COUNTY OF NAPA
PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DEPARTMENT
1195 THIRD STEET SUITE 210
NAPA, CA 94559
(707) 253-4417

Initial Study Checklist
(form updated January 2019)

1. **Project Title**: Nickel & Nickel Winery, Use Permit Major Modification, Application No. P17-00400-MOD

2. **Property Owner:** FN Land, LLC, 8164 St. Helena Highway, Oakville, CA 94562

3. **County Contact Person, Phone Number and email:** Charlene Gallina, Supervising Planner, phone number 707-299-1355, email address Charlene.Gallina@countyofnapa.org

4. **Project Location and Assessor's Parcel Number (APN):** 8164 St. Helena Highway (State Route 29), Oakville, CA 94562; Assessor's Parcel No. 031-010-013

5. **Project sponsor's name and address:** Dirk Hampson, 8164 St. Helena Highway, Oakville, CA 94562

6. **General Plan description:** Agricultural Resource (AR)

7. **Zoning:** AP (Agricultural Preserve) District

8. **Background/Project History:**
The property that is the subject of this application was once part of the Spanish and Mexican land grant of Rancho Caymus to George C. Yount in 1836. The initial land grant was subsequently divided and sold to various purchasers. The property came under the ownership of John Crawford Sullenger in 1865. Sullenger was involved in various silver and quicksilver mining operations in Napa County, and on the subject property, commissioned construction of the residence with agricultural outbuildings (barn and shed) related to Sullenger's crop production activities (corn and Zinfandel grapevines). These structures were built toward the end of the 19th century and are still present on the property, with the residence repurposed for winery-related operations and the barn and shed serving utility/storage functions. Sullenger's heirs sold off portions of Sullenger's 125 acres of land in the years following his death in 1926.

On August 19, 1999, the Napa County Development and Planning Commission approved Use Permit No. 98400 entitling the construction and operation of Nickel & Nickel Winery at 8164 St. Helena Highway/State Route 29, a 30.05-acre portion of the former Sullenger property. Nickel & Nickel Winery was permitted to produce up to 125,000 gallons of wine per year, subject to conditions requiring that 75 percent of wine produced on the premises be made from grapes grown in Napa County, and an allowance for up to 12,000 gallons of wine per year to be produced by custom crushers. Winery structures were to consist of approximately 54,000 square feet, inclusive of an approximately 48,000-square foot production facility housing crush, barrel storage and storage areas; an approximately 2,400 square foot historic residence (Sullenger House) to be restored and repurposed for wine tasting, marketing and administrative space; an approximately 1,850 square foot, 19th century barn (Gleason Barn) relocated to the site and repurposed for administrative and sales space; and an approximately 1,800 square foot shed for winery-related storage. The approved project included winery identification signage and an entry feature at the site access from State Route 29. The approval also included a variance that allowed the historic residence to remain within the minimum 300-foot setback, and new winery structures to be constructed proximate to the residence and also within the 300-foot setback, as allowed for historic properties repurposed for winery use (Napa County Code Section 18.104.235).

Winery activities were permitted to include retail wine sales and private tours and wine tastings by appointment, to occur between 10:00 a.m. and 3:00 p.m. on weekdays, and between 10:00 a.m. and 2:00 p.m. on weekends. The staff report prepared for the use permit application indicated that daily tours and tastings would be conducted for up to 75 guests per day (three tours per day, with up to 12 persons per tour). In addition to wine tours and tastings, Use Permit No. 98400 authorized winery marketing events, as follows:

- Three events per week for up to 25 people per event, occurring during the hours between 10:00 a.m. and 3:00 p.m. or 6:30 to 11:00 p.m. on weekdays and 10:00 a.m. and 2:00 p.m. or 4:30 p.m. to 11:00 p.m. on weekends;

- Four events per year for up to 100 people per event, occurring during the hours between 10:00 a.m. and 3:00 p.m. or 6:30 to 11:00 p.m. on weekdays and 10:00 a.m. and 2:00 p.m. or 4:30 p.m. to 11:00 p.m. on weekends; and
- One annual Wine Auction event for up to 250 people, occurring during the hours between 10:00 a.m. and 3:00 p.m. or 6:30 to 11:00 p.m. on a weekday or between 10:00 a.m. and 2:00 p.m. or 4:30 p.m. to 11:00 p.m. on weekend day

Winery production, tasting, sales and marketing activities were to be supported by 21 full-time and six part-time staff members.

Various modifications to the use permit in subsequent years allowed for addition of an approximately 2,700 square foot basement to the Sullenger House; interior remodeling of the barn to add approximately 1,400 square feet in a second floor and mezzanine; expansion of the barrel storage area to include an additional 2,250 square feet; addition of utility infrastructure that included a 1,600 square foot mechanical enclosure, two 10,500-gallon water tanks and an approximately 1.7 million gallon human-made pond for treatment and storage of process wastewater for reuse as vineyard irrigation on approximately 12 acres of vineyards; and other minor changes to the location of project elements on the property (Use Permit Modification Nos. 00195-MOD, 02126-MOD, 03128-MOD). Currently, winery buildings on the property encompass approximately 63,447 square feet of building area, of which 13,554 square feet is accessory use (wine tasting and winery administrative) floor area, and 49,893 square feet is dedicated to wine production (barrel storage, bottling and grape crushing).

As a result of a recent lot line adjustment, the property area has been increased to its current size of 34.64 acres. Outside of the development footprint of winery facilities and related utility infrastructure, 19.24 acres of the current 34.64-acre property is planted with grapevines. Approximately 1.25 acres is covered by photovoltaic panels. Subsurface installations include a sanitary wastewater leachfield just west of the on-site pond, and water sources on-site that include a domestic water supply well, an irrigation supply well, and a backup/irrigation well. In addition to well water, the property has surface water rights to divert 6.1 acre-feet of water per year from the Napa River for irrigation, frost protection and heat control uses (California State Water Resources Control Board, Division of Water Rights, Permit No. 16521). The existing, 1.7 million gallon earthen-lined built pond provides storage of as-needed river water drawn pursuant to these allocated water rights, as well as process wastewater, for vineyard irrigation.

9. **Description of Project:**

In 2017, the winery operators, recognizing that their operations had fallen out of compliance with respect to the number of entitled winery employees, submitted a use permit major modification request (Application No. P17-00400-MOD) to modify the winery's use permit entitlements. The request encompasses remedy of the existing matter of noncompliance pertaining to employment, as well as, other physical and operational changes to the winery, which are summarized below:

A. Components Necessary to Remedy Existing Violations:
   - Recognition of an increase in winery employment from 21 full-time and six part-time staff, to the winery's current employment of 67 full-time and six part-time staff;

