

MITIGATED NEGATIVE DECLARATION

FILE: S18-0004

PROJECT NAME: Jobbins Winery

NAME OF APPLICANT: Charles and Renee Jobbins

ASSESSOR'S PARCEL NO.: 094-080-13 **SECTION:** 33 **T:** 9N **R:** 12E

LOCATION: North side of Idlewild Road at the intersection with Perry Creek Road in the Fair Play area, El Dorado County (Attachment 1).

- GENERAL PLAN AMENDMENT:** **FROM:** **TO:**
- REZONING:** **FROM:** **TO:**
- TENTATIVE PARCEL MAP**
SUBDIVISION (NAME):
- SPECIAL USE PERMIT TO ALLOW:** Winery with on-site sales consisting of a wine producing building and a tasting room.
- OTHER:**

REASONS THE PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT:

- NO SIGNIFICANT ENVIRONMENTAL CONCERNS WERE IDENTIFIED DURING THE INITIAL STUDY.**
- MITIGATION HAS BEEN IDENTIFIED WHICH WOULD REDUCE POTENTIALLY SIGNIFICANT IMPACTS.**
- OTHER:**

In accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), State Guidelines, and El Dorado County Guidelines for the Implementation of CEQA, the County Environmental Agent analyzed the project and determined that the project will not have a significant impact on the environment. Based on this finding, the Planning Department hereby prepares this MITIGATED NEGATIVE DECLARATION. A period of thirty (30) days from the date of filing this mitigated negative declaration will be provided to enable public review of the project specifications and this document prior to action on the project by COUNTY OF EL DORADO. A copy of the project specifications is on file at the County of El Dorado Planning Services, 2850 Fairlane Court, Placerville, CA 95667.

This Mitigated Negative Declaration was adopted by the Zoning Administrator on December 5, 2018.

Executive Secretary

Exhibit H



**COUNTY OF EL DORADO
 COMMUNITY DEVELOPMENT SERVICES
 PLANNING AND BUILDING DEPARTMENT
 2850 FAIRLANE COURT
 PLACERVILLE, CA 95667**

**INITIAL STUDY
 ENVIRONMENTAL CHECKLIST FORM**

Project Title:S18-0004: Jobbins Winery

Lead Agency Name and Address: County of El Dorado, 2850 Fairlane Court, Placerville, CA 95667

Contact Person:Evan Mattes, Project Planner

Phone Number: (530) 621-5994

Property Owner/Applicant's Name and Address: Charles and Renee Jobbins 2246 White Sands Drive, South Lake Tahoe

Project Location:On the north side of Idlewild Road at the intersection with Perry Creek Road in the Fair Play area, El Dorado County, Supervisorial District 2

Assessor's Parcel Number(s):094-080-13

Zoning: Rural Lands Ten-Acres (RL-10)

Section: 33 **T:**9N **R:**12E

General Plan Designation: Rural Residential/Agricultural District Overlay (RR-A)

Description of Project:Minor Use Permit request to allow for the construction and operation of a winery with on-site sales and a tasting room on a parcel zoned Rural Lands Ten-Acres (RL-10) and a General Plan Designation of Rural Residential within the Agricultural District Overlay (RR-A).

Surrounding Land Uses and Setting:

	<u>Zoning</u>	<u>General Plan</u>	<u>Land Use</u> (e.g., Single Family Residences, Grazing, Park, School)
Site:	RL-10	RR-A	Undeveloped
North:	RL-10	AL-A	Single-family residence
South:	RL-10	RR-A	Undeveloped
East:	RL-10	RR-A	Vineyard/Single-family residences
West:	RE-5/RL-10	MDR/ AL-A	Single-family residences

Briefly Describe the environmental setting: The parcel lies at approximately 2,500 feet above mean sea level with an elevation range from approximately 2,390 to 2,600 feet above mean sea level. The site is currently undeveloped and is characterized by oak woodland north of Idlewild Road and pasture land south of Idlewild Road.

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

1. Pioneer Fire Protection District
2. Transportation Division: Review of Conditions of Approval
3. El Dorado County Planning and building Department: Review and approval of permit.

