disturb more than six inches below the original pre-project ground surface to identify any evidence of potential archaeological or tribal cultural resources. No monitoring of fill material, existing or imported, w

The Qualified Archaeologist and TCA Native American monitor shall maintain ongoing collaborative coordination with one another during all ground disturbing activities. The requirement for the construction monitoring program shall be noted on all applicable construction documents, including demolition plans, grading plans, etc. The Applicant/Owner or Grading Contractor shall provide written notice to the Planning Division and the TCA Tribe, preferably through e-mail, of the start and end of all ground disturbing activities.

Prior to the release of any grading bonds, or prior to the issuance of any project Certificate of Occupancy, an archaeological monitoring report, which describes the results, analysis, and conclusions of the construction monitoring shall be submitted by the Qualified Archaeologist, along with any TCA Native American monitor's notes and comments received by the Qualified Archaeologist, to the Planning Division Manager for approval. Once approved, a final copy of the archaeological monitoring report shall be retained in a confidential City project file and may be released, as a formal condition of Assembly Bill (AB) 52 consultation, to Rincon Band of Luiseño Indians, San Luis Rey Band of Mission Indians, San Pasqual Band of Mission Indians, and Pechanga Band of Mission Indians or any parties involved in the project specific monitoring or consultation process. A final copy of the report, with all confidential site records and appendices, will also be submitted to the South Coastal Information Center after approval by the City.

Mitigation Measure TCR-3: Unanticipated Discovery Procedures. Both the Qualified Archaeologist and the TCA Native American monitor may temporarily halt or divert ground disturbing activities if potential archaeological resources or tribal cultural resources are discovered during construction activities. Ground disturbing activities shall be temporarily directed away from the area of discovery for a reasonable amount of time to allow a determination of the resource's potential significance. Isolates and clearly non-significant archaeological resources (as determined by the Qualified Archaeologist, in consultation with the TCA Native American monitor) will be minimally documented in the field. All unearthed archaeological resources or tribal cultural resources will be collected, temporarily stored in a secure location (or as otherwise agreed upon by the Qualified Archaeologist and the TCA Tribe) and repatriated according to the terms of the Pre-Excavation Agreement, unless ordered to do otherwise by responsible agency or court of competent jurisdiction.

If a determination is made that the archaeological resources or tribal cultural resources are considered potentially significant by the Qualified Archaeologist, the TCA Tribe, and the TCA Native American monitor, then the City and the TCA Tribe shall determine, in consultation with the Applicant/Owner and the Qualified Archaeologist, the culturally appropriate treatment of those resources.

If the Qualified Archaeologist, the TCA Tribe, and the TCA Native American monitor cannot agree on the significance or mitigation for such resources, these issues will be presented to the Planning Division Manager for decision. The Planning Division Manager shall make a determination based upon the provisions of CEQA and California Public Resources Code Section 21083.2(b) with respect to archaeological resources and California Public Resources Section 21704 and 21084.3 with respect to tribal cultural resources, and shall take into account the religious beliefs, cultural beliefs, customs, and practices of the TCA Tribe.

All sacred sites, significant tribal cultural resources, and/or unique archaeological resources encountered within the project area shall be avoided and preserved as the preferred mitigation. If avoidance of the resource is determined to be infeasible by the City as the Lead Agency, then the City shall require additional culturally appropriate mitigation to address the negative impact to the resource, such as, but not limited to, the funding of an ethnographic study and/or a data recovery plan, as determined by the City in consultation with the Qualified Archaeologist and the TCA Tribe. The TCA Tribe shall be notified and consulted regarding the determination and implementation of culturally appropriate mitigation and the drafting and finalization of any ethnographic study and/or data recovery plan, and/or other culturally appropriate mitigation. Any archaeological isolates or other cultural materials that cannot be avoided or preserved in place as the preferred mitigation shall be temporarily stored in a se

If a data recovery plan is authorized as indicated above and the TCA Tribe does not object, then an adequate artifact sample to address research avenues previously identified for sites in the area will be collected using professional archaeological collection methods. If the Qualified Archaeologist collects such resources, the TCA Native American monitor must be present during any testing or cataloging of those resources. Moreover, if the Qualified Archaeologist does not collect the cultural resources that are unearthed during the ground disturbing activities, the TCA Native American monitor may, at their discretion, collect said resources for later reburial or storage at a local curation facility, as described in the Pre-Excavation Agreement.

In the event that curation of archaeological resources or tribal cultural resources is required by a superseding regulatory agency, curation shall be conducted by an approved local facility within San Diego County and the curation shall be guided by California State Historical Resources Commission's Guidelines for the Curation of Archaeological Collections. The City shall provide the Applicant/Owner final curation language and guidance on the project grading plans prior to issuance of the grading permit, if applicable, during project construction. The Applicant/Owner shall be responsible for all repatriation and curation costs and provide to the City written documentation from the TCA Tribe or the curation facility, whichever is most applicable, that the repatriation and/or curation have been completed.

Mitigation Measure TCR-4: Human Remains: As specified by California Health and Safety Code Section 7050.5, if human remains, or remains that are potentially human, are found on the project site during ground disturbing activities or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Medical Examiner's Office by telephone. No further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains (as determined by the Qualified Archaeologist and/or the TCA Native American monitor) shall occur until the Medical Examiner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98.

If such a discovery occurs, a temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected (as determined by the Qualified Archaeologist and/or the TCA Native American monitor), and consultation and treatment could occur as prescribed by law. As further defined by state law, the Medical Examiner will determine within two working days of being notified if the remains are subject to his or her authority. If the Medical Examiner recognizes the remains to be Native American, and not under his or her jurisdiction, then he or she shall contact the Native American Heritage Commission by telephone within 24 hours. The Native American Heritage Commission will make a determination as to the Most Likely Descendent, who shall be afforded 48 hours from the time access is granted to the discovery site to make recommendations regarding culturally appropriate treatment.

If suspected Native American remains are discovered, the remains shall be kept in situ (in place) until after the Medical Examiner makes its determination and notifications, and until after the Most Likely Descendent is identified, at which time the archaeological examination of the remains shall only occur on site in the presence of the Most Likely Descendent. The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). In the event that the Applicant/Owner and the Most Likely Descendant are in disagreement regarding the disposition of the remains, state law will apply, and the mediation process will occur with the NAHC. In the event that mediation is not successful, the landowner shall rebury the remains at a location free from future disturbance (see Public Resources Code Section 5097.98(e) and 5097.94(k)).

c) ***Would the project disturb any human remains, including those interred outside of dedicated cemeteries?***

Less Than Significant Impact. As described above, due to the negative SCIC records search results, negative pedestrian survey results, and history of agricultural activities impacting the project area, potential impacts to cultural resources on site are determined to be low. Dudek requested a NAHC search of the SLF on May 4, 2022, for the project area. The SLF consists of a database of known Native American resources. These resources may not be included in the SCIC database. The SLF results are currently pending. Results will be included in the final draft of the technical report (Appendix A) and will be included in the Final MND prepared for the project. The NAHC will provide a contact list of Native American representatives for tribes that are traditionally affiliated with the project area. If requested, letters with a map and a description of the proposed project will be sent to these individuals and organizations. Responses to the letters will be

forwarded to the City and included in the report. In compliance with Assembly Bill 52, the City, as lead agency, is responsible for conducting government to government consultation with pertinent tribal entities. At this time, Rincon Band of Luiseño Indians, San Luis Rey Band of Mission Indians, San Pasqual Band of Mission Indians, and Pechanga Band of Mission Indians have requested AB52 consultation. AB52 Consultation led by the City is ongoing at this time. San Luis Rey Band of Mission Indians concluded consultation with the City in a letter dated November 17, 2022. This report will be updated based on the outcome of remaining consultation efforts.

Although the potential for discovery of human remains on site is not anticipated, in accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code Section 5097.98, the NAHC must immediately notify the person or persons it believes to be the MLD from the deceased Native American. The MLD shall complete inspection within 48 hours of being granted access to the site and make recommendations for the treatment and disposition, in consultation with the property owner, of the human remains.

In addition, the project would implement mitigation measures MM-TCR-1 through MM-TCR-4, as outlined in response to Threshold 1.5(b), above.

For the reasons stated above, impacts related to human remains are determined to be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.6 Energy

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

Less Than Significant Impact. During construction, the proposed project would utilize temporary electric power for as-necessary lighting and electronic equipment, and petroleum for construction equipment. The amount of electricity used during project construction would be minimal because typical demand stems

from the use of electronic equipment, in addition to electrically powered hand tools. Natural gas is not anticipated to be required during construction of the proposed project. Fuels used for construction would primarily consist of diesel and gasoline. Any minor amounts of natural gas that may be consumed as a result of construction would be temporary and negligible and would not have an adverse effect on the environment. While construction activities would consume petroleum-based fuels, consumption of such resources would be temporary and would cease upon the completion of construction. The proposed project would be required to comply with CARB's Airborne Toxics Control Measure, which restricts heavy-duty diesel vehicle idling time to 5 minutes. Further, the petroleum consumed related to construction would be typical of construction projects of similar types and sizes and would not necessitate new petroleum resources beyond what are typically consumed in California. As the electricity used for construction activities would be temporary and minimal, impacts related to electricity consumption during project construction are determined to be less than significant.