B. Expansion Beyond Existing Entitlements:
   - Increase in annual wine production from 125,000 gallons to 225,000 gallons of wine per year;
   - Increase in the number of daily visitors for wine tours and tastings, from 75 people per day to 260 people per day, and a weekly maximum of 1,440 people, with food included for approximately 20 percent of tours and tastings;
   - Increase in on-site parking from 45 stalls to 106 stalls, inclusive of 35 visitor stalls, 67 employee stalls, and four handicapped accessible stalls, with relocation of an existing photovoltaic array on-site to carport canopies over 44 of the employee stalls behind (east of) the winery buildings;
   - Construction of an approximately 6,000 square foot winery structure to house production and accessory use areas; the new structure would be aboveground and attached to the existing fermentation building, and would feature a light-colored "cool roof" and solar water heating system for energy efficiency;
   - Reallocation of certain spaces in the existing Sullenger House and Gleason Barn to winery administrative and hospitality uses;
   - Repurposing of two, 19th century outbuildings (Building 2 - White Shed, and Building 3 – White Barn) from their current use as winery storage to winery accessory administrative and hospitality areas;
   - Installation of permanent covers over approximately 4,600 square feet of existing crush pad and outdoor work areas;
   - A change in the hours of winery operation from 7:00 a.m. through 6:00 p.m., to 6:00 a.m. through 6:00 p.m., to accommodate staggering of employee work hours as a transportation demand management measure;
   - A change in the hours of winery tours and tasting appointments from the hours between 10:00 a.m. and 2:00 p.m. or 3:00 p.m., to the hours between 10:00 a.m. and 6:00 p.m. daily, to accommodate staggering of visitor arrival and departure times as a transportation demand management measure;
   - Reconfiguration of the winery entry drive on-site;

- Revision of the winery's marketing program from the current entitlement to consist of the following events scheduled to occur between the hours of 10:00 a.m. and 6:00 p.m.:
  - Up to three events per week for up to 25 people per event (current entitlement);
  - Up to four events per year for up to 100 people per event (current entitlement);
  - Up to one event per year for up to 250 people per event, with portable restrooms (current entitlement);
  - Up to two events per year for up to 900 people per event, with portable restrooms and valet parking (proposed);
  - One annual event for up to 1,000 people, with portable restrooms and valet parking (proposed); and
- Wine marketing event locations to include the following buildings and areas:
  - Approximately 1,700 square feet on the ground floor of the existing Gleason Barn;
  - Sycamore Grove between the White Shed and the Sullenger House and South Fermentation Barn;
  - Seasonal parking area south of the courtyard;
  - White Shed to be renovated, as well as the reception garden adjacent to the shed;
  - Sullenger House basement, first floor tasting rooms, and covered porch on the east side of the house; and
  - Main aisles of the North and South Fermentation Barns.

Building changes as summarized above would increase total building area from 63,447 square feet to 75,627 square feet, of which 18,464 square feet would be accessory use area and 57,163 square feet would be dedicated to wine production. Changes in the layout of winery facilities, as summarized above, would consequently increase the on-site acreage dedicated to grapevines, from 19.24 acres to 19.64 acres. Water supplies drawn from on-site wells and the Napa River would continue as under current operations. Water demand for the project would increase to an estimated 25.8 acre-feet per year with the proposed project, prior to accounting for reductions in water demands as a result of application of treated recycled wastewater as irrigation on the property, and including water applied as irrigation to permitted vineyards on the subject and an adjacent parcel under the same ownership as the winery.

In prior years, the proposed 900-person and 1,000-person events have occurred on the project site under issuance of temporary event permits. However, the nature of these events is now understood to be wine-related marketing events rather than exclusively cultural, artistic expression or nonprofit events is not consistent with the intent of the County's Temporary Events Ordinance (Napa County Code Chapter 5.36). Therefore, the applicant has proposed that these larger events be incorporated into the winery's marketing program under the winery use permit. These large events, as well as the currently entitled annual event with a planned attendance of up to 250 people, would occur on days when wine production is minimal and no tours or tastings are scheduled. The 900-person and 1,000-person events would not have amplified sound.

On December 4, 2018, just over one year after the November 22, 2017, submittal of P17-00400, the Napa County Board of Supervisors adopted Resolution No. 2018-164 establishing a countywide code compliance program. As described in Resolution No. 2018-164, the subject application was filed and found to be substantially conforming prior to the March 29, 2019, deadline for participation in the program. Accordingly, the County may use existing, noncompliant operations as the environmental baseline for analysis of the proposal pursuant to the California Environmental Quality Act. However, application materials, including water availability and wastewater feasibility analyses of the requested modification that informed the analysis in this initial study, utilized the lower, permitted condition as the baseline against which the proposed project was compared.

10. **Describe the environmental setting and surrounding land uses.**

The property is located in the Napa Valley, north of the town of Yountville and the unincorporated Oakville area, and south of the city of St. Helena and the unincorporated Rutherford area. The property area recently has been increased to its current size of 34.64 acres as a result of a recent lot line adjustment between the winery parcel and an adjoining parcel located to the south of the site that is under the same ownership as the winery. The project site lies between the Napa River and State Route 29. The property is predominantly flat, planted in vineyards, and developed with winery buildings and a vineyard maintenance office (formerly a residence) that is outside the scope of the use permit and use permit modification request. Surrounding the site are large parcels also predominantly planted in vineyards, some of which are also developed with wineries on some larger parcels and single-family residences on some smaller parcels. All properties surrounding the project site are zoned AP District and have a General Plan land use designation of Agricultural Resource.

North: Turnbull Wine Cellars operates a winery and maintains grapevines on the 21.64-acre parcel just north of the project site. A second, 15.38-acre parcel also adjoins the project site's northern property line and is exclusively planted in vineyards.

West: The State Route 29 right-of-way is immediately west of the project site, at the parcel frontage. The Robert Mondavi Winery produces wine and maintains vineyards on the 93.76-acre parcel on the opposite side of State Route 29 from the project site.

South: A 15.3-acre vineyard parcel and a 1.87-acre single-family residential parcel adjoin the southern property line of the site. Further south in the general vicinity of the project site are a 4.25-acre residential and agricultural parcel, and two parcels (each approximately 49 acres in size) planted with vineyards and developed with the Opus One Winery.

East: The Napa River is immediately east of the site. Three parcels of 16 acres, 76.25 acres, and 100.24 acres, are on the opposite bank of the river and are planted with vineyards; the smallest of these three parcels also has a single-family residence.

11. **Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement).**
The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, waste disposal permits, in addition to meeting CalFire standards. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms. Proposed on-site treatment of sanitary and process wastewater and reuse of treated effluent as surface irrigation would require approval from the Regional Water Quality Control Board.

Responsible (R) and Trustee (T) Agencies
Regional Water Quality Control Board, San Francisco Bay Region 2

Other Agencies Contacted
Alcohol and Tobacco Tax and Trade Bureau (TTB)
California Department of Alcoholic Beverage Control (ABC)

12. **Tribal Cultural Resources. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resource, procedures regarding confidentiality, etc.?**
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 21080.3.2.) 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.

Pursuant to California Environmental Quality Act (CEQA, Public Resources Code Section 21000 *et seq.*) Section 21080.3.1(d), on August 15, 2018, the Napa County Planning Division contacted Native American individuals and organizations for the Napa Valley area, providing a description of the project and extending an invitation for consultation on the identification, presence, and significance of tribal cultural resources in the project vicinity. During the 30-day comment period, representatives from the Middletown Rancheria of Promo Indians of California contacted the Planning Division to request that they be contacted upon discovery of new information or evidence of human habitation on the project site. Tribal monitors were on-site during site investigation for Native American resources. This initial study recommends mitigation as described in Section XVIII, Tribal Cultural Resources, in the event that previously undiscovered resources on the project site are found during the course of project construction.

