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**INTRODUCTION**

**1.1 PROJECT BACKGROUND**

The Winery and Farm Brewery Zoning Text Amendment Project (proposed project) includes several text amendments to the County’s 2008 Winery Ordinance, which regulates wineries in the unincorporated portions of Placer County. In the years since the County of Placer’s 2008 Winery Ordinance was approved, wine industry concerns regarding the County’s existing Winery Ordinance have been raised, specifically citing a lack of promotional events allowed without a use permit. Based upon the desires of the community and winery owners to modify some standards in order to hold a greater number of events by right, staff determined that it was appropriate to re-examine the existing Winery Ordinance.

The Placer County Planning Commission held a series of workshops between December 2013 and February 2015 in relation to the review and adoption of a Winery Ordinance Zoning Text Amendment. Public comments provided by the Planning Commission, Placer County Vintners Association, Placer County Agricultural Commission, the applicable Municipal Advisory Councils, and community members were taken into account in order to address the diversity of ideas on the subject. The workshops introduced and analyzed a variety of potential changes to the Ordinance. Subsequent to the February 2015 workshop, County staff prepared a draft Zoning Text Amendment and Initial Study/Negative Declaration (IS/ND) to review the potential environmental effects associated with implementation of the changes. The IS/ND was circulated for a 30-day public review period beginning on July 11, 2015 and closing on August 10, 2015. During the public review period, the County received comments on the adequacy of the proposed IS/ND. As a result of public comment, County staff brought the Zoning Text Amendment to the Planning Commission as an information item during a regularly scheduled public hearing on January 14, 2016. During this public hearing, County staff informed the Planning Commission that the County’s Environmental Review Committee had determined that, in light of the comments received on the IS/ND, an Environmental Impact Report (EIR) should be prepared. Section 1.12 of this chapter contains a summary of the comments received on the IS/ND.

For additional background information, see Section 3.1 of the Project Description chapter of this EIR.

**1.2 TYPE AND PURPOSE OF THE EIR**

The proposed project EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970, Pub. Res. Code §§ 21000-21178, as amended and the Guidelines for Implementation of the California Environmental Quality Act, Cal. Code Regs. Title 14, §§ 15000-15387 (CEQA Guidelines). Placer County is the lead agency for the environmental review of the proposed project evaluated herein and has the principal responsibility for approving the project. As required by Section 15121 of the CEQA Guidelines, this EIR will (a)

inform public agency decision-makers, and the public generally, of the significant environmental effects of the project, (b) identify possible ways to minimize the significant adverse environmental effects, and (c) describe reasonable and feasible project alternatives which reduce environmental effects. The public agency shall consider the information in the EIR along with other information that may be presented to the agency.

As provided in the CEQA Guidelines Section 15021, public agencies are charged with the duty to avoid or minimize environmental damage where feasible. The public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social issues. CEQA requires the preparation of an EIR prior to approving any project that may have a significant effect on the environment. For the purposes of CEQA, the term *project* refers to the whole of an action, which has the potential to result in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]). With respect to the proposed project, the County has determined that the proposed Zoning Text Amendment is a *project* within the definition of CEQA, which has the potential to result in significant environmental effects.

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a *program-level EIR* pursuant to CEQA Guidelines Section 15168. According to CEQA Guidelines Section 15168(a), a program-level EIR is an EIR that may be prepared on a series of actions that could be characterized as one large project and are related either: 1) geographically; 2) as logical parts in the chain of contemplated actions; 3) in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or 4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

A program-level analysis for the proposed Zoning Text Amendment is appropriate in this EIR because:

- Site-specific details are not available at this time;
- The Zoning Text Amendment covers a defined geographic area, with similar land use characteristics; and
- A program-level analysis provides the County with the opportunity to consider “broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts” (CEQA Guidelines Section 15168(b)(4)).

While site-specific details are not available for the programmatic analysis, the types of impacts that could occur are generalized based on the type and quantity of events that would be allowable by right at existing and future winery and farm brewery facilities as a result of the proposed project. For further details regarding the framework of the environmental analysis contained in this EIR, see the “Framework of EIR Analysis” section of the Project Description chapter.

### **1.3 PROJECT SUMMARY**

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The proposed project includes several text amendments to the County’s 2008 Winery Ordinance, which regulates wineries in the unincorporated portions of Placer County. All of the existing wineries and current and pending farm breweries are located in the western-central portion of the County. The proposed text amendments are intended to preserve and protect farmland while also enhancing the economic viability of Placer County’s agricultural operations and supporting the tenets of agri-tourism. The proposed text amendments to the Winery Ordinance include the following substantive changes to the current Winery Ordinance:

- Add definition of “Farm Brewery” to the Ordinance
- Amend “Winery” definition to reference appropriate California Alcohol Beverage Control (ABC) license
- Add definition of “Tasting Room” to the Ordinance
- Modify definition of “Event” in the Ordinance
- Define new 10-acre minimum parcel size requirements for Production-only Facilities and Tasting Rooms
- Create table outlining “Event” allowances, maximum capacity, and use permit requirement
- Clarify hours of operation of all facilities
- Update the potable water standards for facility water systems
- Update the wastewater disposal standards for all facilities
- Update the standards for facility access roadways
- Add “Accessory Use - Restaurant” as allowable land use subject to CUP

A detailed project description can be found in Chapter 3, Project Description, of this EIR. Please refer to Appendix A for the full draft language of the proposed Winery and Farm Brewery Zoning Text Amendment.