During operations, the proposed project would require electricity for operation of the winery for multiple purposes, including cooling, lighting, appliances, and various equipment. Additionally, the supply, conveyance, treatment, and distribution of water would indirectly result in electricity usage. Electricity would be provided by SDG&E, which currently serves the existing single-family residence on site. Although electricity consumption would increase at the project site due to project implementation, the project would be required to comply with the Title 24 and the City's CAP Consistency Checklist by implementing energy-efficiency measures. Furthermore, the project will be subject to the Title 24 building code that is adopted at the time building permits are obtained and thus may be subject to a more stringent energy standard than what was assumed herein. The operation of the winery would require natural gas for space heating and to power appliances. Although natural gas usage would slightly increase due to project implementation, project design features would be implemented, and usage would be decreased through green building standards. The majority of fuel consumption resulting from the operational phase of the proposed project would be attributable to the use of winery guest motor vehicles traveling to and from the project site. Although the proposed project would increase petroleum use during operation, the use would be a small fraction of the statewide use and due to efficiency increases, diminish over time. For these reasons, electricity consumption of the proposed project would not be considered inefficient, wasteful, or unnecessary, and impacts would be less than significant.

b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Less Than Significant Impact. The proposed project would be subject to and would comply with, at a minimum, the California Building Energy Efficiency Standards (24 CCR, Part 6). Part 6 of Title 24 establishes energy efficiency standards for residential and non-residential buildings constructed in California in order to reduce energy demand and consumption. The proposed project would also be subject to Part 11 of Title 24, also known as the CALGreen building standards. These were adopted into the City's building design criteria. Furthermore, the project would be consistent with the City's CAP Consistency Checklist. The proposed project would be built and operated in accordance with all existing, applicable regulations at the time of construction. For these reasons stated, the proposed project would result in a less than significant impact associated with the potential to conflict with energy standards and regulations.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.7 Geology and Soils

a) *Would the project 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.*

Less than Significant Impact. A Geotechnical Investigation was prepared for the project by GECON in May 2021 (Appendix B to this MND). Although the San Diego County and Southern California region is seismically active, the site is not underlain by active, potentially active, or inactive faults. An active fault is defined by the California Geological Survey (CGS) as a fault showing evidence for activity within the last 11,700 years. The project site is not located within a State of California Earthquake Fault Zone nor located within an Alquist-Priolo Earthquake Fault Zone. All proposed structures would be required to comply with the California Building Code guidelines, and the project would implement all recommendations outlined in the Geotechnical Investigation. As the project site is not located within a State of California Earthquake Fault Zone, impacts are determined to be less than significant.

ii) *Strong seismic ground shaking?*

Less than Significant Impact. There are no known active faults that run through the project site. The proposed project would be designed in accordance with applicable CBC criteria, including those specific to resistance to seismic shaking. These required seismic design considerations are used to minimize structural damage in the event of ground shaking. Additionally, the proposed project would implement all recommendations from the Geotechnical Investigation (Appendix B). Section 17.32.040(f) of the Municipal Code requires the incorporation of recommendations of geotechnical reports into grading plans prior to the approval of a grading permit. These recommendations include general provisions regarding compliance with grading ordinances as well as recommendations related to property clearing and preparation, grading, excavation, and drainage. The City's Development Services Department shall review and approve project design and construction to verify that the recommendations of the geotechnical evaluation have been incorporated. With adherence to all regulations and geotechnical recommendations from the Geotechnical Investigation conducted for the proposed project as required by the Municipal Code and CBC, impacts related to seismic ground shaking would be considered less than significant.

iii) *Seismic-related ground failure, including liquefaction?*

Less Than Significant Impact. As outlined in the Geotechnical Investigation (Appendix B), liquefaction occurs when a site is located in a zone with seismic activity, on-site soils are cohesionless or silt/clay with low plasticity, groundwater is encountered within 50 feet of the surface and soil densities are less than about 70% of the maximum dry densities. If the four previous criteria are met, a seismic event could result in a rapid pore water pressure increase from the earthquake-generated ground accelerations. Due to the lack of a permanent, near-surface groundwater table and the very dense nature of the underlying Mesozoic Rock, liquefaction

potential for the site is considered very low. Additionally, the project site is not located in an area of the City that is susceptible to liquefaction (City of San Marcos 2012c). Therefore, impacts would be less than significant.

iv) *Landslides?*

Less Than Significant Impact. As outlined in the Geotechnical Investigation (Appendix B), there was no observation of evidence of previous or incipient slope instability at the project site during the study and the property is relatively flat. Published geologic mapping indicates landslides are not present on or adjacent to the site. Additionally, the project site is not located in an area of the City that is susceptible to landslides (City of San Marcos 2012c). Therefore, impacts are determined to be less than significant.

b) *Would the project result in substantial soil erosion or the loss of topsoil?*

Less than Significant Impact. The project site is relatively flat to gently sloping and is not located adjacent to the Pacific Ocean coast or a free-flowing drainage where active erosion is occurring (Appendix B). Project implementation of recommendations outlined in the Geotechnical Investigation would ensure that substantial soil erosion or loss of topsoil would not occur, and potential impacts would be less than significant.

c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Less than Significant Impact. As outlined under Threshold 1.7(a) above, the project site is not located within a State of California Earthquake Fault Zone. All proposed structures would be required to comply with the California Building Code guidelines, and the project would implement all recommendations outlined in the Geotechnical Investigation. Additionally, as determined in the Geotechnical Investigation, the potential for landslides or liquefaction on site is considered very low. For these reasons, impacts are determined to be less than significant.

d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating direct or indirect substantial risks to life or property?*

Less than Significant Impact. As described in the Geotechnical Investigation (Appendix B), the soil encountered at the project site is considered to be “non-expansive” (expansion index of 20 or less) as defined by the 2019 California Building Code Section 1803.5.3. It is determined that majority of the soils on site possess a “very low” to “low” expansion potential (Appendix B). Therefore, impacts related to soil expansion are determined to be less than significant.

e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

Less than Significant Impact. There is a current residence on site that relies on septic for sewage. However, the applicant will be pursuing connection to the Vallecitos Water District sewer line that is currently in Mulberry Road. The project does not propose the use of septic tanks. Therefore, impacts would be less than significant.

f) ***Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

Less than Significant Impact. Due to the developed nature of the site, the potential for paleontological resources to be located on the project site is considered low. Although ground disturbing activities associated with the proposed project have the potential to unearth previously unidentified paleontological resources, the preliminary geotechnical evaluation prepared for the proposed project did not identify any unique geologic features on the project site, and therefore impacts are determined to be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. GREENHOUSE GAS EMISSIONS – Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.8 Greenhouse Gas Emissions

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

Less than Significant Impact. This section evaluates the proposed project's impacts to GHG in accordance with the City's 2020 CAP Consistency Checklist. A completed CAP Checklist is included as Appendix C to this MND.

The first step of the CAP Checklist evaluates the proposed project's GHG emissions consistent with the City's Guidance to Demonstrating Consistency with the City of San Marcos Climate Action Plan: For Discretionary Projects Subject to CEQA (City's Guidance Document; City of San Marcos 2020c). New discretionary development projects subject to CEQA review that emit less than 500 MT CO₂e annually would not contribute considerably to cumulative climate change impacts as stated in the City's Guidance Document and, therefore, would be considered consistent with the CAP and associated emissions projections. For projects that are subject to CAP consistency review, the next step in determining consistency is to assess the project's consistency with the growth projections used in development of the CAP.

It has been determined that the proposed project would emit less than 500 MT CO₂e annually would not contribute considerably to cumulative climate change impacts, and therefore, would be considered consistent with the CAP and associated emissions projections. Therefore, 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?

Less than Significant Impact. As described above under Threshold 1.8(a), the proposed project would be consistent with the City's 2020 CAP. Furthermore, the proposed project would not conflict with the applicable GHG-reducing strategies of the state, and would be consistent with SANDAG's RTP/SCS. The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and potential impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.9 Hazards and Hazardous Materials

a) ***Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

Less Than Significant Impact. Construction of the project would require the transport of potentially hazardous materials, including fuels, lubricants, and various other liquids needed for operation of construction equipment. Proper best management practices (BMPs) and hazardous materials handling protocols would be prepared and implemented to ensure safe storage, handling, transport, use, and disposal of all hazard materials during the construction phase of the project. Construction would also adhere to any local standards set forth by the City, as well as state and federal health and safety requirements that are intended to minimize hazardous materials risk to the public, such as the California Occupational Safety and Health requirements, Hazardous Waste Control Act, California Accidental Release Prevention Program, and the California Health and Safety Code. Furthermore, all construction waste, including trash, litter, garbage, solid waste, petroleum products, and any other potentially hazardous materials, would be removed and transported to a permitted waste facility for treatment, storage, or disposal. Use of these materials during construction for their intended purpose would not pose a significant risk to the public or the environment. Therefore, impacts related to routine transport, use, or disposal of hazardous materials during construction would be less than significant.

The proposed project would be limited to development of a 3,582 sf winery building, parking lot, landscape and associated amenities. The proposed project does not propose or facilitate any activities involving significant use, routine transport, or disposal of hazardous substances as part of the winery operations. During project operation, a number of common hazardous materials may be used or generated on site such as cleaners, pesticides, and food waste. Empty containers and related materials would be disposed of similar to household hazardous waste disposal. All waste materials would be disposed of as appropriate in local landfills. Regular operation and cleaning of winery facilities would not result in a significant impact involving use, storage, transport or disposal of hazardous wastes and substances. Use of common household hazardous materials and their disposal does not present a substantial health risk to the community. Furthermore, all substances required for operation and cleaning of the winery are required to comply with relevant federal, state, and local health and safety laws, which are intended to minimize health risk to the public associated with hazardous materials. Therefore, impacts related to routine transport, use, or disposal of hazardous materials during operation would be less than significant.

b) ***Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

Less Than Significant Impact. As discussed under Threshold 1.9(a) above, construction of the proposed project would entail transport, use, or disposal of potentially hazardous materials including fuels, lubricants, and various other liquids needed for operation of construction equipment. There is the potential for accidental release of petroleum products from vehicles and equipment to pose a hazard to people and the environment. However, incorporation of standard conditions, including a Stormwater Pollution Prevention Plan (SWPPP) and/or a Water Quality Management Plan (WQMP) would ensure impacts would remain less than significant.

Hazardous materials anticipated during operations would be those most commonly associated with winery, tasting room, restroom, and office uses, which include cleaning products and petroleum products. These types of hazardous materials are not potentially hazardous to large numbers of people, especially at a scale used with the proposed winery. Additionally, the use, handling, and disposal of these products are addressed by household hazardous waste programs that are part of the IWMP of the County of San Diego, and therefore the proposed project is not expected to create a significant hazard to the public or environment through hazardous upsets or accidents.