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.

Aesthetics		Agriculture and Forestry Resources		Air Quality
Biological Resources		Cultural Resources		Geology / Soils
Greenhouse Gas Emissions		Hazards & Hazardous Materials		Hydrology / Water Quality
Land Use / Planning		Mineral Resources		Noise
Population / Housing		Public Services		Recreation
Transportation/Traffic	X	Tribal Cultural Resources		Utilities / Service Systems

DETERMINATION

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 in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION**, pursuant to applicable standards; and b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature:  Date: 10-30-2018

Printed Name: Evan Mattes, Associate Planner For: El Dorado County

Signature:  Date: 10-30-2018

Printed Name: Michael Nihan, Principal Planner For: El Dorado County

PROJECT DESCRIPTION

The project proposes the construction of a new 3,150 sf agricultural building, consisting of wine production and storage, and a 1,250 sf tasting room associated with a winery operation. A parking lot consisting of seven parking spaces and one accessible parking space would serve the tasting room. All structures are proposed to be located north of Idlewild Road and would not impact any oak trees. Approximately 5.11 acres (4,640 vines) of grapes are to be planted on the south side of Idlewild Road. The project would take access off of Idlewild Road, an existing privately maintained road. An eight foot high deer fence is proposed along the property lines and Idlewild Road. Two employees are anticipated to work at the project site, with one fulltime employee to assist in the winery operations and one part-time employee to assist in the tasting room. No special events are proposed as part of this project.

The 3,150 sf agricultural building would consist of a grape crushing area, a press, wine case and barrel storage and wine tanks. The project would have the capacity to produce a maximum of 5,000 cases of wine annually, with at least 50 percent of grapes being produced within El Dorado County. On-site retail sales would occur within the proposed tasting room.

In addition to the winery the project applicant proposes the construction of a new 1,900 sf single-family residence with a 550 sf car port, a 1,200 sf secondary dwelling unit, which are uses allowed by right within the RL-10 zoning designation and does not require the approval of a Discretionary Permit.

ENVIRONMENTAL IMPACT ANALYSIS

The proposed project is to operate a new winery consisting of a new 3,150 sf agricultural building, consisting of wine production and storage, a 1,250 sf tasting room and a seven stall parking lot. Due to the nature and scope of the proposed project a streamlined Initial Study was prepared with focuses on items with potential significant impacts.

New construction is limited to the center of the project property and would not impact any oak tree resources. Construction and activities associated with single-family residences and wineries are not expected to impact aesthetic resources, water quality, biological resources, air quality plans or standards, including greenhouse gases, impact or degrade cultural resources, or increase odors or pollution concentrations to any discernible level.

Noise from resulting construction activities will be subject to General Plan Policy 6.5.1.11 and Zoning Ordinance Section 130.37, so that impacts from these factors as a result of new construction, agricultural activities, and residential uses will be less than significant. Airborne particulate impacts from residential use, such as wood burning stoves if installed, shall be subject to Policy 6.7.4.6 requiring consistency with the Environmental Protection Agency and El Dorado County AQMD certification standards.

Comments from the California Department of Forestry and Fire Protection (CalFire) have determined that adequate fire protection, access and water supply exist with the incorporation of the conditions of approval. Implementation of the fire district standards would reduce the impacts of wildland fire to a less than significant level.

No sensitive receptors are located adjoining the parcels. Impacts to surrounding land uses from residential and agricultural uses allowed under the minor use permit will be less than significant.

The proposed project will not expose people to noise levels in excess of standards established in the General Plan or Zoning Ordinance. The proposed tasting room will operate during day time hours and noise generated by the site is anticipated to be consistent with rural residential uses.

A cultural resources records search was conducted through the North Central Information Center dated August 15, 2016. According to the NCIC, there has been one cultural resource study conducted within a ¼ mile radius of the project area, which identified one historic-period cultural resource. Further archival and/or field study by a cultural resource professional was not recommended. Impacts to cultural resource would be less than significant.