### **1.4 EIR PROCESS**

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The EIR process begins with the decision by the lead agency to prepare an EIR, either during a preliminary review of a project or at the conclusion of an initial study. Once the decision is made to prepare an EIR, the lead agency sends a Notice of Preparation (NOP) to appropriate government agencies and, when required, to the State Clearinghouse (SCH) in the Office of Planning and Research (OPR), which will ensure that responsible and trustee State agencies reply within the required time. The SCH assigns an identification number to the project, which then becomes the identification number for all subsequent environmental documents on the project. Commenting agencies have 30 days to respond to the NOP and provide information regarding alternatives and mitigation measures they wish to have explored in the Draft EIR and to provide notification regarding whether the agency will be a responsible agency or a trustee agency for the project.

Upon completion of the Draft EIR and prior to circulation to State and local agencies and interested members of the public, a notice of completion is filed with the SCH and a public

notice of availability is published to inform interested parties that a Draft EIR is available for agency and public review. In addition, the notice provides information regarding the location of copies of the Draft EIR available for public review and any public meetings or hearings that are scheduled. The Draft EIR is circulated for a minimum period of 45 days, during which time reviewers may submit comments on the document to the lead agency. The lead agency must respond to comments in writing. If significant new information, as defined in CEQA Guidelines section 15088.5, is added to an EIR after public notice of availability is given, but before certification of the EIR, the revised EIR or affected chapters must be recirculated for an additional public review period with related comments and responses.

A Final EIR will be prepared, containing public comments on the Draft EIR and written responses to those comments, as well as a list of changes to the Draft EIR text necessitated by public comments, as warranted. Before approving a project, the lead agency shall certify that the EIR (consisting of the Draft EIR and Final EIR) has been completed in compliance with CEQA, and that the EIR has been presented to the decision-making body of the lead agency, which has reviewed and considered the EIR. The lead agency shall also certify that the EIR reflects the lead agency's independent judgment and analysis.

The findings prepared by the lead agency must be based on substantial evidence in the administrative record and must include an explanation that bridges the gap between evidence in the record and the conclusions required by CEQA. If the decision-making body elects to proceed with a project that would have unavoidable significant impacts, then a Statement of Overriding Considerations explaining the decision to balance the benefits of the project against unavoidable environmental impacts must be prepared.

## **1.5      NOP AND SCOPING**

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In accordance with CEQA Guidelines Section 15082, an NOP (see Appendix B) for the proposed project, as well as a detailed Initial Study (see Appendix D), was prepared and circulated to the public, local, State, and federal agencies, and other known interested parties from October 18, 2017 to November 16, 2017. Notice of the project was also published in the Sacramento Bee on October 18, 2017. The purpose of the NOP was to provide notification that an EIR for the proposed project was being prepared and to solicit public input on the scope and content of the document.

Pursuant to CEQA Guidelines Section 15082, Placer County held an NOP scoping meeting for the EIR during the 30-day review period, on November 1, 2017, for the purpose of receiving comments on the scope of the environmental analysis to be prepared for the proposed project. Agencies and members of the public were invited to attend and provide input on the scope of the EIR. Several comment letters were received during the 30-day review period and are provided as Appendix C to this EIR. All comments were taken into consideration during the preparation of this EIR. See Section 1.10 below for a list of comment letters received on the NOP and Section 1.12 for a summary of all of the comments received on the project to date.

## **1.6 PROJECT CHANGES SINCE PUBLICATION OF THE NOP**

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Since the NOP was published, changes were made to the proposed Zoning Text Amendment. The main change is that by-right development of production-only small wineries, which are wineries with an annual production of less than 20,000 cases, in the County's Resort (RES) zone district is no longer allowed. The Zoning Text Amendment has been revised to require an Administrative Review Permit for new small wineries (production-only) in a RES zone. An Administrative Review Permit allows County staff to review the proposed use in comparison with all applicable policies, standards, and regulations.

The NOP and Initial Study prepared for the proposed project considered the by-right development of production-only small wineries in RES zones. Because such development would no longer be allowed by right per the proposed Zoning Text Amendment, the analysis of such and all comments received during the NOP public comment period related to such, are no longer relevant. Similarly, an analysis of such development is not included in this EIR.

## **1.7 SCOPE OF THE EIR**

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The CEQA Guidelines, Section 15126.2(a) states, in pertinent part:

An EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced.