Some use of potentially hazardous materials such as herbicides, may be used for the maintenance of the drainage facilities, existing vineyard, and proposed ornamental landscaping areas around the proposed project site. The use of such materials would be in accordance with federal, state, county, and municipal regulations, and all final project-specific plans require review by the City. For these reasons, the proposed project is not expected to result in potential upset and accident conditions involving release of hazardous materials in the environment. Impacts would be less than significant.

c) ***Would the project 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. The proposed project is not located within one-quarter mile of an existing or proposal school. The closest school to the project site is Twin Oaks Elementary School, located approximately 1 mile north of the project site. Therefore, no impact would occur.

d) ***Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

Less than Significant Impact. According to the California Department of Toxic Substances Control EnviroStor database search, the project site is not located on the Cortese List, or within close proximity to a hazardous materials site (EnviroStor 2022). Therefore, impacts are determined to be less than significant.

e) ***For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?***

Less Than Significant Impact. The closest airport to the project site is the McClellan-Palomar Airport, which is located over 7 miles west of the project site. Like majority of the City, the project site is located within McClellan-Palomar Airport Area of Influence - Review Area 2. As outlined in the Safety Element of the City's General Plan, Review Area 2 consists of locations beyond Review Area 1, but within the airspace protection and/or overflight notification areas. Limits on the heights of structures, particularly in areas of high terrain, are the only restrictions on land uses within Review Area 2. The project site is not located in a high terrain area, and the proposed new winery building would be a maximum of 33 feet in height and would not exceed the height of the surrounding two-story residences. Therefore, the project would not result in a safety hazard or excessive noise for people working at or visiting the project, and impacts are determined to be less than significant.

f) ***Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

Less Than Significant Impact. According to the General Plan Safety Element, the San Marcos Emergency Operations Plan (EOP) governs the operations of the City during a disaster. This plan addresses response to moderate evacuation scenarios, including the identification of evacuation points and general routes (City of San Marcos 2012c). Based on the existing road network, the community can evacuate to the north, east, south and west within a short distance, depending on the nature of the emergency. Furthermore, the proposed project does not propose any residential units. Development of the project would be required to comply with City Fire requirements, and all final plans would be reviewed by the City Planning Department and City Fire. Therefore, impacts are expected to be less than significant.

g) ***Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?***

Less Than Significant Impact. The project site is not designated as a high fire severity zone in the City's General Plan (City of San Marcos 2012c) and lies just outside the High Hazard Severity Zone area, in a Non-Very High Hazard Severity Zone, as designated by the California Department of Forestry and Fire Protection (CAL FIRE). Fire hazard designations are based on topography, vegetation, and weather, amongst other factors. The project site is within a developed City landscape, surrounded by urban land uses. The project site is not considered to meet the definitions of wildland given its urban location. Further, the site currently, and post-project, would not represent a significant wildfire hazard based on the flat terrain, developed parcel, and lack of vegetation fuel.

The proposed project would not include associated infrastructure that may exacerbate fire risk. Additionally, the proposed project would be required to comply with all applicable state and local fire codes, including compliance with the California Fire Code as adopted by the City of San Marcos and the San Marcos Fire Department. For these reasons, implementation of the proposed project would not expose people or structures to risk of loss, injury, or death involving wildfires, and impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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X. HYDROLOGY AND WATER QUALITY – Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.10 Hydrology and Water Quality

a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Less Than Significant. Construction activities associated with the proposed project could result in potential impacts to water quality. In addition to sediment erosion from ground disturbing activities on the project site, fuels, oils, lubricants, and other hazardous substances used during construction could be released and potentially impact water quality. The proposed project would be required to comply with the NPDES State Water Resources Control Board Construction General Permit Order No. 2009-0009-DWQ for stormwater discharges and general construction activities, and would incorporate standard temporary construction BMPs, such as regular cleaning or sweeping of construction areas and impervious areas. Proposed uses are not typically characteristic of generating, releasing, or using large amounts of hazardous materials. Hazardous materials anticipated would be for transport, use, or disposal of routinely used commercial/food and beverage uses, typical of a small-scale winery. Operation of the project is not expected to include such uses that would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality.

Implementation of a permanent bioretention area, source control, and site design BMPs would effectively treat post-construction stormwater runoff prior to discharge from the site. The proposed bioretention area would be subject to inspection and maintenance in perpetuity. The property owner is required, pursuant to the City's Municipal Code Section 14.15 and the BMP Design Manual, to enter into a Storm Water Quality Facilities Maintenance agreement for the installation and maintenance of permanent BMPs prior to issuance of a grading permit.

The project site is currently zoned as Agriculture-1 (A-1) (City of San Marcos n.d.a.). Per the City's Municipal Code (Chapter 20.210 – Agricultural Zones), the purpose of the A-1 Zone is to provide a low-intensity Agricultural Zone that is consistent in character with larger residential areas. The A-1 Zone is intended to implement and be consistent with the Agricultural Residential (AG) land use designation of the General Plan. A CUP would be required as a result of the proposed Winery/Tasting Room building. Section 17.32.040(f) of the Municipal Code requires the incorporation of recommendations of geotechnical reports into grading plans prior to the approval of a grading permit. These recommendations include general provisions regarding compliance with grading ordinances as well as recommendations related to property clearing and preparation, grading, excavation, and drainage. The City's Development Services Department shall review and approve project design and construction to verify that the recommendations of the geotechnical evaluation have been incorporated.

The implementation of a permanent bioretention area and site design BMPs would effectively treat runoff prior to discharge from the site. Additionally, implementation of SWPPP for temporary construction BMPs during grading and construction operations would effectively treat runoff during construction prior to discharge from the site in compliance with the state Construction Stormwater General Permits. Therefore, with implementation of all required BMPs as conditions of project approval, the project would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface water or groundwater quality. Impacts would be less than significant.

b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Less Than Significant. The project does not propose the use of groundwater resources for construction or operation of the project. As described in the Geotechnical Investigation prepared for the project by GECON (Appendix B), no groundwater or seepage was encountered during the site investigation. It would not be uncommon for shallow seepage conditions to develop where none previously existed when sites are irrigated, or infiltration is implemented. Seepage is dependent on seasonal precipitation, irrigation, land use, among other factors, and varies as a result. Groundwater is expected to be deeper than 100 feet below existing grade at the project site, and groundwater is not expected to be encountered during construction of the proposed project. Some seepage may occur on the property above the rock due to the current agriculture watering operations.

As the project would incorporate a bioretention basin and BMPs that would effectively treat stormwater runoff, it is not expected that project implementation would have a potentially significant adverse impact on groundwater quality in comparison to existing conditions on site, nor cause or contribute to an exceedance of applicable groundwater receiving water quality objectives or degradation of beneficial uses. Implementation of the proposed project would not decrease groundwater basins through increasing water demand on site or impede sustainable groundwater management of any groundwater basin. Therefore, impacts would be less than significant.

c) *Would the project 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:*

i) *Would result in substantial erosion or siltation on- or off-site;*

Less Than Significant. The proposed project would increase the area of impervious surface on the project site, which could increase runoff flow rates or volumes, which could result in erosion or siltation on or off site. However, the proposed project is required to comply with the National Pollution Discharge Elimination System (NPDES) State Water Resources Control Board Construction General Permit Order No. 2009-0009-DWQ for stormwater discharges and general construction activities and incorporate standard Best Management Practices (BMPs) such as regular cleaning or sweeping of construction areas and impervious areas, and various stormwater BMPs such as filtration media screens.

As described in response to threshold a) above, the implementation of a permanent bioretention area and site design BMPs would effectively treat runoff prior to discharge from the site. Additionally, implementation of SWPPP for temporary construction BMPs during grading and construction operations would effectively treat runoff during construction prior to discharge from the site in compliance with the state CGP. Therefore, with implementation of all required BMPs as conditions of project approval, the project would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface water or groundwater quality. Although the project would introduce new impervious surface areas in comparison to the existing site, the disturbance area is considered minimal, and the project would not substantially alter the existing drainage pattern on site resulting in substantial erosion or siltation on or off site. 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 offsite;*

Less Than Significant. As discussed above, the proposed project would increase the area of impervious surface on the project site, which could increase runoff flow rates or volumes. However, considering the size of the proposed impervious surface area and the location of the project on a flat site surrounded by an existing vineyard, such increase is not expected to be substantial. As previously described, the proposed project is required to comply with the NPDES State Water Resources Control Board Construction General Permit Order No. 2009-0009-DWQ for stormwater discharges and general construction activities and incorporate standard BMPs such as regular cleaning or sweeping of construction areas and impervious areas, and various stormwater BMPs such as filtration media screens.

The implementation of a permanent bioretention area and site design BMPs would effectively treat runoff prior to discharge from the site. Additionally, implementation of SWPPP for temporary construction BMPs during grading and construction operations would effectively treat runoff during construction prior to discharge from the site in compliance with the state CGP. Therefore, with implementation of the proposed bioretention basin and all required BMPs as conditions of project approval, the project would not violate any waste discharge requirements, or result in substantial flooding on or off site. Therefore, impacts are determined to 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***

Less Than Significant. As discussed above, the proposed project would increase the area of impervious surface on the project site, which could increase runoff flow rates or volumes. However, considering the size of the proposed impervious surface area and the location of the project on a flat, developed site surrounded by an existing vineyard, such increase is not expected to be so substantial that it would result in an exceedance of capacity of the existing stormwater drainage system. As previously described, the proposed project is required to comply with the NPDES State Water Resources Control Board Construction General Permit Order No. 2009-0009-DWQ for stormwater discharges and general construction activities and incorporate standard BMPs such as regular cleaning or sweeping of construction areas and impervious areas, and various stormwater BMPs such as filtration media screens. Furthermore, the implementation of a permanent bioretention area in the northwest corner of the project parcel, and site design BMPs, would effectively treat runoff prior to discharge from the site. Additionally, implementation of SWPPP for temporary construction BMPs during grading and construction operations would effectively treat runoff during construction prior to discharge from the site in compliance with the state CGP. Therefore, with implementation of the proposed bioretention basin and all required BMPs as conditions of project approval, the project would not exceed the capacity of existing stormwater drainage systems, nor result in substantial additional sources of polluted runoff. Therefore, impacts are determined to be less than significant.