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project.

On the basis of this initial evaluation:

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

D.Ayers

Signature

August 13, 2020

Date

Name: Dana Ayers, Consultant Planner
Napa County Planning, Building and Environmental Services Department

I.	**AESTHETICS.** Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
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 a 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?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion:

The proposed project, if approved, would not have a substantial adverse effect on a scenic vista nor substantially damage scenic resources or the existing character of the site and its surroundings.

a-c) The approximately 34.64-acre property is located on the Napa Valley Floor and is not within a County-established viewshed. Based on County Planning staff observation during an April 2019 site visit and Napa County's online Parcel Data Reporting system (https://www.countyofnapa.org/1935/Parcel-Data-Report, accessed April 14, 2020), there are no rock outcroppings on the site, and slope on the property is generally flat, with typical soil types consisting of Bale loam and clay loam with grades up to five percent in the developed areas of the site. The easternmost, roughly one-third of the property has a predominant soil type of Yolo loam with up to 10 percent slopes, though this portion of the property would not be disturbed with the project elements proposed under this use permit major modification. With no development proposed to occur on any lands with more than 15 percent slope, the proposed new physical project elements, including construction of a new fermentation building, are not subject to the requirements of Napa County Code Chapter 18.106 (Viewshed Protection Program).

The property fronts on State Route 29 (SR 29), a state highway under the jurisdiction of the California Department of Transportation (Caltrans). SR 29 is eligible but has not been officially designated as a scenic highway by Caltrans (Scenic Highways website, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways, accessed April 14, 2020). Though it is noted that SR 29 is not a state-designated scenic highway, it is also noted that the proposed project would not drastically change the appearance of the property as viewed from SR 29 and would not significantly change views of the property from the perspective of travelers on the State Route.

The Sullenger House (winery accessory area), White Shed, White Barn, Gleason Barn, and North and South Fermentation Barns are existing structures that would remain on-site. Additional structures proposed to be added with the project include:

1) an approximately 6,000 square foot production expansion to Building 8 (Fermentation Barn and Barrel Cellar) for maintenance equipment storage and winery accessory uses;
2) an approximately 2,500 square foot cover over an existing outdoor bottling area;
3) an approximately 2,100 square foot cover over the crush pad between the North and South Fermentation Barns; and
4) an approximately 260 square foot trash enclosure.

These structures would be above grade but would not cause a significant change in the appearance of the property. The 6,000 square foot production expansion to Building 8 would be behind (east of) the existing structures on-site. The two-level building expansion is proposed to have a modern, linear appearance that would appropriately differentiate it from the architectural style of the 19th century Sullenger House on-site. The lower utility level of the building would have a concrete exterior finished in gray. Metal exterior wall panels proposed for the majority of the building exterior at the upper levels would be finished in neutral light and dark brown colors, with glazing on the east-facing building elevation to allow natural light to enter the interior workspaces. Additionally, the Building 8 expansion would have a height not exceeding 20 feet from the approximate grade on which the two existing fermentation barns were built, and thus, it would be shorter than

the fermentation barns so as not to be visible from SR 29 (see project plans, sheets UP-A2.2 and UP-A2.3). The crush pad and bottling area covers would be attached to and constructed in line with the North and South Fermentation Barns. Both structures would be canopies only, with neither structure constructed with walls that would have the effect of increasing the appearance of massing of the structures. Like the expansion to Building 8, the new trash enclosure would be fewer than 12 feet tall, shorter than the South Fermentation Barn building to which it would be adjacent, and would be constructed behind (east of) the fermentation building so as not to be visible from SR 29.

The Sullenger House, White Shed and White Barn are the three structures closest to the property frontage and SR 29. These three structures would not be relocated or demolished as a result of the project; rather, they would be retained, and in the case of the White Shed and White Barn, repaired, restored and repurposed as winery accessory (tasting and administrative) and storage space. Three of these frontmost buildings are situated behind a cluster of vegetation that includes existing, mature olive, palm, liquidamber, crape myrtle and other trees and shrubs. Though some groundcover plantings would be removed for new parking spaces near the barn buildings, these mature trees that extend parallel to the western property line of the site, between the house/barns and SR 29, would be retained with the project. (Note: Retention of the oak trees was also a mitigation measure adopted into the approval of Use Permit No. 98400.) No exterior changes are proposed to the approximately 140-year old Sullenger House.

With: 1) new structures proposed to be constructed in line with or behind existing, larger winery structures on-site; 2) existing 19th century structures maintained in place or (in the case of the White Shed and White Barn) refurbished in place; and 3) existing vertical landscaping between the on-site buildings and SR 29 right-of-way retained with the project, the physical changes proposed with the project would not significantly change the appearance of the property as viewed from SR 29, the nearest public right-of-way. The proposed project would therefore have a less than significant visual impact.

d) Hours of operation of the winery are currently 7:00 a.m. until 6:00 p.m. (daily, excluding harvest season) and are proposed to be changed to the hours between 6:00 a.m. and 6:00 p.m. with this modification. Thus, late, nighttime lighting (after 6:00 p.m.) does not occur for most months of the year (excluding harvest), and this would remain unchanged with the requested use permit modification. During winter months, there would potentially be one additional hour of lighting in the early morning before sunrise. If the use permit modification is approved, the winery would be subject to the County's standard conditions of approval for wineries that limits outdoor lighting to the minimum necessary for operational and security needs. Up-lighting of buildings and landscaping is prohibited. The winery operators must keep lighting fixtures as low to the ground as possible and include shields to deflect their light downward. Avoidance of highly reflective surfaces would be required, as well, by the standard County conditions. These conditions would apply to all winery activities, excluding harvest activities but including any events that would occur outdoors, and the permittee(s) would be required to demonstrate compliance with the condition in their submittal of a building permit application. The text of the County's applicable standard conditions of approval is reproduced below:

6.3 LIGHTING – PLAN SUBMITTAL

a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.

b. All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is exempt from this requirement.

6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

Ongoing operations of the winery would also be subject to compliance with the following standard condition of approval:

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.

b. All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.

c. The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.

d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

With compliance with standard conditions of approval, the lighting impacts of the project would be less than significant.

Mitigation Measures: None required.