The Initial Study prepared for the proposed project (see Appendix D) that was attached to and distributed for public review with the NOP includes a detailed environmental checklist addressing a range of technical environmental issues pursuant to the then-current (September 2017) Appendix G, Environmental Checklist Form, of the CEQA Guidelines. For each technical environmental issue, the Initial Study identifies the level of impact for the proposed project. The Initial Study identifies the environmental effects as either "no impact," "less-than-significant," "less-than-significant with mitigation incorporated," or "potentially significant." Impacts identified for the proposed project in the Initial Study as "no impact," "less-than-significant," or "less-than-significant with mitigation incorporated" are summarized below and discussed further in Appendix D. All remaining issues identified in the Initial Study as "potentially significant" are discussed in the subsequent technical chapters of this EIR.

It is important to note that the CEQA Guidelines have been recently updated. More specifically, the updates proposed by the Office of Planning and Research (OPR) in January 2018 have been approved by the Office of Administrative Law and became effective December 28, 2018. As part of the updates, Appendix G, Environmental Checklist Form, of the CEQA Guidelines has been amended. The majority of changes represent consolidated or deleted questions to avoid redundancy, whereas a smaller subset represents additions based on current, often overlooked legal requirements (e.g., Energy), and legislation passed in recent years (e.g., Wildfire – Senate

Bill 1241).<sup>1</sup> The above noted additions to Appendix G – Energy and Wildfire – are topics evaluated in this EIR, as will be demonstrated below.

The newly added Energy section (IV) of the updated CEQA Guidelines Appendix G includes the following checklist questions regarding whether the project would:

- Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- Conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

These added checklist questions reflect the type of energy analysis already required under CEQA (see Pub. Resources Code, § 21100(b)(3) and Appendix F of the CEQA Guidelines). Thus, a project energy analysis has been provided in this EIR, in Section 12.3 of Chapter 12, Cumulative Impacts and Other CEQA Sections, of this EIR. Please refer to Chapter 12 for a detailed energy analysis of the project.

The new Wildfire section (XX) of the updated CEQA Guidelines Appendix G has been added in response to Senate Bill 1241.<sup>2</sup> The Wildfire section includes the following checklist questions:

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

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan;
- 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;
- 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; or
- 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.

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<sup>1</sup> Note: While the Transportation Section of the Appendix G Checklist has been updated consistent with Senate Bill 743, deleting reference to level of service, and instead inserting a reference to new Guidelines Section 16054.3, subdivision (b), to focus on vehicle miles traveled where appropriate, this shift in focus on vehicle miles traveled is not required until July 1, 2020.

<sup>2</sup> Senate Bill 1241 (Kehoe, 2012) required the Office of Planning and Research, the Natural Resources Agency, and CAL FIRE to develop “amendments to the initial study checklist of the [CEQA Guidelines] for the inclusion of questions related to fire hazard impacts for projects located on lands classified as state responsibility areas, as defined in section 4102, and on lands classified as very high fire hazard severity zones, as defined in subdivision (i) of section 51177 of the Government Code.” (Pub. Resources Code, § 21083.01 (emphasis added).)

Notably, the checklist questions only apply to a project located in or near a SRA or lands classified as very high FHSZs by the Board of Forestry and Fire Protection (Board). The legal definition of state responsibility area is found in the Public Resources Code Section 4125. The Board has developed detailed procedures to classify lands as SRA. Lands are removed from SRA when they become incorporated by a city, change in ownership to the federal government, become more densely populated, or are converted to intensive agriculture that minimizes the risk of wildfire. Some lands are removed from SRAs automatically; however, the Board of Forestry typically reviews changes every five years.

While the Initial Study prepared for the proposed project did not specifically include a separate checklist section regarding wildfire, impacts related to wildfire hazards were addressed in the Hazards and Hazardous Materials section (VIII) of the Initial Study, as summarized below and included in full in Appendix C to this EIR. As noted therein, all of the existing study facilities are located within SRAs. However, none of the facilities are located in an area classified as a Very High FHSZ. Rather, all of the existing study facilities are located within Moderate FHSZs. Thus, the existing study facilities are not generally subject to substantial fire hazards. In addition, the proposed Zoning Text Amendment would not include any physical development.

Future winery and farm brewery facilities developed within the County could be located within a SRA or lands classified as Very High FHSZs. However, the additional events allowable at future facilities under the proposed Zoning Text Amendment would not exacerbate fire risks for reasons discussed below. The Zoning Text Amendment would not directly induce development of new structures within fire-prone areas. In addition, future study facilities would be subject to all applicable federal, State, and local regulations related to fire hazards, including Article 9.32, Fire Prevention, of the Placer County Code.