iv) ***Impede or redirect flood flows?***

Less Than Significant. As discussed above, the proposed winery would be located on a parcel that is currently developed with a single-family residence with existing vineyard operations. The project parcel, including the project site, is relatively flat with a slight slope upward from Mulberry Drive, and majority of the parcel is pervious (existing vineyard as shown in Figure 2). The project would introduce a 3,582 sf winery on a portion of the project parcel that is currently occupied by vineyards. As shown in Figure 2, the project proposes a bioretention basin in the northwest corner of the project parcel. The implementation of a permanent bioretention basin and site design BMPs would effectively treat runoff prior to discharge from the site. Due to the size and location of the proposed project, implementation of the project is not expected to impede or substantially redirect flood flows; and implementation of the proposed bioretention basin would reduce the risk of flooding on or off site. Therefore, impacts are determined to be less than significant.

d) ***Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?***

No Impact. As described in the Geotechnical Investigation prepared for the project by GECON (Appendix B), the project site is located approximately 12 miles from the Pacific Ocean at an elevation of about 690 feet or greater above Mean Sea Level (MSL). The risk of storm surges, tsunami, or a seiche impacting the project site is considered to be negligible due to the distance and elevation from a body of water. Therefore, no impact would occur.

e) ***Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?***

Less Than Significant. The Carlsbad Management Area Water WQIP was prepared in June 2016 for the Carlsbad Watershed Management Area Responsible Agencies, which include the Cities of Carlsbad, Encinitas, Escondido, Oceanside, San Marcos, Solana Beach, and Vista, and the County of San Diego. The purpose of the Carlsbad WQIP is to guide the Responsible Agencies' (RAs) Jurisdictional Runoff Management Plans (JRMPs) towards achieving improved water quality in MS4 discharges (or stormwater discharges) and receiving water bodies. RAs' JRMPs contain the strategies, standards and protocols by which each RA will implement their individual program in response to the priorities and goals established in the WQIP (Carlsbad Watershed Management Area WQIP 2016).

The proposed project is located within the San Marcos Hydrologic Area, which is the second largest within the Carlsbad Watershed Management Area. The Carlsbad Management Area Water WQIP outlines areas of priority water quality conditions and highest priority water quality conditions. As discussed in Section 1.4, Biological Resources, no potential wetland or non-wetland water features are present within the biological study area. As such, the proposed project would not conflict with or obstruct implementation of the Carlsbad Management Area Water WQIP or any other water quality plan. Further, the site is not located within a sustainable groundwater management plan area. Therefore, impacts are determined to be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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X. LAND USE AND PLANNING – Would the project:

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

1.11 Land Use and Planning

a) ***Would the project physically divide an established community?***

No Impact. The proposed project would not construct structures that have the potential to physically divide an established community. The proposed project would be constructed on an existing developed parcel which includes a single-family residence and existing vineyards. The project site is currently zoned as Agriculture-1 (A-1). Per the City's Municipal Code (Chapter 20.210 – Agricultural Zones), the purpose of the A-1 Zone is to provide a low-intensity Agricultural Zone that is consistent in character with larger residential areas. The A-1 Zone is intended to implement and be consistent with the Agricultural Residential (AG) land use designation of the General Plan. A Conditional Use Permit (CUP) would be required for the proposed new Winery/Tasting Room building. A CUP requires approval by the City's Planning Commission. Therefore, the proposed project would not result in the physical division of an established community. No impact would occur.

b) *Would the project cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?*

No Impact. The project would involve the construction of a winery and associated amenities on a currently developed parcel including an existing single-family residence and existing vineyard. The proposed project is consistent with the existing land use and zoning designation for the parcel and surrounding area, and therefore would not result in a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigation an environmental effect. No impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. MINERAL RESOURCES – Would the project:

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

1.12 Mineral Resources

a) *Would the project 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?*

No Impact. According to the City of San Marcos General Plan Conservation & Open Space Element, the City has land classified in all four Mineral Resource Zones (MRZ) (City of San Marcos 2012b). California does not require that local governments protect land designated as MRZ-1, MRZ-3, or MRZ-4. However, the City is responsible for recognizing lands designated as MRZ-2 and protecting these areas from premature development incompatible with mining. The lands designated as MRZ-2 include small portions between Double Peak, Mt. Whitney, and Franks Peak, and small portions in the northern Sphere of Influence within Twin Oaks Valley Neighborhood. These locations do not overlap with the proposed project site; therefore, no loss of known mineral resources would occur, and no impact would occur as a result of project implementation.

b) *Would the project 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. The proposed project site is not designated as a locally important mineral resource recovery site on any local general plan, specific plan, or other land use plan (City of San Marcos 2012b). Due to the location and the nature of the proposed project, there would be no impact to mineral resources.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. NOISE – Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.13 Noise

a) *Would the project result in 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?*

Less than Significant. Temporary construction of the project would result in use of equipment on site and in proximity to a neighboring residence to the north. Although the City of San Marcos does not have a quantified construction noise threshold, it does limit allowable hours of activity and has adopted the County of San Diego threshold: 75 dBA 8-hour energy equivalent sound level (L_{eq}). Three of the project's anticipated construction activities (site preparation, grading, and paving) would involve operating heavy construction equipment and processes that could cause noise exposure at the northern neighbor to exceed this adopted threshold without application of noise reduction means that would include one or more of the following proposed project design features (PDFs):

- administrative controls (e.g., reduce operating time of equipment and/or prohibit usage of equipment type[s] within certain distances);
- engineering controls (upgrade noise controls, such as install better engine exhaust mufflers); and
- install noise abatement on or parallel and just within the site boundary northern fencing in the form of sound blankets, overlapping plywood sheeting, or comparable temporary barriers to occlude construction noise emission between the site (or specific equipment operation as the situation may define) and the neighboring off-site receptor.

The PDFs outlined above would be implemented as site conditions may warrant. Proper application of temporary noise barriers or comparable sound abatement can feasibly reduce noise levels by at least 5 dB

due to direct path occlusion between the noise source and receptor. Appendix B of the Noise Technical Report prepared for this project (Appendix D to this MND) details both the with and without noise reduction analysis scenarios, with the former demonstrating that installation of 8'-tall barriers would adequately reduce aggregate equipment noise during the site preparation, grading, and paving phases. In summary, with application of these PDFs, daytime construction noise would not exceed the City's 75 dBA threshold and thus temporary construction-related noise impacts would be considered less than significant.

The addition of proposed project traffic to Mulberry Drive would result in an increase in the community noise equivalent level (CNEL) of 0.05 dB, which is well below the discernible level of change for the average healthy human ear. Thus, a less than significant impact is expected for proposed project-related off-site traffic noise increases affecting existing residences in the vicinity.

As described in the Noise Technical Report prepared for the project (Appendix D), project-attributed on-site operational noise was predicted for each of two scenarios (Normal Attendance and Bi-Monthly Event) to determine sound levels for comparison with the City daytime exterior noise threshold for neighboring single-family residences (60 dBA hourly L_{eq}). In both cases, predicted project operation noise that includes acoustical contribution from visitors would be less than 60 dBA L_{eq} at the northern and eastern project boundaries, and thus result in a less than significant impact. Furthermore, operations would end at 9:00 p.m. and would not impact night-time noise levels.

With respect to an increase in the pre-existing outdoor ambient sound level at the neighboring single-family home to the north of the proposed project, predicted levels under typical Normal Attendance conditions are expected to be approximately 45 dBA hourly L_{eq} at the home's southern façade. The change attributed to the proposed project would yield a logarithmic total of 47 dBA (i.e., the log-sum of 43 dBA [the measured daytime sample near the on-site and off-site residences] and 45 dBA, according to acoustic principles) and thus represent a perceptible 4 dB increase. Under the Bi-Monthly Event conditions, the predicted noise exposure level received by the northern neighbor's façade would be approximately 55 dBA hourly L_{eq} and thus represent a 12 dB increase to the sampled daytime hourly L_{eq} value. Although a substantial change, this with-project 55 dBA level remains compliant with the City's 20.300.070.E.2 performance standard of 60 dBA during daytime hours. On these bases, the increases in outdoor ambient sound level attributed to anticipated on-site operations from the proposed project would result in less than significant impacts.

While the proposed project is expected to utilize a tractor in its day-to-day operations, usage of such equipment is in character with the surrounding land uses, which are all zoned agricultural. Over the course of an hour and using Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) L_{max} reference data for a tractor having an acoustical usage factor (AUF) value of 40%, a working tractor that is—on average—more than 300 feet away from the property line would produce less than 60 dBA hourly L_{eq} . Because City performance standard 20.300.070.E.2 allows higher noise levels for shorter durations of time, this means the operating tractor can be closer to the property line while it is moving or performing work. For these reasons, normal and expected operation of a tractor on site would be considered a less than significant noise impact.

b) *Would the project result generation of excessive groundborne vibration or groundborne noise levels?*

Less than Significant. Groundborne vibration attenuates rapidly—even over short distances. The attenuation of groundborne vibration as it propagates from source to receptor through intervening soils and rock strata can be estimated with expressions found in Federal Transit Administration (FTA) and California

Department of Transportation (Caltrans) guidance. By way of example, for a bulldozer operating on site and as close as 35 feet to the single-family residence to the north of the project, the estimated groundborne vibration velocity level received by the occupied building would be 0.054 inches per second (ips) peak particle velocity (PPV) and thus no greater than the annoyance threshold recommended by Caltrans. Therefore, vibration-induced annoyance to occupants of nearby existing homes is determined to be less than significant.

Construction vibration, at sufficiently high levels, can also present a building damage risk. However, anticipated construction vibration from conventional heavy equipment associated with this proposed project would not yield levels that surpass this risk. Per Caltrans, the recommended PPV threshold for newer residential structures is 0.5 ips and 0.3 ips for older residential structures—both of which are less stringent than the aforementioned threshold to annoy occupants of such structures; thus, vibration damage risk to nearby structures is considered less than significant.