II. AGRICULTURE AND FOREST RESOURCES.[1] Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?	☐	☐	☐	☒
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?	☐	☐	☒	☐

Discussion:

a,e) The California Department of Conservation maps much of the 34.64-acre parcel as Prime Farmland, excluding the development area of the winery, the on-site pond and the photovoltaic array which are mapped as Urban and Built-up Land (https://www.conservation.ca.gov/dlrp/fmmp/Pages/Napa.aspx, viewed July 30, 2020). The project site has an existing building area of approximately 63,447 square feet. The proposed project includes modifications to the existing use permit that would expand the total building area to 88,086 square feet. All except one modification would be located next to existing infrastructure. The addition of the winery parking and solar carports behind the winery buildings would involve removing approximately 0.21 acres of existing vineyards. However, replacement vines would be planted where the photovoltaic panels are currently and would result in an overall net gain of approximately 0.4 acres of grapevines. Therefore, the modification of the winery's use permit entitlements would not have the effect of reducing existing on-site vineyard acreage. In addition, all existing and proposed winery structures and related infrastructure are consistent with the Napa County General Plan (General Plan) definition of "agriculture" (Policy AG/LU-2). The policy states the "continuation of the processing of

[1] "Forest land" is defined by the State as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." (Public Resources Code Section 12220(g)) The Napa County General Plan anticipates and does not preclude conversion of some "forest land" to agricultural use, and the program-level EIR for the 2008 General Plan Update analyzed the impacts of up to 12,500 acres of vineyard development between 2005 and 2030, with the assumption that some of this development would occur on "forest land." In that analysis specifically, and in the County's view generally, the conversion of forest land to agricultural use would constitute a potentially significant impact only if there were resulting significant impacts to sensitive species, biodiversity, wildlife movement, sensitive biotic communities listed by the California Department of Fish and Wildlife, water quality, or other environmental resources addressed in this checklist.

agricultural products (in this case, grapes into wine) and expansion of the related, accessory uses (such as sales and marketing of agricultural products) are agricultural uses of land." Therefore, the proposed project would have a less than significant impact with respect to conversion of farmland.

b) The County's zoning of the property is AP (Agricultural Preserve) District, and the General Plan land use designation of the property is Agricultural Resource. The proposed winery is consistent with the property's zoning, as Napa County Code Section 18.16.020 lists wineries and related, accessory uses as conditionally permitted in the AP Districts. General Plan Policy AG/LU-21 also identifies processing of agricultural products (grape crushing/winemaking) as a use that is consistent with the Agricultural Resource land use designation. There is no Williamson Act contract applicable to the property. The project's impacts would be less than significant.

c,d) The project site is zoned as AP District and does not have any forest or timberland zoning. The site is in agricultural use and contains a vineyard and a fully functioning winery. There are no forest resources on the project site. The project would have no impact on forest resources.

Mitigation Measures: None required.

III.	AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	☐	☐	☒	☐

Discussion:

On June 2, 2010, the Bay Area Air Quality Management District's (BAAQMD) Board of Directors unanimously adopted thresholds of significance (Thresholds) to assist in the review of projects under the California Environmental Quality Act (CEQA). These Thresholds are designed to establish the level at which BAAQMD believed air pollution emissions would cause significant environmental impacts under CEQA and were posted on BAAQMD's website and included in BAAQMD's updated CEQA Guidelines (updated May 2012). The Thresholds are advisory and may be followed by local agencies at their own discretion.

The Thresholds were challenged in court. Following litigation in the trial court, the court of appeal, and the California Supreme Court, all of the Thresholds were upheld. However, in an opinion issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an analysis of the impacts of locating development in areas subject to environmental hazards unless the project would exacerbate existing environmental hazards. The Supreme Court also found that CEQA requires the analysis of exposing people to environmental hazards in specific circumstances, including the location of development near airports, schools near sources of toxic contamination, and certain exemptions for infill and workforce housing. The Supreme Court also held that public agencies remain free to conduct this analysis regardless of whether it is required by CEQA.

In view of the Supreme Court's opinion, local agencies may rely on Thresholds designed to reflect the impact of locating development near areas of toxic air contamination where such an analysis is required by CEQA or where the agency has determined that such an analysis would assist in making a decision about the project. However, the Thresholds are not mandatory, and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. These Guidelines may inform environmental review for development projects in the Bay Area, but do not commit local governments or BAAQMD to any specific course of regulatory action.

BAAQMD published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may

be in the Guidelines or Thresholds Justification Report. The Air District is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

a,b) The mountains bordering Napa Valley block much of the prevailing northwesterly winds throughout the year. Sunshine is plentiful in Napa County, and summertime can be very warm in the valley, particularly in the northern end. Winters are usually mild, with cool temperatures overnight and mild-to-moderate temperatures during the day. Wintertime temperatures tend to be slightly cooler in the northern end of the valley. Winds are generally calm throughout the County. Annual precipitation averages range from about 24 inches in low elevations to more than 40 inches in the mountains.

Ozone and fine particle pollution, or $PM_{2.5}$, are the major regional air pollutants of concern in the San Francisco Bay Area. Ozone is primarily a problem in the summer, and fine particle pollution in the winter. In Napa County, ozone rarely exceeds health standards, but $PM_{2.5}$ occasionally does reach unhealthy concentrations. There are multiple reasons for $PM_{2.5}$ exceedances in Napa County. First, much of the County is wind-sheltered, which tends to trap $PM_{2.5}$ within the Napa Valley. Second, much of the area is well north of the moderating temperatures of San Pablo Bay, and as a result, Napa County experiences some of the coldest nights in the Bay Area. This leads to greater fireplace use and, in turn, higher $PM_{2.5}$ levels. Finally, in the winter, easterly winds often move fine-particle-laden air from the Central Valley to the Carquinez Strait and then into western Solano and southern Napa County (BAAQMD, *In Your Community: Napa County*, April 2016).

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors, oxides of nitrogen and reactive organic gases (NO_X and ROG), carbon monoxide (CO), nitrogen dioxide (NO_2), and suspended particulate matter (PM_{10} and $PM_{2.5}$). Other criteria pollutants, such as lead and sulfur dioxide (SO_2), would not be substantially emitted by the proposed development or traffic, and air quality standards for them are being met throughout the Bay Area.

BAAQMD has not officially recommended the use of its Thresholds in CEQA analyses, and CEQA ultimately allows lead agencies the discretion to determine whether a particular environmental impact would be considered significant, as evidenced by scientific or other factual data. BAAQMD also states that lead agencies need to determine appropriate air quality thresholds to use for each project they review based on substantial evidence that they include in the administrative record of the CEQA document. One resource BAAQMD provides as a reference for determining appropriate thresholds is the *California Environmental Quality Act Air Quality Guidelines* developed by its staff in 2010 and as updated through May 2017. These guidelines outline substantial evidence supporting a variety of thresholds of significance.

As mentioned above, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Operational-Related Criteria Air Pollutant and Precursors Screening Level Sizes) and thresholds of significance for air pollutants, which have now been updated by BAAQMD through May 2017. The project encompasses approximately 67,917 square feet of enclosed or covered production floor area (winery production, fermentation, barrel storage, crush/bottling areas and administrative offices), plus approximately 7,710 square feet of space dedicated to tasting/hospitality and food/beverage preparation (tasting rooms and patios, kitchen, scullery and glass storage areas) in the Gleason Barn remodel, White Shed remodel, and Sullenger House. Compared to the BAAQMD's screening criteria of 541,000 square feet (general light industry) and 47,000 square feet (high quality restaurant) for NO_X, the project would contribute a less than significant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Note: a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses.) The project falls well below the screening criteria as noted above, and consequently will not significantly affect air quality individually nor contribute considerably to any cumulative air quality impacts.

In 2017, the BAAQMD adopted an updated Clean Air Plan that outlines a regional program and a set of measures to reduce the emissions of ozone, ozone precursors, particulate matter, toxic air contaminants, greenhouse gases, and other sources of air pollution. As noted in the Clean Air Plan (2-5), the nine-county San Francisco Bay Area as a region is in non-attainment status for achievement of state and federal standards for ozone and particulate matter (PM_{10} and $PM_{2.5}$). Primary sources of ozone and PM in the Bay Area include combustion (e.g., burning of fossil fuels, wood or vegetation), fugitive dust from earth-moving activities, and vehicle use (including engine combustion and tire and brake pad wear).