Notwithstanding the above, it is noted that Section XX, Wildfire, of Appendix G of the newly adopted CEQA Guidelines, asks the following questions for projects in or near a SRA or lands classified as Very High FHSZs:

- a) *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?* With respect to existing and future potential winery and farm brewery projects located in a SRA or lands classified as Very High FHSZs, as discussed in Chapter 10, Transportation and Circulation, of this EIR, the proposed project would not introduce any incompatible uses to area roadways. In addition, existing and future study facilities would continue to be required to comply with all applicable County standards related to roadway design and provision of adequate access for emergency vehicles. Thus, the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan.
- 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?* With respect to existing and future potential winery and farm brewery projects located in a SRA or lands classified as Very High FHSZs, the proposed project would not include development of new structures on substantial slopes or in areas with strong prevailing winds. In addition, the additional events allowable at existing and future facilities under the proposed Zoning Text

Amendment would occur within established event areas and would not exacerbate wildfire risks. Therefore, the proposed project would not exacerbate wildfire risks, and thus, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

- 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?* With respect to existing and future potential winery and farm brewery projects located in a SRA or lands classified as Very High FHSZs, the proposed Zoning Text Amendment would not include the installation or maintenance of associated infrastructure such as roads, fuel breaks, emergency water sources, power lines, or other utilities at existing or future study facilities that may exacerbate fire risk or result in temporary or ongoing impacts to the environment. Rather than including such forms of physical development, the proposed project includes amendments to the County's Winery Ordinance that would provide greater flexibility with respect to holding events by right.
- 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?* With respect to the existing facilities located in a SRA, these study facilities are not located within fire-damaged areas that have created post-fire slope instability issues or drainage changes that could lead to flooding. With respect to future wineries and farm breweries, they could be developed in a SRA or lands classified as Very High FHSZs. The proposed Zoning Text Amendment would result in the ability for future facilities to host a greater number of events, compared to the currently adopted ordinance; thus, potentially bringing a greater number of people to a particular location over the course of the year. However, the locations of future facilities are unknown at this time, and the potential for these areas to be exposed to significant post-fire risks at some future date is inherently speculative at this point.

Based on the above, the project would not meet the criteria necessitating additional wildfire analysis pursuant to the updated CEQA Checklist.

- *Aesthetics (All Items):* Official scenic vistas have not been designated by Placer County. The existing wineries and farm breweries evaluated are not located in any designated scenic areas, which include river canyons, lake watersheds, scenic highway corridors, ridgelines and steep slopes. The Zoning Text Amendment would not directly induce the development of additional wineries or farm breweries, as they are already permitted by-right in certain zones, and the project is not expanding the number of zones where by-right development can occur. Thus, the analysis focuses on the potential environmental effects associated with the ability to conduct additional by-right events and new uses at future wineries/farm breweries subject to the proposed Zoning Text Amendment. The proposed project would not lead to the physical alteration of the existing wineries or farm breweries such that the visual character or quality of the sites and their surroundings could be substantially degraded. Winery and farm brewery sites will remain agricultural in nature and will maintain agricultural landscapes. The proposed revisions to Section 17.56.330 would require all lighting for new wineries to include compliance with the County's Rural Design Guidelines and be "Dark-Sky compliant." This addition will prevent

potential increases in light and glare in rural areas of the County from adversely affecting nighttime views. Consequently, the Initial Study prepared for the proposed project concluded that a *less-than-significant* impact related to aesthetics would occur.

- *Geology and Soils (All Items)*: The western portion of the County is generally characterized by low seismicity, and is not in an area at risk for severe ground shaking associated with earthquakes. Any existing on-site structures would have been designed consistent with the California Building Code (CBC), as overseen by Placer County through the building permit process, which contains provisions to safeguard against major structural failures or loss of life caused by earthquakes or other geologic and geomorphological hazards. The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. Thus, the proposed project would not be expected to result in additional on-site development at existing wineries and farm breweries within the County. Rather, the proposed amendment would allow increased activity at the existing facilities, which would not be expected to increase soil erosion. Consequently, the Initial Study determined that impacts related to geology and soils would be *less than significant*.
- *Hazards and Hazardous Materials (All Items)*: The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. However, the proposed project would allow existing facilities to host an unlimited number of Agricultural Promotional Events. In addition, the Zoning Text Amendment would allow up to six more Special Events at the two existing facilities on parcels greater than 20 acres. The types of activities anticipated at such events would not involve the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials, nor reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, impacts related to hazards and hazardous materials were determined to be *less than significant*.
- *Hydrology and Water Quality (IX-1 and -3 through -12)*: The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. However, the proposed project would allow facilities to host additional events. The types of events anticipated to occur at the facilities would not be expected to result in the degradation of surface water quality, including the watershed of important surface water resources, nor increase the rate or amount of surface runoff. The anticipated events at the facilities would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map, nor place improvements which would impede or redirect flood flows within a 100-year flood hazard area. Therefore, the Initial Study concluded that a *less-than-significant* impact related to stormwater runoff and flooding issues would occur.
- *Land Use and Planning (X-1, -6, and -8)*: The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of

zones where by-right development can occur. However, the proposed project would allow facilities to host additional events. The anticipated events at the existing facilities would not physically divide an established community. The proposed changes to the adopted Winery Ordinance would not cause economic or social changes that would result in significant adverse physical changes to the environment, such as urban decay or deterioration. Therefore, the Initial Study concluded that a *less-than-significant* impact would occur.