Once operational, the proposed project would not be expected to feature major producers of groundborne vibration. Anticipated mechanical systems like HVAC units are designed and manufactured to feature rotating (fans, motors) and reciprocating (compressors) components that are well-balanced with isolated vibration within or external to the equipment casings. On this basis, vibration due to proposed project operation should be less than significant.

c) *Would the project be 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?*

No Impact. There are no private airstrips within the vicinity of the project site. The closest airport to the proposed project site is the McClellan-Palomar Airport, located over 7 miles west of the project site, and would therefore not expose people working at or visiting the project site to excessive noise levels. Therefore, it is determined that no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIV. POPULATION AND HOUSING – Would the project:

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

1.14 Population and Housing

a) *Would the project 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)?*

Less Than Significant. The proposed project would construct a winery and associated amenities on the currently developed site. The project does not propose any new residential units or habitable structures that would permanently increase the population in the area. The project would have a maximum of 2-3 employees at peak times of the year. The tasting room would likely have about 50-60 guests per day, and on days of events, the increase in patrons is expected to be 70-80 people per event throughout the day or throughout the designated event time. Employees and visitors would only be on site during winery operating hours. No off-site improvements are proposed as part of the project that could occur in indirect impacts related to population growth. The project site would be served by existing roadways and an existing driveway.

Because the project proposes relocation of existing winery operations, the project would not introduce a new business to the area. The project site would have a maximum capacity of 100 people during events, and is unlikely to substantially contribute to population growth in the area considering previous winery operations adjacent to the site, proposed hours of operation. Therefore, the project would not induce substantial unplanned population growth in an area, either directly or indirectly. Impacts would be less than significant.

b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

No Impact. There is one existing single-family home on the project parcel, however this home would remain as is and would not be disrupted by the proposed winery building and associated amenities. Therefore, the proposed project would not displace any housing, and no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. PUBLIC SERVICES

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

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

1.15 Public Services

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

Fire protection?

Less Than Significant. Fire protection services are provided to the project site by the San Marcos Fire Department. The nearest fire station to the project site is San Marcos Fire Station No. 3, located at 404 Woodland Parkway, approximately 1.7 miles south of the project site. Although the project would result in an increase of people on site from the proposed winery, the demand on fire protection services is not expected to substantially increase from existing conditions, as a single-family home and vineyard exist on site in current conditions. The proposed project would not develop any habitable structures that would induce permanent population growth on site. Visitors and employees would only be on site during winery operating hours.

The project site is not designated as a high fire severity zone in the City's General Plan (City of San Marcos 2012c) and lies just outside the High Hazard Severity Zone area, in a Non-Very High Hazard Severity Zone, as designated by the California Department of Forestry and Fire Protection (CAL FIRE). The project site is within a developed City landscape, surrounded by urban land uses. Further, the site currently, and post-project, would not represent a significant wildfire hazard based on the flat terrain, developed parcel, and lack of vegetation fuel.

The proposed project would be required to comply with all applicable state and local fire codes, including compliance with the California Fire Code as adopted by the City of San Marcos and the San Marcos Fire Department. Additionally, the applicant would be subject to the special taxes levied by Community Facility District: CFD 2001-01 (Fire and Paramedic) which would offset the project's increase in demand for fire protection services.

The project would not require new or expanded facilities to support adequate fire protection. Therefore, the project would result in a less than significant impact from physical impacts associated with providing new or modified fire protection services.

Police protection?

Less Than Significant. Police protection services are provided to the project site by the San Diego County Sheriff's Department. The nearest sheriff's station is approximately 1.8 miles south of the project site at 182 Santar Place in the City of San Marcos. Similar to fire protection services, although the project would result in an increase of people on site from the proposed winery, the demand on police protection services is not expected to substantially increase from existing conditions, as a single-family home and vineyard exist on site in current conditions. The proposed project would not develop any habitable structures that would induce permanent population growth on site. Visitors and employees would only be on site during winery operating hours.

Considering the size and nature of the project, and considering the existing site is already served by the police department, the project would not require new or expanded facilities to support adequate police protection. Additionally, the project applicant would be subject to the special taxes levied by Community Facilities District for Police Services (CFD 98-01, Improvement Area No. 1). Participation in the CFD will offset the cost of increases in necessary services resulting from implementation of the proposed project. Therefore, the project would result in a less than significant impact from physical impacts associated with providing new or modified police protection services.

Schools?

No Impact. The closest school to the proposed project is Twin Oaks Elementary, located approximately 1 mile northwest of the project site. The project does not propose any new habitable structures that would generate new students in the area and result in an increased demand on existing schools. However, the project would still be required to pay into any applicable school fees as a result of the new winery building. With payment of applicable fees, no impact would occur.

Parks?

No Impact. The nearest parks to the project site include Walnut Grove Park (1950 Sycamore Drive), approximately 1 mile north of the project site, and Mulberry Park (751 Mulberry Drive), located approximately 1 mile south of the project site. The project does not propose any new habitable structures that could increase demand on existing parks. Therefore, no impact would occur.

Other public facilities?

No Impact. The nearest library is the San Marcos Public Library, located at 2 Civic Center Drive, approximately 1.8 miles southwest of the project site. As described above the project does not propose any new habitable structures that could increase demand on City libraries or other public facilities. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVI. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.16 Recreation

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

No Impact. The project would not result in the construction of additional housing or induce additional housing that would increase the use of existing parks or remove access to any recreational facilities. The project would not increase demand on recreational facilities and, therefore, would have no impact to the substantial physical deterioration of recreational facilities.

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?*

No Impact. The project would not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. TRANSPORTATION – Would the project:

a) Conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(1)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.17 Transportation

a) *Would the project conflict with program plan, ordinance or policy addressing the performance of the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Less than Significant Impact. Construction of the project would require grading to occur on site, which would result in trips to and from the site. During operations, the proposed project would add additional traffic to the project parcel and existing roadway network as a result of employees and visitors. The project would relocate an existing winery facility which is currently located approximately 300 feet to the north on the adjacent property, moving operations to the proposed project site. Based on the number of permanent employees and daily visitors, the project is anticipated to generate fewer than 110 net new daily trips and

fewer than 50 peak hour trips. The project is not anticipated to conflict with any program, plan or policy, including SANDAG's 2021 Regional Plan, City of San Marcos Bikeway Master Plan, City of San Marcos General Plan Mobility Element, or the City's Municipal Code.

Furthermore, per Section 20.340.040, Table 20.340-1 (Parking Requirements by Land Use) in the City's Code of Ordinances, tasting rooms are required to provide a minimum of 1 parking space per 500 sf gross floor area. The proposed project is providing 15 parking spaces for the winery building which exceeds the City's parking requirement. Therefore, impacts are determined to be less than significant.

b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(1)?*

Less than Significant. CEQA Guidelines Section 15064.3(b), focuses on newly adopted criteria (VMT) adopted pursuant to Senate Bill 743 for determining the significance of transportation impacts. Per the City's Transportation Impact Guidelines (November 2020), projects that generate fewer than 110 average daily trips can be presumed to have a less than significant VMT impact. The project would replace an existing winery and based on the number of permanent employees (2 to 3 maximum) and daily visitors (approximately 50-60 visitors on average); the project is anticipated to generate fewer than 110 net new daily trips. Therefore, the project would be screened out using Small Project criteria and not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b). As such, impacts are determined to be less than significant.

c) *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Less Than Significant. The project does not include any elements that could potentially create a traffic hazard for motor vehicles, bicycles, or pedestrians due to a proposed, non-standard design feature. Additionally, because the project would be required to comply with City standards for road and parking improvements, the proposed project would not significantly increase hazards due to design features or incompatible uses. Therefore, impacts would be less than significant.

d) *Would the project result in inadequate emergency access?*

Less Than Significant. The California Fire Code, along with the San Marcos Fire Department, administers the rules and regulations on fire access design. The proposed project must present a design which affords fire and emergency responders suitable fire access roads dimensions and surfaces (Chapter 5, Sections 503.1 through 503.4 of the California Fire Code), an adequate number of emergency rated entrances to the community (Appendix D, Section D106 of the California Fire Code), and entryway gate access for first responders (Chapter 5 of the California Fire Code, Section 503.6). With implementation of procedures outlined in the Evacuation Plan and compliance with the California Fire Code and San Marcos Fire Department requirements, the proposed project would not result in inadequate emergency access, and impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVIII. TRIBAL CULTURAL RESOURCES

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

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.18 Tribal Cultural Resources

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

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

Less Than Significant. As described above under Section 1.5, Cultural Resources, and in the Negative Cultural Resources Phase I Inventory Report (included as Appendix A to this MND), Dudek conducted a California Historical Resources Information Systems (CHRIS) records search of the project area and a one-mile radius buffer at the SCIC located at San Diego State University on May 9, 2022. The records search did not identify any cultural resources within the project area; however, fifteen cultural resources were identified within the one-mile radius. A Native American Heritage Commission (NAHC) Sacred Lands File (SLF) search was requested, and results are pending. The results of the SLF search will be included in the final draft of the Cultural Resources Phase I Inventory Report once the results are received, and also included in the Final MND for the proposed project.

The SCIC records search and the pedestrian survey did not identify cultural resources within the project parcel. There is a historic age structure (single-family property) located in the southeastern section of the project parcel, however, the proposed project would be constructed in the northeastern corner of the project parcel, would not impact the single-family property, and would be kept separate from the property. The review of aerial photographs also reveals that a majority of the project area has been heavily disturbed by agricultural activities. The ground surface shows evidence of being graded and disked for the current winery and single-family property. Therefore, implementation of the proposed project would not impact any historic resources, and impacts are determined to be less than significant.

If the project area expands to include the historic age structure (single-family property), then the structure will require a Built Environment study and evaluation for inclusion on the CRHR and NRHP.

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

Less Than Significant. Dudek requested a NAHC search of the SLF on May 4, 2022, for the project area. The SLF consists of a database of known Native American resources. These resources may not be included in the SCIC database. The NAHC replied on June 21, 2022 with negative results (Appendix A). The NAHC additionally provided a list of Native American tribes and individuals/organizations with traditional geographic associations that might have knowledge of cultural resources in this area.