The proposed project would not conflict with nor obstruct the implementation of the applicable air quality plan. Wineries in general are not producers of air pollution in quantities substantial enough to result in an air quality plan conflict. Over the long term, emissions resulting from the proposed use permit modification would consist primarily of mobile sources, including emissions associated with vehicle trips to and from the site.

As noted above, the combustion process of engines in passenger and heavy duty vehicles is a source of air pollutants, including particulate matter as well as carbon dioxide and nitrogen dioxide, two precursors to formulation of ozone. The Clean Air Plan acknowledges that $PM_{2.5}$ continues to be the "most harmful air pollutant to Bay Area residents" (2-26), and that "no safe threshold of exposure to PM has yet been identified, [so] it is important that we continue efforts to further reduce PM emissions and concentrations" (2-25, 2-26). In general, emissions of diesel particulate matter have and are expected to continue to decrease over time due to tighter regulations of the California Air Resources Board and BAAQMD programs (2-25). The applicant intends to continue to implement existing and expanded programs for employee carpooling and group transportation for large marketing events to reduce emissions from single-occupant vehicles (Napa County Voluntary Best Management Practices [BMP] Checklist for Development Projects, BMP-6).

The project proponent identified in the use permit major modification application several measures listed in the 2017 Clean Air Plan with which the existing and proposed winery operations would be consistent, including intent to maintain a previous installation of photovoltaic panels for solar generation of power, installation of energy conserving lighting and a cool roof, as well as intent to install a solar water heating system (Napa County Voluntary BMP Checklist for Development Projects, BMP-1, BMP-8, BMP-9, BMP-10). These measures are intended to reduce demand for energy derived from fossil fuels for space conditioning; the cool roof system reflects light and heat of the sun, reducing demand for energy for space conditioning, while the photovoltaic panels provide a renewable energy source on the property in addition to reducing the "heat island" effect of a dark, asphalt-paved surface. A solar water heating system, energy-conserving lighting, and glazing on the eastern elevation of the proposed production building expansion to allow natural lighting are also intended to reduce fossil fuel-related energy demands of the proposed winery buildings, and each of these measures is consistent with Measures BL2 (Decarbonize Buildings) and EN2 (Decrease Electricity Demand) of the 2017 Clean Air Plan. Other BMPs proposed by the applicant, including recycling 75 percent of waste (BMP-17), composting 75 percent of food and garden material (BMP-18), and generally repurposing of existing barn and shed structures on the property would reduce landfill-related GHG emissions and, for the repurposed buildings, limit particulate matter that would be generated from grading for new site construction. While certain components of the requested use permit major modification would implement elements of the Clean Air Plan, the proposed project would not implement other measures of the Plan that are more generally applicable to heavy industrial rather than winery and hospitality uses. As such, the requested use permit major modification would not obstruct implementation of the applicable Clean Air Plan for the San Francisco region.

In the short term, potential air quality impacts are most likely to result from earthmoving required for grading of the new production building expansion and parking areas. Although there are no schools or healthcare facilities within one mile of the proposed winery (the nearest school is Yountville Elementary School approximately 4 miles southeast of the site), there are existing residences on APN 031-020-002 approximately 600 feet south from where grading would occur for the proposed new courtyard landscaping, and on APN 031-020-011 approximately 600 feet east of the area of work of the photovoltaic array to be disassembled for relocation on-site. Earthmoving and construction emissions would be short-term, consisting mainly of dust generated during grading activities and exhaust emissions from construction-related equipment and vehicles during the estimated four weeks of site grading and paving. The temporary nature of the work and compliance with Napa County standard conditions (listed below) would not cause a substantial increase in particulate matter and therefore, would result in a less than significant construction impact related to the region's current non-attainment status for particulate matter.

The applicant's engineer estimates that site grading and construction associated with the project would occur over 12 weeks (60 workdays). With an estimated 2,700 cubic yards of earthwork estimated to occur for construction of the winery buildings, parking lots and roads; applying the heavy- and light-duty construction equipment exhaust emission factors of the BAAQMD (see 1999 CEQA Guidelines, table 7); and an estimated 60 workdays for grading and construction, the emissions from vehicles used in the construction of the project site improvements are estimated as follows. For information and comparison, the table includes the thresholds of significance for construction and operations emissions from a project (see the 2017 CEQA Guidelines, table 2-1) in the summary below. Average daily emissions in pounds are converted to kilograms (where one pound equals 0.45 kilograms), for consistency in the units across the table:

Table 1: Average Daily Emissions from Grading and Site Preparation

Contaminant	Emission Factor (grams/yard^3)	Total Estimated Project Emissions (kilograms, kg)	Daily Emissions Estimated for Project (kg)	Daily Emissions, Threshold of Significance
Reactive Organic Gases (ROG)	9.2	25	0.4	24.5 kg (54 pounds)
Oxides of Nitrogen (NO_x)	42.4	115	1.9	24.5 kg (54 pounds)
Particulate Matter (PM_{10})	2.2	6	0.1	37.2 kg (82 pounds)

The BAAQMD recommends incorporating feasible control measures as a means of addressing construction-related air quality impacts, and with application of these measures, indicates that air pollutant emissions from construction activities would be considered a less than significant impact. These measures are incorporated into the County's standard conditions of project approval and include the following. It is noted that the estimated project emissions per day summarized in the above table are considered to be conservative estimates, as they represent uncontrolled emissions (i.e., activities occurring without inclusion of any of the control measures listed below):

7.1.c AIR QUALITY

During all construction activities, the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

A. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.

B. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.

C. Cover all haul trucks transporting soil, sand, or other loose material off-site.

D. Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

E. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.

F. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

G. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required State Regulations). Clear signage shall be provided for construction workers at all access points.

H. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf or the PERP website http://www.arb.ca.gov/portable/portable.htm.

7.1.b DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 miles per hour.

With the project proponent's adherence to these relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related impacts of the project are considered to be less than significant. The temporary duration of the work would not cause a substantial increase in particulate matter, and compliance with standard conditions would reduce to less than significant the proposed project's construction impact related to the region's current nonattainment status for this criteria pollutant.

c,d. The BAAQMD defines public exposure to offensive odors as a potentially significant impact. However, land uses that are more commonly known generators of offensive odors typically include landfills and transfer stations, wastewater treatment plants, refineries, and heavy industrial and manufacturing plants. Production of wine and storage of wine barrels are not land uses that are typically associated with generation of offensive odors comparable to these types of industrial uses. Consistent with General Plan Policy AG/LU-15, odors that are associated with production of wine and other agricultural product processing facilities are considered acceptable elements of the County and its agricultural development goals. There are no other substantial air pollutant emissions that would be expected to occur for the winery beyond those discussed herein, and the nearest sensitive receptors (residences located on APNs 031-020-002 and 031-020-011 are over 600 feet south and east of the winery complex. This impact would be less than significant.

Mitigation Measures: None required.