- *Mineral Resources (XI-1 and -2)*: The proposed project would not be expected to result in the loss of availability of a known mineral resource given the limited development potential and general lack of known mineral resource sites in the subject area. Therefore, a *less-than-significant* impact related to mineral resources would occur.
- *Noise (XII-4 and -5)*: Two public airports are located within western Placer County, the influence areas of which do not overlap within any of the existing facilities. The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. Therefore, a *less-than-significant* impact would occur.
- *Population and Housing (All Items)*: The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. Thus, the proposed project would not induce substantial, permanent population growth in an area, either directly or indirectly. Therefore, a *less-than-significant* impact would occur.
- *Public Services (All Items)*: The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. However, the proposed project would allow facilities to host additional events. The types of events anticipated to occur at the existing facilities would not be expected to result in an increase in the demand for fire or law enforcement protection services, with the possible exception of additional emergency medical response calls for health related incidents, responses to noise complaints, driving while under the influence, public intoxication, etc. However, the demand would not be sufficient to require physical improvements in order to accommodate the increased response calls. The proposed project would not have the potential to increase demand on schools, parks, or other governmental facilities. Therefore, the proposed project would result in a *less-than-significant* impact.
- *Recreation (All Items)*: The proposed project would not have the potential to increase demand on recreational facilities to the extent that additional facilities would be required, the construction of which could cause physical environmental impacts. Thus, a *less-than-significant* impact would occur.
- *Transportation and Circulation (XVII-8)*: Two public airports are located within western Placer County, the influence areas of which do not overlap within any of the existing

facilities. The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. Therefore, a *less-than-significant* impact would occur.

- *Utilities and Service Systems (XIX-4)*: The Zoning Text Amendment would not induce development of additional wineries or farm breweries or expand the number of zones where by-right development can occur. Thus, the proposed project would not be expected to result in the construction of new stormwater drainage facilities, which could cause significant environmental effects, and a *less-than-significant* impact would occur related to such.

Pursuant to the CEQA Guidelines, the scope of this EIR addresses specific issues and concerns identified as potentially significant in the Initial Study prepared for the proposed project. The sections of the CEQA Checklist identified for study in this EIR include:

- Agricultural Resources;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Land Use and Planning;
- Noise;
- Transportation and Circulation; and
- Utilities and Service Systems.

The evaluation of effects is presented on a resource-by-resource basis in Chapters 4 through 11 of the EIR. Each chapter is divided into the following three sections: Existing Environmental Setting, Regulatory Context, and Impacts and Mitigation Measures. Impacts that are determined to be significant in Chapters 4 through 11, and for which feasible mitigation measures are not available to reduce those impacts to a less-than-significant level, are identified as *significant and unavoidable*. Chapter 12 of the EIR presents a discussion of the cumulative impacts, including impacts related to greenhouse gas emissions and global climate change, as well as a list of significant and unavoidable impacts identified in Chapters 4 through 11.

## **1.8 DEFINITION OF BASELINE**

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According to CEQA Guidelines Section 15125, an EIR must include a description of the existing physical environmental conditions in the vicinity of the project to provide the “baseline physical conditions” against which project-related changes could be compared. Normally, the baseline condition is the physical condition that exists when the Notice of Preparation (NOP) is published. The NOP for the proposed project was published on October 18, 2017. Therefore, conditions existing at that time are considered to be the baseline against which changes that would result from the proposed project are evaluated. Impacts could include both direct and indirect physical changes to the baseline condition. The baseline condition for the proposed project site is presented in Chapter 3, Project Description, of this EIR. The baseline conditions

pertaining to each resource area are described in the “Existing Environmental Setting” section of the respective chapters of this EIR.

## **1.9 SIGNIFICANCE CRITERIA**

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The CEQA Guidelines define a significant effect on the environment as “a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.” In addition, the Guidelines state, “An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.” (CEQA Guidelines Section 15382).

Pursuant to the CEQA Guidelines, this EIR relies on the following three levels of impact significance: 1) Less-than-significant impact; 2) Less-than-significant impact with implementation of mitigation; and 3) Significant impact that cannot be mitigated to a level that is less than significant.

Each environmental area of analysis uses a distinct set of significance criteria. Where measurable and explicit quantification of significance is identified, such as violation of an ambient air quality standard, this measurement is used to assess the level of significance of a particular impact in this EIR. If criteria for determining significance relative to a specific environmental resource impact are not identified in the CEQA Guidelines, criteria were developed for this Draft EIR.

The significance criteria are identified at the beginning of the Impacts and Mitigation Measures section in each of the technical chapters of this EIR. Although significance criteria are necessarily different for each resource considered, the provided significance levels ensure consistent evaluation of impacts for all alternatives considered.