The project would create a new single-family dwelling unit and a secondary dwelling unit, which is a use allowed by right within the RL-10 zoning designation and not subject to the approval of the Conditional Use Permit. Impacts on population density and surrounding land use will be less than significant. Additionally the creation of a new winery with on-site sales and tasting room is consistent with the Rural Lands zoning designation within an agricultural district with the approval of a minor use permit.

The parcel is accessed off of Idlewild Road, a privately-maintained road. The Transportation Division reviewed the project and had no comment as to its impact on level of service thresholds established under General Plan Policy TC-Xe. Impacts on transportation elements of roadway design, levels of service, and corresponding air quality impacts from residential uses and the creation of a new winery will be less than significant.

The parcel is currently served by three wells and a private septic system. A residence previously existed on the property. Impacts on public utilities and services from residential development and the creation of a new winery will be less than significant.

TRIBAL RESOURCES

The United Auburn Indian Community of the Auburn Rancheria (UAIC), the Wilton Rancheria, the Washoe Tribe of Nevada and California, the Ione Band of Miwok Indians, the Nashville-El Dorado Miwok, the T'si-Akim Maidu, and the Shingle Springs Band of Miwok Indians were notified of the proposed project and given access to all project documents, via certified mail. No other tribes had requested to be notified of proposed projects for consultation in the project area at the time. Pursuant to the Records Search prepared by the North Central Information Center (2016), the geographic area of the project site is not known to contain any resources 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 considered significant by a California Native American tribe. A site visit with representatives from the UAIC on July 16, 2018 revealed cultural and potential cultural items on the project site. Since the site visit, UAIC has ceded their AB52 consultation to the Shingle Springs Band of Miwok Indians for the project. Impacts would be less than significant with mitigation measures incorporated.

Mitigation Measure TRI-1: Native American Monitors from the Shingle Springs Band of Miwok Indians shall be invited to monitor the vegetation grubbing, stripping, grading, or other ground-disturbing activities in the project area to

determine the presence or absence of any cultural resources. The Native American Representatives and Native American Monitors have the authority to identify sites or objects of significance to Native Americans and to request that work be stopped, diverted, or slowed if such sites or objects are identified within the direct impact area, only a Native American Representative can recommend appropriate treatment of such sites or objects.

Monitoring Requirement: Mitigation Measure shall be incorporated into all building and grading plans and evidence of on-site monitoring shall be submitted to the County prior to finaling of grading and building permits.

Monitoring Responsibility: El Dorado County Planning and Building Department.

The project is substantially consistent with surrounding residential and agricultural uses and would not have an impact on aesthetics, agriculture and forestry, geology/soils, hydrology/water quality, and mineral resources.

MANDATORY FINDINGS

- a. No impacts have been found that would reduce potential wildlife or plant habitat on the site, reduce wildlife or plant populations below self-sustaining levels, or restrict the range or migratory habits of a rare or endangered animal. Impacts to cultural or archaeological resources would be less than significant.
- b. No cumulative impacts from the proposed residential uses and winery are anticipated.
- c. No environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly will occur as a result of the proposed minor use permit allowing residential uses and a new winery.

SUPPORTING INFORMATION SOURCE LIST

The following documents are available at El Dorado County Planning Services in Placerville.

El Dorado County General Plan Draft Environmental Impact Report
Volume 1 of 3 – EIR Text, Chapter 1 through Section 5.6
Volume 2 of 3 – EIR Text, Section 5.7 through Chapter 9
Appendix A
Volume 3 of 3 – Technical Appendices B through H

El Dorado County General Plan – A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief (Adopted July 19, 2004)

Findings of Fact of the El Dorado County Board of Supervisors for the General Plan

El Dorado County Zoning Ordinance (Title 130 - County Code)

County of El Dorado Drainage Manual (Resolution No. 67-97, Adopted March 14, 1995)

County of El Dorado Grading, Erosion and Sediment Control Ordinance (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170)

El Dorado County Design and Improvement Standards

El Dorado County Subdivision Ordinances (Title 120 - County Code)

Soil Survey of El Dorado Area, California

California Environmental Quality Act (CEQA) Statutes (Public Resources Code Section 21000, et seq.)

Title 14, California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (Section 15000, et seq.)