IV.	**BIOLOGICAL RESOURCES.** Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
	a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion:

a-e) The western, approximately one-third of the property is currently developed with winery buildings and related infrastructure, including production areas, parking and landscaping. The central one-third of the property is planted in vineyard, with two prominent utility features (a reclaimed water pond and ground-mounted photovoltaic array), while the majority of the eastern one-third of the property is exclusively planted in vineyards. The project parcel is generally flat, with a grade differential of about 20 feet (elevation 146 feet at western property line to elevation 126 feet at eastern property line) across the approximately 2,000-foot length of the property. Slope steepens near the eastern property line where the parcel adjoins the banks of the Napa River. (See project civil drawings.)

County GIS mapping and a 1999 biological resources survey report (Brady LSA, memorandum to Donna Oldford, March 8, 1999) prepared for the initial winery Use Permit No. 98400 indicate presence on-site of a blue line stream extending approximately 700 feet and generally parallel to the property line at the northeast portion of the site. The stream adjoins that portion of the property that has previously been planted in vineyards. The 1999 survey indicated that the stream was small, carrying only intermittent flows; that it had evidence of human disturbance, including installation of rock rip rap along some of its banks; and that the likelihood of presence of sensitive species was low given bank conditions and presence of non-native predatory species. It is noted that relative to the current request, this on-site stream lies north of and outside of the proposed area of construction disturbance proposed with the use permit major modification application, and as such, would not be affected by the current project.

The Napa River adjoins the eastern property line of the site. With over 900 feet of distance between the river and the closest bank of the on-site irrigation pond, the existing winery buildings and pond are and would remain well outside of the required 45-foot minimum setback established under the water quality and riparian area Conservation Regulations identified in County Code Chapter 18.108. Construction proposed with the current use permit major modification request (production area canopies, utility structures, production building expansion, employee parking lot) would be proximate to existing winery buildings, west of the pond, and so would also be well beyond 1,000 feet from the Napa River bank.

There were no natural on-site wetlands indicated in the 1999 biological survey report. The property's predominant underlying soil types, as discussed in Section VII, Geology and Soils, of this initial study, are Bale clay loam (0 to 2 percent slopes), Bale clay loam (2 to 5 percent slopes), and Yolo loam (0 to 10 percent slopes). The Bale clay loam soils that underly the area in which winery buildings and associated facilities are proposed generally provide fair potential for establishment of wetland plants and associated wildlife. The third soil type (Yolo loam – 0 to 10 percent slopes) is reported as having good potential for establishment of wetland habitat, though this soil type primarily occurs on the easternmost one-third of the property approaching the Napa River where there are existing vineyards but where no wine

production facilities are existing or proposed (U.S. Department of Agriculture, Natural Resources Conservation Service [NRCS], Soil Survey website: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx, viewed April 24, 2020; also see NRCS Soil Survey of Napa County, California [1978], Table 4.)

As summarized in the Background/Project History section of this initial study, the subject property has been in agricultural and/or residential use since the late 19th century, and with the exception of a limited area along the Napa River banks east of the winery and vineyards, the property's native habitat has long been removed to accommodate ornamental landscaping, introduced wine grape vines, agricultural buildings and residences. Construction of proposed, new or modified site infrastructure, including improvements to the private winery access driveway and installation of new parking stalls, would occur in areas on the parcel that have been previously disturbed in association with the existing vineyard or winery uses. County GIS data do not indicate presence of sensitive plant or animal species on or in the vicinity of the winery parcel but do note that spotted owls have been observed on properties in the general vicinity of the site. However, as noted above, little remaining native oak woodland habitat remains on the property, and the only trees proposed to be removed from the property are ornamental olive trees planted with initial construction of the winery, so the likelihood of impacts to spotted owls as a result of proposed project improvements would be low. The project's impacts would be less than significant.

f) Not applicable to this project. There is no habitat conservation plan (HCP) or natural community conservation plan (NCCP) that has been adopted or is being implemented in unincorporated Napa County.

Mitigation Measures: None required.

V.	**CULTURAL RESOURCES.** Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	☐	☐	☒	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	☐	☒	☐	☐
c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Discussion:

CEQA Guidelines Section 15064.5 defines "substantial adverse change" as physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource is materially impaired. For purposes of the definition of adverse change, CEQA Guidelines Section 15064.5(b)(2) defines "materially impaired" as follows:

> The significance of an historical resource is materially impaired when a project:
>
> (A) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
>
> (B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
>
> (C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

CEQA requires that if a project would result in an effect that may cause a substantial adverse change in the significance of a historical resource or would cause significant effects on a unique archaeological resource, then alternative plans or mitigation measures must be considered. Therefore, prior to assessing effects or developing mitigation measures, the significance of cultural resources must first be determined. The steps that are normally taken in a cultural resources investigation for CEQA compliance are as follows:

- Identify potential historical resources and unique archaeological resources;
- Evaluate the eligibility of historical resources; and
- Evaluate the effects of the project on eligible historical resources.

a) The proposed project could cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. According to CEQA Guidelines Sections 15064.5(a)(1) and 15064.5(a)(2), a historic resource is one that includes buildings, sites, structures, objects, or districts, each of which may have historical, prehistoric, architectural, archaeological, cultural, or scientific importance and is eligible for listing or is listed in the California Register of Historical Resources (CRHR or California Register) or that is identified in a local register of historical resources. Pursuant to CEQA Guidelines Section 15064(a)(3), a historical resource is additionally defined as any object, building, structure, site, area, place, record, or manuscript that:

1. Is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, or cultural annals of California; and
2. Meets any of the following criteria:
   A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
   B. Is associated with the lives of persons important in our past;
   C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
   D. Has yielded, or may be likely to yield, information important in prehistory or history.

Historic property is a term defined by the National Historic Preservation Act (NHPA) as any prehistoric or historic district, site, building, structure, or object included on, or eligible for inclusion on, the National Register of Historic Places (NRHP or National Register), including artifacts, records, and material remains related to such property.

In addition to assessing whether historical resources potentially impacted by a proposed project are listed or have been identified in a survey process (Public Resources Code Section 5024.1[g]), lead agencies have a responsibility to evaluate them against the CRHR criteria prior to making a finding as to a proposed project's impacts to historical resources (Public Resources Code Section 21084.1 and CEQA Guidelines Section 15064.5[a][3]).

The project site is located at the approximate mid-point in Napa Valley, just north of the unincorporated area of Oakville. Existing buildings date from the mid- to late 1800s, and include a farmstead residence known as the Sullenger House. Additional outbuildings from this period include a shed and barn which are currently used for storage. In 2002, the residence, barn and shed were nominated for inclusion in the CRHP under criteria A and C (Architectural Resources Group 2002). The nomination narrative included linkage to 19th century agricultural production. The residence is also representative of the California rendition of the "Classic Box" Colonial Revival architectural style popularized in the 1890s.

In 1999, the Sullenger House and several structures were repurposed from the farmstead residence to accommodate winery administrative offices, hospitality and tasting rooms, and a commercial kitchen. The house was further redesigned to include the addition of the front glassed-in porch and the two chimneys that flank the north and south facades of the house. The barn and shed continued to be used for storage. The California Office of Historic Preservation (OHP) responded to the nomination letter (2002) stating that the significant structural modifications to the residence in 1999 appeared to deem the property ineligible under Criterion C.