Outreach letters were mailed on June 24, 2022 to all Native American group representatives included on the NAHC contact list (Appendix A). These letters attempted to solicit additional information relating to Native American resources that may be impacted by the Project. Native American representatives were requested to define a general area where known resources intersect the Project area. Four responses have been received to date. The Viejas Band of Kumeyaay Indians responded on June 27, 2022, stating that the Project site has cultural significance or ties to the Kumeyaay Nation and requested all NEPA/CEQA/NAGRPA laws be followed and to contact the San Pasqual Band of Mission Indians on any changes or inadvertent discoveries. The San Luis Rey Band of Mission Indians responded on July 14, 2022, stating that they have knowledge of many discoveries made throughout the Project area and recommends the incorporation of a Luiseño Native American monitor during all ground disturbing activities and surveys. The Rincon Band of Luiseño Indians responded on July 15, 2022, that the Project may impact tangible Tribal Cultural Resources (TCRs), Traditional Cultural Landscapes (TCLs), and potential Traditional Cultural Properties (TCPs) and recommends conducting an archaeological/cultural resources study. The San Pasqual Band of Mission Indians responded on August 18, 2022 stating that the Project is within the boundaries of their Traditional Use Area. These letters have been forwarded to the City. No other communications between Dudek and the tribes has occurred since then. The NACH correspondence is included in Appendix A.

In compliance with Assembly Bill 52, the City, as lead agency, is responsible for conducting government to government consultation with pertinent tribal entities. At this time, Rincon Band of Luiseño Indians, San Luis Rey Band of Mission Indians, San Pasqual Band of Mission Indians,

and Pechanga Band of Mission Indians have requested AB52 consultation. AB52 Consultation led by the City is ongoing at this time, and this report will be updated based on the outcome of consultation efforts.

While conclusion of consultation is pending, Dudek's Phase I cultural resources inventory of the project site indicates that there is low sensitivity for identifying intact subsurface archaeological deposits during project implementation. The SCIC records search and the pedestrian survey did not identify any cultural resources within the project area. However, as outlined in Section 1.5 above, the project would implement mitigation measures MM-TCR-1 through MM-TCR-4, to ensure potential impacts to tribal cultural resources would remain less-than-significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:

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

1.19 Utilities and Service Systems

a) *Would the project require or result in the relocation or construction of new or expanded water, or wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities or expansion of existing facilities, the construction or relocation of which could cause significant environmental effects?*

Less Than Significant. The existing single-family residence and vineyards on site is serviced by Vista Irrigation District, and the proposed project is expected to be served by Vista Irrigation District as well. Vista Irrigation District provides water to much of northern San Diego County, including the City of Vista, and portions of San Marcos, Escondido, Oceanside, and unincorporated areas of the county. In 1954 the District became a member of the San Diego County Water Authority (SDCWA) to take advantage of water imported from the Colorado River and Northern California. In December 2015, the SDCWA began receiving and distributing desalinated seawater from the Claude “Bud” Lewis Carlsbad Desalination Plant to its member agencies, including the Vista Irrigation District. Historically, 30% of the District’s water has come from Lake Henshaw and 70% is purchased from the Water Authority and includes imported water from the Colorado River and the Sacramento River/San Joaquin River Delta in Northern California and desalinated sea water. During years when rainfall is significantly below average and the availability of local water is limited, well over 90% of the District’s water supply is purchased (Vista Irrigation District 2022).

The Escondido-Vista Water Treatment Plant (Plant), jointly owned by the City of Escondido and Vista Irrigation District, was constructed in 1976 and has the capacity to produce 75 million gallons of potable water per day. Due to the scale of the project, it is anticipated that the District would adequately serve project demand in addition to current demand of the site. However, the project would be required to receive a will-serve letter from the Vista Irrigation District to ensure adequate water service.

The project would connect to existing water lines on site that would connect to existing Vista Irrigation District (VID) water facilities located in Mulberry Road. The District primarily receives its water from the SDCWA. SDCWA is San Diego County’s predominant source of water, supplying from 75% to 95% of the region’s water needs (SDCWA 2023). The population within the Water Authority’s service area was approximately 3.3 million people in 2020 and is projected to increase to roughly 3.8 million people by 2045. The County of San Diego is expected to develop an additional 130,000 acres between 2020 and 2050, with the majority (125,000 acres) of development dedicated to residential land uses. These regional growth projections are based on the San Diego Association of Governments [SANDAG] Series 14 Regional Growth Forecast, developed for its 2019 Federal Regional Transportation Plan adopted by SANDAG’s Board of Directors on October 25, 2019. In fiscal year 2020, total water demand in the Water Authority’s service area was 463,128 acre-feet (AF), of which 92% was for municipal and industrial use and 8% was for agricultural water use. By 2045, the Water Authority’s total water demands are projected to reach 630,771 AF. This projection accounts for planned future water conservation savings (SDCWA 2021). The proposed project would be consistent with the existing General Plan land use and zoning designation for the project site and would not include any habitable structures that would substantially increase demand on water supply in comparison to existing conditions. Therefore, due to the location of the project site in an urbanized area that is currently served by existing facilities, and based on the information outlined above, the proposed project would not require or result in the relocation or construction of new water facilities that could cause significant environmental impacts to water services. Impacts related to water demand and infrastructure are determined to be less than significant.

Regarding wastewater service, the project would result in increased wastewater generation in comparison to existing conditions on site, due to the proposed restroom as part of the winery, and the increase in wastewater generation from the estimated 50-60 winery visitors per day. However, guests and employees of the winery would only be on site during operating hours, and no residential units are proposed as part of the project. As part of the project, an annexation is in process for sewer service and connection to VWD facilities. Currently, the single-family residence on site is served by a septic system. The City requires that VWD provide a letter of Sewer Availability for proposed developments within VWD. Acceptance by VWD of all wastewater facilities required to be constructed to service the project would also be required.

Wastewater generated by the proposed project would be treated by the Meadowlark Water Reclamation Facility. MRF has a capacity of 5 MGD, with a wet weather treatment capacity of 8 MGD, and treats wastewater at 0.25 MGD. Due to the scale of the project, is expected that the MRF would be able to adequately treat wastewater flows from the project, and therefore new wastewater treatment facilities would not be needed. With implementation of City and VWD requirements for sewer service, and considering the scope of existing and proposed infrastructure, the proposed project is not anticipated to exceed current capacities or significantly impact existing wastewater treatment systems. Therefore, impacts related to wastewater service and infrastructure would be less than significant.

Regarding stormwater drainage, development of the proposed project would increase the impervious area on site and increase stormwater runoff in comparison to existing conditions. The project is relatively flat and primarily consists of vineyards with the exception of the single-family residence on site and associated paved driveway. As described in Section 1.10, Hydrology and Water Quality, as part of the project, a bioretention area is proposed in the northwest corner of the project parcel. The implementation of a permanent bioretention area and site design BMPs would effectively treat runoff prior to discharge from the site. Additionally, implementation of SWPPP for temporary construction BMPs during grading and construction operations would effectively treat runoff during construction prior to discharge from the site in compliance with the state CGP. The project has considered stormwater flows and designed the grading plan to direct all surface runoff towards the basin. Storm drainage components would properly handle runoff to meet regulatory requirements and to ensure that post-development runoff quantifies rates that are similar to or less than pre-development conditions. The proposed project would incorporate appropriate design of site drainage facilities and would prepare and implement a SWPPP and BMPs. Implementation of the project would not require new or expanded storm drainage facilities, and impacts would be less than significant.

Electrical power, natural gas and telecommunications is discussed in Section 1.6, Energy, of this MND, implementation of the proposed project would not result in the relocation or construction of new or expanded facilities or services. Electricity and natural gas would be provided by SDG&E. Electrical facilities throughout the City include a combination of aboveground and belowground electrical distribution lines and utilities structures. Existing SDG&E infrastructure currently serves the existing residence on site. Communications systems for telephones, computers, and cable television are serviced by utility providers such as AT&T, Cox, Spectrum (formerly Time Warner), and other independent cable companies. The City fiber-optic network is facilitated by a 72-strand fiber-optic line that runs on various streets throughout the City. All major arterials in the City have implemented fiber optics. No specific systems upgrades are proposed or anticipated for the proposed project. Due to the existing infrastructure served in the surrounding project area including the project site, the proposed project would not result in impacts associated with the construction or expansion of utilities, and impacts are determined to be less than significant.

b) ***Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, and reasonably foreseeable future development during normal, dry and multiple dry years or are new or expanded entitlements needed?***

Less than Significant. As described in response to threshold a) above, the existing site is serviced by Vista Irrigation District, and the proposed project is expected to be served by Vista Irrigation District as well. Historically, 30% of the District's water has come from Lake Henshaw and 70% is purchased from the Water Authority and includes imported water from the Colorado River and the Sacramento River/San Joaquin River Delta in Northern California and desalinated sea water. During years when rainfall is significantly below average and the availability of local water is limited, well over 90% of the District's water supply is purchased (Vista Irrigation District 2022).

The Escondido-Vista Water Treatment Plant, jointly owned by the City of Escondido and Vista Irrigation District, was constructed in 1976 and has the capacity to produce 75 million gallons of potable water per day. Due to the scale of the project, it is anticipated that the District would adequately serve project demand in addition to current demand of the site. However, the project would be required to receive a will-serve letter from the Vista Irrigation District to ensure adequate water service.

The project site would be developed in compliance with the California Green Building Code, which implements water efficiency standards for appliances and fixtures. Compliance with the California Green Building Code would further reduce project water usage in combination with the District's ongoing water conservation practices. Compliance with these regulations and conservation measures would ensure sufficient water supplies are available to service the proposed project. Therefore, impacts related to sufficient water supply is determined to be less than significant.

c) ***Would the project 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?***

Less Than Significant. The project would result in increased wastewater generation in comparison to existing conditions on site, due to the proposed restroom as part of the winery, and the increase in wastewater generation from the estimated 50-60 winery visitors per day. However, guests and employees of the winery would only be on site during operating hours, and no residential units are proposed as part of the project.

As part of the project, sewer connection to VWD facilities would be established. Currently, the single-family residence on site is served by a septic system. The City requires that VWD provide a letter of Sewer Availability for proposed developments within VWD. Acceptance by VWD of all wastewater facilities required to be constructed to service the project would also be required.