## **1.10 COMMENTS RECEIVED ON THE NOP**

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During the NOP public review period from October 18, 2017 to November 16, 2017, Placer County received seventeen (17) comment letters. A copy of each letter is provided in Appendix C of this EIR. In addition, a public scoping meeting was held on November 1, 2017, and a summary of the verbal comments that were made at the scoping meeting are included in Appendix C of this EIR. The comment letters were authored by the following representatives of State and local agencies, as well as other interested parties.

### **Agencies**

- Central Valley Regional Water Quality Control Board – Scott Armstrong
- Native American Heritage Commission – Sharaya Souza
- Placer County Air Pollution District – Ann Hobbs

## **Groups**

- Protecting Earth & Animals with Compassion & Education (PEACE) – Randal Cleveland
- Placer County Visitors Bureau – Julie Hirota and Rebekah Evans
- Sierra Club Placer Group – Marilyn Jasper

## **Individuals**

- Carol Rubin (2)
- Ellie Mulloy
- Steve Cook
- Diana Boswell
- Mike Carson
- Nadine Hubbard
- Lorrie Lewis
- Alan Bodtker
- Mike Giles
- Carol Prince

## **Verbal Comments from Scoping Meeting**

- Carol Rubin
- Marilyn Jasper
- Lorrie Lewis
- Gary Beebe
- Bob Lund
- Don Dupont
- Alan Bodtker
- Heidi Hanson
- Susan Ames
- Dianna Boswell
- Frank Myers
- Jeff Evans
- Teena Wilkins
- Carol Prince
- Richard Lewis

### **1.11 COMMENTS RECEIVED ON THE PREVIOUSLY PREPARED IS/ND**

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As mentioned above, County staff previously prepared a draft Zoning Text Amendment and an associated IS/ND to review the potential environmental effects associated with implementation of the changes proposed at that time. The IS/ND was circulated for a 30-day public review period beginning on July 11, 2015 and closing on August 10, 2015. During the public review

period, the County received five comment letters. The comment letters were authored by the following groups and other interested parties.

**Groups**

- Sierra Club Placer Group – Marilyn Jasper
- Shute, Mihaly & Weinberger LLP, on behalf of the Public Interest Coalition and the Placer Group Sierra Club – Carmen Borg

**Individuals**

- Susan Ames
- Lorrie Lewis
- Jeff Evans

**1.12 SUMMARY OF COMMENTS RECEIVED ON THE NOP AND PREVIOUSLY PREPARED IS/ND**

The following list is a summary of concerns taken from verbal comments made at the NOP scoping meeting, comment letters received prior to the close of the 30-day NOP comment period, and comment letters received on the previous IS/ND. Many of the comments received on the previous IS/ND address the need to prepare an EIR; such comments are not included in the summary below, as they are not relevant to this document.

<b><u>Project Description</u></b> ( <i>c.f.</i> Chapter 3)	Comments/concerns related to: <ul style="list-style-type: none"> <li>• Minimum parcel size standards.</li> <li>• Hours of operation.</li> <li>• By-right winery development in RES zone.</li> <li>• Unlimited Agricultural Promotional Events.</li> </ul>
<b><u>Agricultural Resources</u></b> ( <i>c.f.</i> Chapter 4)	Comments/concerns related to: <ul style="list-style-type: none"> <li>• Protection of the agricultural character or production in the area.</li> <li>• Large events on Farmland in perpetuity without permits.</li> <li>• Conversion of agricultural land for parking areas.</li> <li>• Induced agricultural conversion on surrounding lands.</li> </ul>
<b><u>Air Quality</u></b> ( <i>c.f.</i> Chapter 5)	Comments/concerns related to: <ul style="list-style-type: none"> <li>• Increased air quality impacts associated with increased attendance.</li> <li>• Impacts related to dust.</li> </ul>
<b><u>Biological Resources</u></b> ( <i>c.f.</i> Chapter 6)	Comments/concerns related to: <ul style="list-style-type: none"> <li>• Removal of on-site oak trees.</li> <li>• Events in sensitive resource areas.</li> <li>• Impacts to oak woodlands, native grasslands, and wetlands.</li> <li>• Noise effects on wildlife.</li> </ul>
<b><u>Cultural Resources</u></b>	Comments/concerns related to: <ul style="list-style-type: none"> <li>• Impacts to cultural, historical, and tribal resources.</li> </ul>