The proposed project would relocate existing spaces in the Sullenger House to administrative and hospitality uses, but would not involve demolition work. As described above, the Sullenger House and associated structures were evaluated for inclusion in the CRHR and the NRHP. The OHP concluded that the buildings lack historical integrity due to cosmetic and structural changes and would not meet the minimum eligibility standards for inclusion in either the California Register or National Register, and that they are not a historical resource for purposes of CEQA. Because the proposed improvements would not impact historical resources in the project site, the project would have a less than significant impact on historical resources.

b-c) Project implementation could indirectly result in the potential disturbance of undiscovered cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features), paleontological resources (i.e., fossils and fossil formations) and unrecorded human remains. This impact would be potentially significant.

As noted above, CEQA also requires lead agencies to consider whether projects will impact unique archaeological or paleontological resources as outlined in Public Resources Code Section 21083.2(g).

Paleontological resources are classified as nonrenewable scientific resources and are protected by state statute (Public Resources Code Chapter 1.7, Section 5097.5, Archaeological, Paleontological, and Historical Sites, and CEQA Guidelines Appendix G). No state or local

agencies have specific jurisdiction over paleontological resources, and no state or local agency requires a paleontological collecting permit to allow for the recovery of fossil remains discovered as a result of construction-related earth-moving on public or private land on a project site.

Between 1983 and 2006, Caltrans conducted several site surveys in the Napa Valley which were determined to be prehistorically significant due to evidence of buried archaeological fragments that suggested these sites were primarily tool-making locations. Several of these sites are similar to, and within a few miles of, the survey site, including two that are adjacent to a Caltrans right-of-way (ROW) along State Route 29 just outside the proposed project site. These sites are considered highly sensitive for occurrences of prehistoric and historic-period archaeological resources. Both survey areas are either listed or eligible for inclusion in both the California Register or the National Register.

Archaeological and Historic reports were prepared for the project (Barrow & Bartel 2018; Tom Oringer & Associates 2019) to assess potential cultural resources impacts from proposed improvements on the project site, which include expansion of the parking lot, a joint utility trench, and related infrastructure. The study area in the Oringer report focused on a portion of the property close to offsite documented archaeological resources adjacent to the Caltrans ROW along State Route 29. The study area includes several sites within a couple of miles of the winery and is highly sensitive for the occurrence of prehistoric and historic-period archaeological resources. One of the sites, known as site P-28-000297, has been identified as a prehistoric cultural site adjacent to the project site, and is within close proximity to several documented sites containing obsidanian (volcanic glass) fragments. This previously undocumented site functioned as a workshop where chipped stone tool manufacture and repair took place. As such, this site is eligible for inclusion in the California Register under Criterion B (listed above), for this site is likely to yield important history or pre-history information and appears to be a task-specific location associated with one or more of the habitation sites (camps and villages) dating back between 150 and 5,160 years.

The proposed locations of surface installations on the winery building expansion have been selected in an effort to avoid potential archaeological resources. However, on-site project work would involve ground-disturbing activities that could result in unanticipated or accidental discovery of unknown archaeological resources, paleontological resources, or undiscovered human remains. To reduce the potential for impacts to archaeological resources that might be discovered during construction to less-than-significant levels, the project sponsor would be required to incorporate Mitigation Measures CR-1 and CR-2, discussed below.

Mitigation Measures:

Impact CR-1: Accidental Discovery

The project site is in an area that is highly sensitive for the occurrence of prehistoric and historic-period archaeological resources. On-site project work would involve ground-disturbing activities that could result in unanticipated or accidental discovery of unknown archaeological resources, paleontological resources, or undiscovered human remains. This impact would be potentially significant.

Mitigation Measure CR-1:

The following mitigation measure is required to avoid any potential adverse effect from the proposed project on accidentally discovered buried or submerged historical resources as defined in CEQA Guidelines Section 15064.5(a) and (c), on tribal cultural resources as defined in CEQA Statute Section 1074, and on human remains and associated or unassociated funerary objects.

A preconstruction training shall be provided to all construction personnel performing or managing soils disturbing activities by a qualified archaeologist prior to the start of soils disturbing activities on the project. The training may be provided in person or using a video and include a handout prepared by the qualified archaeologist. The video and materials will be reviewed and approved by the Napa County Planning, Building and Environmental Services (PBES) Director or the Director's designee, and by the permittee, prior to issuance of the first grading permit for the project. The purpose of the training is to enable personnel to identify archaeological resources that may be encountered and to instruct them on what to do if a potential discovery occurs. Images of expected archaeological resource types and archaeological testing and data recovery methods should be included in the training.

Should any indication of an archaeological resource be encountered during any soils disturbing activity of the project, the project construction manager and/or permittee shall immediately notify the PBES Director and shall immediately suspend any soils disturbing activities in the vicinity of the discovery until the PBES Director or the Director's designee has determined what additional measures should be undertaken.

If the PBES Director or the Director's designee determines that an archaeological resource has been encountered within the project area of disturbance, the permittee shall retain the services of an archaeological consultant approved by the PBES Director or the Director's designee. The archaeological consultant shall advise the PBES Director or the Director's designee as to whether the discovery is an archaeological resource, retains sufficient integrity, and is of potential scientific/historical/cultural significance. If an archaeological resource is present, the archaeological consultant shall identify and evaluate the archaeological resource. The archaeological consultant shall make a recommendation as to what action, if any, is warranted. Based on this information, the PBES Director or the Director's designee may require, if warranted, specific additional measures to be implemented by the project sponsor. The PBES Director or the Director's designee

may also determine that the archaeological resources is a tribal cultural resource and will consult with affiliated Native Americans tribal representatives, if warranted, as detailed under TCR-1 for this project, discussed in Section XVIII, Tribal Cultural Resources, of this initial study.

Mitigation Measure CR-2:

The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable state and federal laws. This shall include immediate notification of the Medical Examiner of the County of Napa and, in the event of the Medical Examiner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, which will appoint a Most Likely Descendant (MLD). The MLD will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code section 5097.98). The PBES Director also shall be notified immediately upon the discovery of human remains.

The permittee and County shall make all reasonable efforts to develop a Burial Agreement ("Agreement") with the MLD, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and associated or unassociated funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). The Agreement shall take into consideration the appropriate excavation, removal, recordation, scientific analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the MLD agrees to scientific analyses of the remains and/or associated or unassociated funerary objects, the archaeological consultant shall retain possession of the remains and associated or unassociated funerary objects until completion of any such analyses, after which the remains and associated or unassociated funerary objects shall be reinterred or curated as specified in the Agreement.

Nothing in existing state regulations or in this mitigation measure compels the project sponsor and the County to accept treatment recommendations of the MLD. However, if the PBES Director or the Director's designee, the permittee and the MLD are unable to reach an Agreement on scientific treatment of the remains and associated or unassociated funerary objects, the County, with cooperation of the project applicant, shall ensure that the remains and/or mortuary materials are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance.

Treatment of historic-period human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity, additionally, shall follow protocols laid out in the project's archaeological treatment documents, and in any related agreement established between the permittee, Medical Examiner and the County.