As described above, wastewater generated by the proposed project would be treated by the Meadowlark Water Reclamation Facility. MRF has a capacity of 5 MGD, with a wet weather treatment capacity of 8 MGD, and treats wastewater at 0.25 MGD. Due to the scale of the project, it is expected that the MRF would be able to adequately treat wastewater flows from the project, and therefore new wastewater treatment facilities would not be needed. With implementation of City and VWD requirements for sewer service, and considering the scope of existing and proposed infrastructure, the proposed project is not anticipated to exceed current capacities or significantly impact existing wastewater treatment systems. Therefore, impacts relative to wastewater services would be less than significant.

d) ***Would the project 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?***

Less than Significant. Construction of the project would result in the generation of solid waste such as scrap lumber, concrete, residual wastes, packing materials, and plastics. Operation of the proposed project would result in a limited increase in intensity of uses on the project site in comparison to existing conditions, and solid waste from project operations would consist of winery processing, production, and tasting room materials.

Solid waste generated by the project would be serviced by EDCO, and solid waste would then be transferred to Sycamore Landfill. According to CalRecycle, the facility has a daily permitted capacity of 5,000 tons per day for solid waste. As of December 2016, the remaining capacity of Sycamore Sanitary Landfill is 147,908,000 cubic yards, or approximately 40 million tons, with an anticipated closure date of 2042. Further, four other landfills in the County accept municipal solid waste, including Borrego Landfill, Miramar Landfill, Otay Landfill, and Ramona Landfill.

The anticipated operational solid waste generation from the proposed project was estimated using CalRecycle's Estimated Solid Waste Generation Rates (CalRecycle 2019). It is estimated that the project (maximum 3 employees) would generate approximately 31.59 pounds of solid waste per day (using CalRecycle's commercial generation rate of 10.53 pounds of solid waste per employee per day). This amount is considered nominal and does not consider any waste diversion through recycling. According to CalRecycle, the City of San Marcos has a disposal rate target of 8.9 pounds per person per day. If the City meets this target, the City is considered in compliance with the 50% diversion requirement of AB 939. The most recent data from CalRecycle identifies the annual per capita disposal rate is 5.4 pounds per person per day (CalRecycle 2023). Thus, the City is exceeding their targets for diversion. EDCO Waste and Recycling Services, the City's waste and recycling contractor, offers commercial recycling services throughout the City and would serve the proposed project.

The project would be required to comply with applicable state and local regulations related to solid waste, waste diversion and recycling at the time of development. Due to the proposed scale and nature of the project, implementation of the proposed project is not expected to 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. Therefore, impacts related to solid waste are determined to be less than significant.

e) ***Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

Less than Significant. The proposed project would be required to comply with all federal, state, and local statutes and regulations related to solid waste, diversion of waste, and recycling. All solid waste facilities, including landfills, require solid waste facility permits to operate. In San Diego County, Public Resources Code (Sections 44001-44018) and California Code of Regulations Title 27, Division 2, Subdivision 1, Chapter 4 (Section 21440 et seq.) authorizes the County Department of Environmental Health, Local Enforcement Agency to issue solid waste facility permits. Sycamore Sanitary Landfill is a permitted facility and EDCO is a licensed hauler. For these reasons, and the reasons stated above, impacts related to solid waste as a result of project implementation would be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

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

1.20 Wildfire

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. As described in Section 1.9, Hazards and Hazardous Materials, of this MND, according to the General Plan Safety Element, the San Marcos Emergency Operations Plan (EOP) governs the operations of the City during a disaster. This plan addresses response to moderate evacuation scenarios, including the identification of evacuation points and general routes (City of San Marcos 2012c). Based on the existing road network, the community can evacuate to the north, east, south and west within a short distance, depending on the nature of the emergency. Furthermore, the proposed project does not propose any residential units. Development of the project would be required to comply with City Fire requirements, and all final plans would be reviewed by the City Planning Department and City Fire. Implementation of the project would not impair an adopted emergency response plan or evacuation plan, and impacts are determined to be less than significant.

b) Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less Than Significant Impact. The project site is not designated as a high fire severity zone in the City's General Plan (City of San Marcos 2012c) and lies just outside the High Hazard Severity Zone area, in a Non-Very High Hazard Severity Zone, as designated by the California Department of Forestry and Fire Protection

(CAL FIRE). Fire hazard designations are based on topography, vegetation, and weather, amongst other factors. The project site is within a developed City landscape, surrounded by urban land uses. Further, the site currently, and post-project, would not represent a significant wildfire hazard based on the flat terrain, developed parcel, and lack of vegetation fuel.

The proposed project would not include associated infrastructure that may exacerbate fire risk. Additionally, the proposed project would be required to comply with all applicable state and local fire codes, including compliance with the California Fire Code as adopted by the City of San Marcos and the San Marcos Fire Department.

Fire protection services are provided to the project site by the San Marcos Fire Department. The nearest fire station to the project site is San Marcos Fire Station No. 3, located at 404 Woodland Parkway, approximately 1.7 miles south of the project site. The proposed project would not develop any habitable structures, and visitors and employees would only be on site during winery operating hours.

For these reasons, implementation of the proposed project would not exacerbate wildfire risk, and impacts would be less than significant.

c) ***Would the project 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?***

Less Than Significant Impact. Implementation of the proposed project would not require any off-site improvements. As described previously, the project is located on a developed parcel and includes a 3,582 sf winery, associated parking, and ornamental landscaping. Development of the project would not require new or extended roads, fuel breaks, emergency water sources, power lines or other new utility sources that could exacerbate fire risk in the area. Therefore, impacts are determined to be less than significant.

d) ***Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?***

Less Than Significant Impact. As described in Section 1.7, Geology and Soils, of this MND, the project site and surrounding area are flat, and the project site has a low potential of landslides and flooding. The project site is not located downslope or downstream of any geologic features of concern. As described above, the project is located in a low fire severity area (City of San Marcos 2012b). Therefore, impacts are determined to be less than significant.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1.21 Mandatory Findings of Significance

a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

Less Than Significant. As discussed in Section 1.4, the proposed project would not result in any significant impacts to biological resources, including sensitive vegetation communities or habitat for special-status wildlife species. As described in Section 1.5, implementation of the project would not impact any existing historical resources. The project would be located on a site that is currently developed with vineyards and a single-family residence.

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).

Less Than Significant. As analyzed throughout this MND, implementation of the project would not result in any potential impacts requiring mitigation. Considering the nature and scale of the project, significant cumulative impacts are not anticipated.

c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Less Than Significant. The proposed project would not result in any substantial adverse effects on human beings directly or indirectly.

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2 References and Preparers

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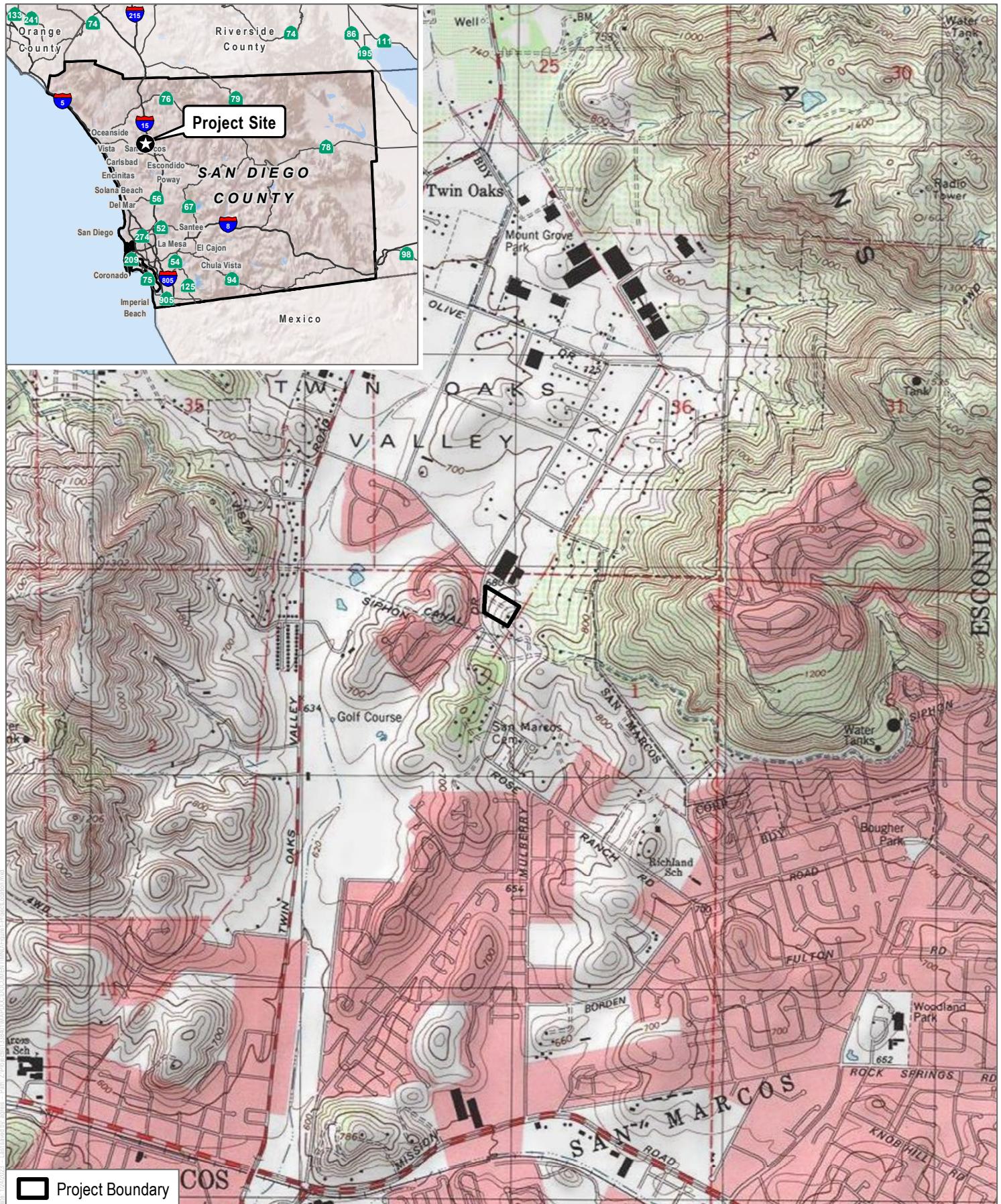
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2.2 Preparers

Carey Fernandes, Project Manager - DUDEK
Vanessa Scheidel, Environmental Planner - DUDEK

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DUDEK

0 1,000 2,000 Feet

FIGURE 1
Project Location
Twin Oaks Valley Winery Project

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SOURCE: SANGIS 2020, 2022

FIGURE 2

Site Plan

Twin Oaks Valley Winery Project

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SOURCE: Architecture, JA Inc.