<i>(c.f. Chapter 7)</i>	
<b><u>Land Use and Planning</u></b> <i>(c.f. Chapter 8)</i>	Comments/concerns related to: <ul style="list-style-type: none"> <li>• Incompatibility of land uses and land use conflict, particularly related to properties zoned Residential Agricultural</li> <li>• Need for code enforcement.</li> <li>• Private events versus general public events.</li> </ul>
<b><u>Noise</u></b> <i>(c.f. Chapter 9)</i>	Comments/concerns related to: <ul style="list-style-type: none"> <li>• Increased noise associated with increased attendance at events.</li> <li>• Limiting nighttime noise associated with events.</li> <li>• Number of events that will have amplified music.</li> </ul>
<b><u>Transportation and Circulation</u></b> <i>(c.f. Chapter 10)</i>	Comments/concerns related to: <ul style="list-style-type: none"> <li>• Increased traffic on existing surrounding roadways associated with increased attendance at events, including weekend events.</li> <li>• Increase of safety hazards associated with future patrons.</li> <li>• Potential increase in regional VMT.</li> <li>• Road access and the use of private roads/shared access roads.</li> </ul>
<b><u>Utilities and Service Systems</u></b> <i>(c.f. Chapter 11)</i>	Comments/concerns related to: <ul style="list-style-type: none"> <li>• Wastewater permitting.</li> <li>• Water discharge requirements.</li> <li>• On-site sewage disposal.</li> <li>• Compliance with Water Quality Control Board policies and permitting requirements.</li> <li>• Public wells.</li> <li>• Impacts to groundwater.</li> </ul>
<b><u>Cumulative Impacts and Other CEQA Sections</u></b> <i>(c.f. Chapter 12)</i>	Comments/concerns related to: <ul style="list-style-type: none"> <li>• Cumulative effects on the environment, particularly air quality, noise, transportation and circulation, from concurrent events at multiple facilities.</li> <li>• Cumulative loss of agricultural land.</li> <li>• Cumulative impacts related to public safety.</li> <li>• Cumulative impacts on biological resources.</li> </ul>
<b><u>Alternatives Analysis</u></b> <i>(c.f. Chapter 13)</i>	Comments/concerns related to: <ul style="list-style-type: none"> <li>• Analysis of a range of alternatives to the project.</li> <li>• Alternative venues for events.</li> <li>• Imposing a cap on the number of events.</li> </ul>
<b><u>Initial Study</u></b> <i>(see Appendix D)</i>	Comments/concerns related to: <ul style="list-style-type: none"> <li>• Maintaining the rural character of the area.</li> <li>• Increased demand for fire services.</li> <li>• Increased demand for police enforcement services.</li> <li>• Groundwater supply and the groundwater table.</li> <li>• Increase in solid waste from operations of the proposed project.</li> <li>• Compliance with Water Quality Control Board policies and permitting requirements.</li> </ul>

All of these issues are addressed in this EIR, in the relevant sections identified in the first column.

### **1.13 DRAFT EIR AND PUBLIC REVIEW**

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This Draft EIR is being circulated for public review and comment for a period of 45 days. During this period, the general public, organizations, and agencies can submit comments to the Lead Agency on the Draft EIR's accuracy and completeness. Release of the Draft EIR marks the beginning of a 45-day public review period pursuant to CEQA Guidelines Section 15105. The public can review the Draft EIR at the County's website at:

<http://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir>

or at the following address during normal business hours:

Placer County, Community Development Resource Center  
3091 County Center Drive  
Auburn, CA 95603

Comments may be submitted both in written form and/or orally at the public hearing on the Draft EIR. Notice of the time and location of the hearing will be published in the local newspaper, emailed to interested parties who have requested to be placed on the project's email notification list, and posted on the County's website.

All comments or questions regarding the Draft EIR should be addressed to:

Placer County, Community Development Resource Agency  
Environmental Coordination Services  
3091 County Center Drive, Suite 190  
Auburn, CA 95603  
(530) 745-3132  
fax (530) 745-3080  
[cdraecs@placer.ca.gov](mailto:cdraecs@placer.ca.gov)

### **1.14 ORGANIZATION OF THE DRAFT EIR**

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The proposed project EIR is organized into the following sections:

#### **Chapter 1 – Introduction**

Provides an introduction and overview describing the intended use of the Draft EIR and the review and certification process, as well as summaries of the chapters included in the Draft EIR and summaries of the issues and concerns received from the public and public agencies during the NOP review period.

## **Chapter 2 – Executive Summary**

Summarizes the elements of the project and the environmental impacts that would result from implementation of the proposed project, describes proposed mitigation measures, and indicates the level of significance of impacts after mitigation. Provides a summary of the project alternatives that would reduce or avoid significant impacts.

## **Chapter 3 – Project Description**

Provides a detailed description of the proposed project, including the project’s location, background information, major objectives, and technical characteristics.

## **Chapter 4 – Agricultural Resources**

The Agricultural Resources chapter of the EIR will focus on the existing wineries and farm breweries and the potential for increased by-right events, allowable under the proposed project, to induce conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Any conflicts with existing zoning for agricultural use or Right-to-Farm ordinances will also be identified.

## **Chapter 5 – Air Quality**

The Air Quality chapter of the EIR describes the impacts of by-right events on local and regional air quality. The chapter describes existing air quality, direct and indirect emissions associated with the proposed project, the impacts of these emissions on both the local and regional scale, and mitigation measures warranted to reduce or eliminate any identified significant impacts.