DUDEK

FIGURE 3a
Landscape Plan
Twin Oaks Valley Winery Project

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LEGEND

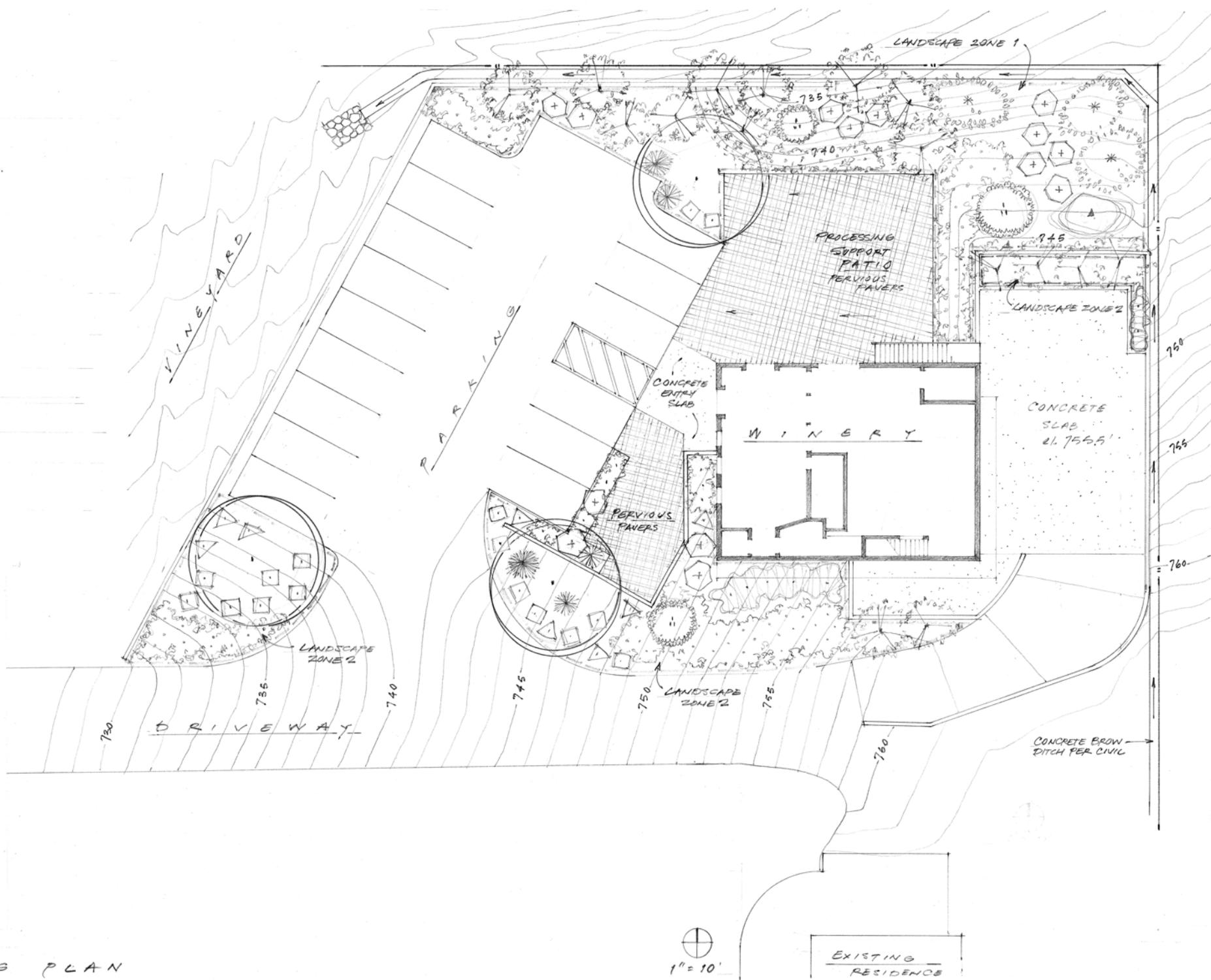
SYMBOL	NAME	SIZE
TREES		
	<i>Quercus agrifolia</i> COAST LIVE OAK	(3) 48" BOX
SHRUBS		
	<i>Ceanothus 'Julia Phelps'</i> JULIA PHELPS CEANOTHUS	(3) 5 GAC.
	<i>Heteromeles arbutifolia</i> TOYON	(16) 15 GAC.
	<i>Rhus integrifolia</i> LEMONADE BERRY	(3) 15 GAC.
	<i>Malosma laurina</i> LAUREL SUMAC	(1) 15 GAC.
	<i>Frangula (Rhamnus) californica</i> COFFEE BERRY	(13) 5 GAC.
	<i>Eriogonum fasciculatum</i> CALIFORNIA BUCKWHEAT	(68) 1 GAC.
	<i>Romneya coulteri</i> MATILJA POPPY	(7) 1 GAC.
	<i>Diplacus longiflorus</i> (ORANGE) STICKY MONKEY FLOWER	(9) 1 GAC.
	<i>Epilobium canum</i> CALIFORNIA FUCHSIA	(16) 1 GAC.
	<i>Muhlenbergia rigens</i> DEER GRASS	(3) 4 GAC.
GRASSES		

Planting Notes

- Prior to planting, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need meet this requirement.
- For landscape installations, compost at a rate of a minimum of 4 cu. yd. per 1,000 s.f. of permeable area shall be incorporated to a depth of 6" into the soil. Soils with greater than 6% organic matter in the top 6" of soil are exempt from adding compost and tilling.
- A minimum 4" layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf area, creeping or rooting ground covers or direct seeding applications where mulch is contraindicated. Stabilizing mulching products shall be used on slopes that meet current engineering standards.
- The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirements.
- Organic mulch materials made from recycled or post-consumer product shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local Fuel Protection Plan Guidelines or other applicable City regulations.

I have complied with the criteria of CSMC section 20.330.060 and applied them for the efficient use of water in the landscape design plan.

LANDSCAPE PLANTING PLAN



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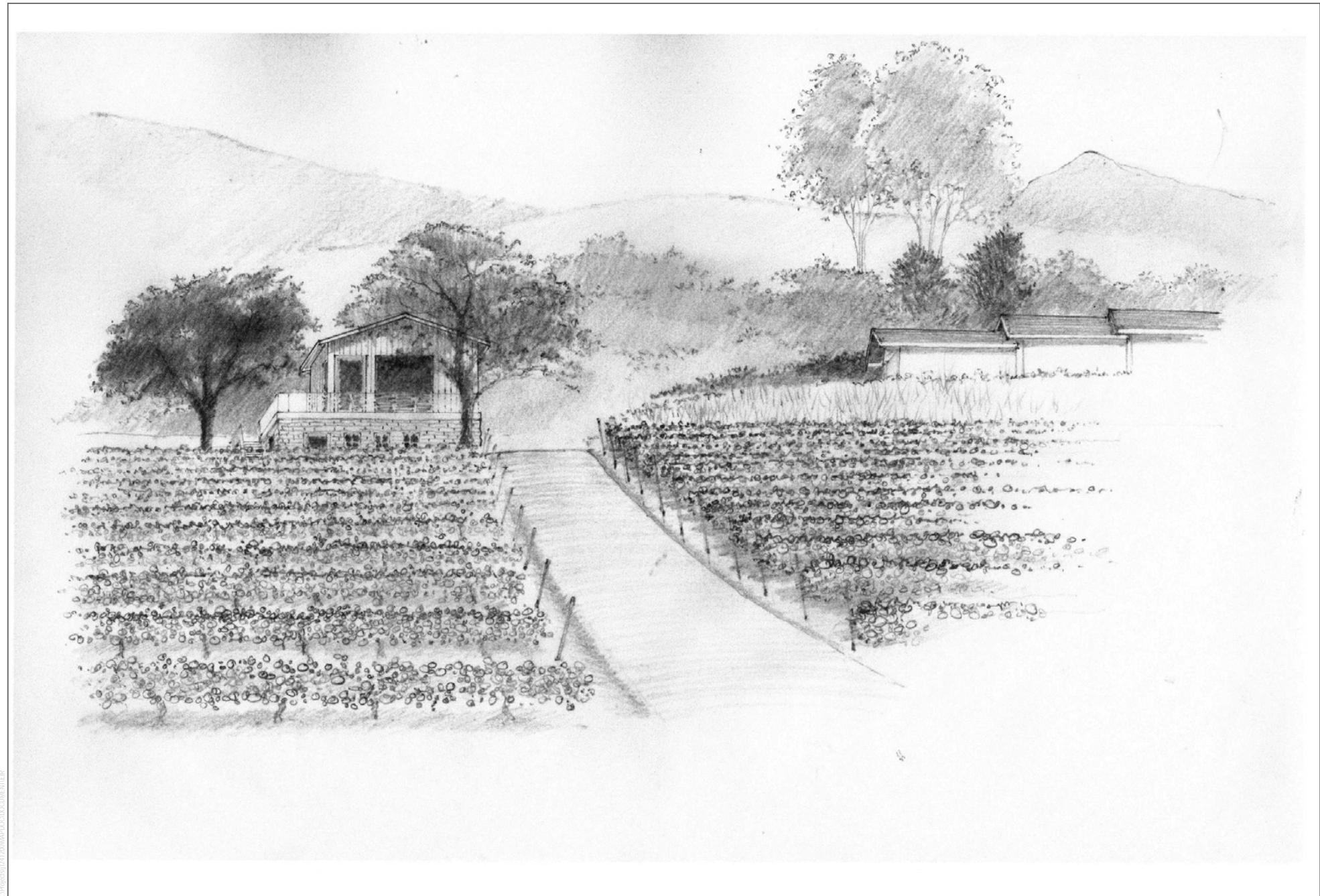


FIGURE 4

Project Elevations

Twin Oaks Valley Winery Project

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SOURCE: Architecture, J.A., Inc., 2022

DUDEK

FIGURE 5

Perspective View from Mulberry Drive
Twin Oaks Valley Winery Project

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