## **Chapter 6 – Biological Resources**

The Biological Resources chapter of the EIR evaluates the biological resources known to occur or potentially occur within the proposed project area. This chapter describes potential impacts to those resources and identifies measures to eliminate or substantially reduce those impacts to less-than-significant levels.

## **Chapter 7 – Cultural Resources**

The Cultural Resources chapter of the EIR addresses prehistoric and historic resources in the vicinity of the existing medium and large winery and farm brewery sites within the County. In addition, the potential for paleontological resources and/or Tribal Cultural Resources to occur within existing winery and farm brewery sites is addressed in the chapter. The chapter summarizes the existing setting with respect to cultural and paleontological resources, identifies thresholds of significance, and potential impacts to such resources resulting from implementation of the proposed project.

## **Chapter 8 – Land Use and Planning**

The Land Use and Planning chapter will evaluate the consistency of the proposed project with the County of Placer’s adopted plans and policies, and discuss any land use compatibility issues resulting from increased by-right events allowable under the proposed project.

## **Chapter 9 – Noise**

The Noise chapter of the EIR describes the existing noise environment in the project vicinity and identifies potential impacts and mitigation measures related to operation of the proposed project.

The method by which the potential impacts are analyzed is discussed, followed by the identification of potential impacts and the recommended mitigation measures designed to reduce significant impacts to the maximum extent feasible.

### **Chapter 10 – Transportation and Circulation**

The Transportation and Circulation chapter of the EIR discusses the existing transportation and circulation facilities within the project area, as well as applicable policies and guidelines used to evaluate operation of such facilities. The chapter analyzes the potential for additional by-right events enabled by the proposed project to generate additional vehicle trips on area roadways.

### **Chapter 11 – Utilities and Service Systems**

The Utilities and Service Systems chapter of the EIR summarizes the setting information and identifies potential new water supply, wastewater, and solid waste disposal demands that could occur at existing wineries and farm breweries in Placer County with implementation of the proposed project.

### **Chapter 12 – Cumulative Impacts and Other CEQA Sections**

The Cumulative Impacts and Other CEQA Sections chapter of the EIR includes discussions regarding those topics that are required to be included in an EIR, pursuant to the CEQA Guidelines Section 15126.2. The majority of Chapter 12 is devoted to the cumulative impacts analysis required by Section 15130 of the CEQA Guidelines. Given its cumulative nature, greenhouse gases and climate change are discussed within Chapter 12. Considering that the proposed Zoning Text Amendment would not directly induce development of additional wineries/farm breweries and would instead result in greater flexibility regarding events at such facilities, the cumulative analysis focuses on the potential for greater event flexibility at future and existing facilities to result in environmental impacts. The chapter also evaluates growth-inducing impacts, and includes lists of significant irreversible environmental changes and significant and unavoidable impacts that would be caused by the proposed project. Chapter 12 also includes a separate section for energy, in accordance with Appendix F of the CEQA Guidelines.

### **Chapter 13 – Alternative Analysis**

The Alternatives Analysis chapter of the EIR describes and evaluates the alternatives to the proposed project.

### **Chapter 14 – References**

The References chapter of the EIR provides bibliographic information for all references and resources cited.

### **Chapter 15 – EIR Authors and Persons Consulted**

The EIR Authors and Persons Consulted chapter of the EIR lists EIR and technical report authors who provided technical assistance in the preparation and review of the Draft EIR.

### **Appendices**

The Appendices include the proposed text amendments, NOP, comments received during the NOP comment period, the Initial Study, and all technical reports prepared for the proposed project.

## 1.15 TECHNICAL CHAPTER FORMAT

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Each technical chapter addressing a specific environmental issue begins with an **introduction** describing the purpose of the section. The introduction is followed by a description of the project's **existing environmental setting** as the setting pertains to that particular issue. The setting description is followed by the **regulatory context** and the **impacts and mitigation measures** discussion, which contains the **standards of significance**, followed by the **method of analysis**. The **impact and mitigation measures** discussion includes impact statements prefaced by a number in bold-faced type (for both project-level and cumulative analyses). An explanation of each impact and an analysis of the impact's significance follow each impact statement. All mitigation measures pertinent to each individual impact follow directly after the impact statement (see below). The degree of relief provided by identified mitigation measures is also evaluated. An example of the format is shown below:

### X-1 Statement of Impact

Discussion of impact for the proposed project in paragraph format.

Statement of *level of significance* of impact prior to mitigation is included at the end of each impact discussion. The following levels of significance are used in the EIR: less than significant or significant. If an impact is determined to be significant, mitigation will be included in order to reduce the specific impact to the maximum extent feasible.

#### Mitigation Measure(s)

Statement of *level of significance* after the mitigation is included immediately preceding mitigation measures. If reduction of the specific impact to a less-than-significant level is not feasible, the impact is considered significant and unavoidable.

X-1(a)            *Required mitigation measure(s) presented in italics and numbered in consecutive order.*

X-1(b)            *Required additional mitigation measure, if necessary.*