Significance after Mitigation:

Implementation of Mitigation Measures CR-1 and CR-2 would ensure that archaeological resources that might be encountered during project excavations would be identified promptly and would require that appropriate archaeological treatment is implemented to preserve the important information represented by the resources. Those steps would ensure that project excavations would not cause a substantial adverse change in the significance of archaeological resources that could be encountered during construction, and that the project's potential impact would be less than significant.

VI.	**ENERGY.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation?	☐	☐	☒	☐
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Discussion:

a,b) The project would consist of new construction of winery production and hospitality buildings, all of which must be designed to comply with the Building Energy Efficiency Standards of the California Code of Regulations, Title 24, Part 6 (California Energy Code) and Part 11 (California Green Building Standards Code). These standards are updated every three years, and the most recent update of the standards

in 2019 became effective January 1, 2020. The standards are intended to reduce wasteful consumption of energy in new buildings and building additions, and they are one means to facilitate implementation of broader efforts such as the energy efficiency goals of the California Public Utilities Commission (CPUC). The applicant for the project must demonstrate compliance with the standards in plans and supporting analyses submitted with the building permit application for construction of the new facilities associated with the project.

Though plans submitted with the use permit major modification application are more conceptual than plans required for a building permit, the Voluntary Best Management Practices Checklist for Development Projects included with the application indicated the applicant's intent to utilize solar water heating (BMP-8), energy-conserving lighting (BMP-9), and install shade trees and a cool roof (BMP-20 and BMP-10) with the project. These measures would conserve energy associated with project operations. The applicant also intends to continue to utilize solar energy generation infrastructure on the property (BMP-1) by relocating the existing photovoltaic array from an area among the vineyards to the rooftops of carports over the proposed new parking lot east of the winery complex of buildings. The applicant reports that the existing photovoltaic system has generated 85 to 90 percent of the winery's approximately 630,000 kilowatt hours of annual energy demand. With the proposed winery expansion, energy demands of the winery complex will increase, though the relocated photovoltaic system would continue to provide an estimated 75 to 80 percent of the winery's total energy demand. This impact would be less than significant.

Mitigation Measures: None required.

VII. **GEOLOGY AND SOILS.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) Be located on expansive soil creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	☐	☐	☒	☐
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?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Discussion:

a,c) Regional mapping shows much of the Napa Valley Floor, on which the property is located, as surficial deposits with minimal risk of landslides (Metropolitan Transportation Commission/Association of Bay Area Governments [MTC/ABAG] Hazard Viewer Map, online at https://mtc.maps.arcgis.com/apps/webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8, viewed April 24, 2020). Additionally, as shown on the civil plans and described on page 1 of the December 2018 Stormwater Control Plan (SCP) prepared for the project by Summit Engineering, the applicant's civil engineer, elevations on-site range from 146 above mean sea level (msl) at the western property line down to 126 feet msl at the Napa River bank at the eastern edge of the property. With a differential of 20 feet across the approximately 2,000-foot long span of the property between the western and eastern property lines, risk of landslide is less than significant because the site is generally flat, excluding the easternmost edge of the property that forms the banks of the Napa River but where no development is proposed with the project.

The property is approximately seven miles northeast of the Alquist-Priolo designated fault zone of the West Napa fault and is outside of any other Alquist-Priolo Earthquake Fault Zone designated by the California Department of Conservation (California Earthquake Hazards Zone Application, online at https://www.conservation.ca.gov/cgs/geohazards/eq-zapp, viewed April 24, 2020). Although no fault zone underlies the property, the site is generally located within a region of active fault zones, including those of the Berryessa, Mayacama, Rodgers Creek, Northern San Andreas and West Napa faults. Movement along any of these faults is anticipated to result in intensities of VII to VIII on the Modified Mercalli Scale at the project site; these "very strong" to "severe" intensities could result in some damage even to well-constructed wood-frame structures, with more severe damage or potential collapse of more poorly constructed buildings. Similarly, regional mapping shows much of the Napa Valley Floor, including the project site, as having "moderate susceptibility" for soil liquefaction. Higher risks (high, very high) are also indicated on parts of the Valley Floor, particularly along the banks and beds of the Napa River, though these higher risk areas are beyond the developed footprint for the winery.

Given the young age (less than 20 years) of the fermentation buildings and reconstructed barn, and due to the requirement for new structures to comply with the seismic standards of the California Building Code and Occupational Health and Safety Administration regulations (i.e., bracing of barrel storage racks), damage to any newly-built, recently-built or renovated structures on the property is anticipated to be minor and would not expose people to substantial hazards related to ground shaking during an earthquake. Concurrently with submittal of a building permit application for the proposed new fermentation building addition or shed buildings to be repurposed for winery use, the property owner must submit a geotechnical report that characterizes the soils on-site and recommends criteria for building foundations and other structural elements of the buildings. These recommendations would have the intent of minimizing structural damage from an earthquake or subsequent liquefaction and would be required to be incorporated into the architectural plans for the project, prior to issuance of the requested building permit. With location of the property in a seismically-active region and on soils considered to have "moderate susceptibility" to liquefaction based on regional mapping, some structural damage to buildings on-site could also occur, though it is noted that the property owner reports that none of the buildings currently on-site experienced any significant damage during the recent 2014 West Napa earthquake, and the older farmstead buildings on the property have withstood several major and minor earthquakes in the region since their construction in the late 19th century.

b) The property is predominantly underlain by three soil types: Bale clay loam (0 to 2 percent slopes); Bale clay loam (2 to 5 percent slopes); and Yolo loam (0 to 10 percent slopes). (The SCP identifies a fourth soil type, Bale loam [0 to 2 percent slopes], on the property; however, this soil type is generally located in the areas proximate to the state highway and are outside the area of disturbance proposed for the project.) As explained in the SCP prepared for the project, existing vineyard, swales and bio-retention facilities are proposed on-site to receive stormwater runoff from impervious surfaces on the property.

The developed portions of the existing winery and proposed additions and modifications are characterized by Bale clay loam (0 to 2 percent slopes) and Bale clay loam (2 to 5 percent slopes) soils. These two soil types are generally equal parts coarse sand particles, fine clay particles, and silt within roughly two feet of ground surface, and have a higher (roughly two-thirds) proportion of sand content at deeper profiles more than two feet below grade. For these two soil types that would be disturbed with the project, wind and soil erosion potential is low, with total erosion potential for each soil type calculated at 0.2 on a scale of 0.02 to 0.69 (U.S. Department of Agriculture, NRCS, Soil Survey website: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx, viewed April 24, 2020; also see NRCS Soil Survey of Napa County, California [1978], page 9.) The project SCP also notes that these soil types have moderate infiltration rates when thoroughly wet, and a moderate rate of water transmission (1). With low erosion potential and moderate infiltration rates characterizing the soils

underlying the area of winery development, the risk of soil loss or erosion is considered to be low, and this impact would be less than significant. The third soil type (Yolo loam – 0 to 10 percent slopes) has a more moderate erosion potential of 0.43 on the same scale; however, this soil type primarily occurs on the easternmost one-third of the property that approaches the Napa River bank. This area has previously been planted in vineyards, and there are no existing or proposed wine production facilities in this portion of the site.

d) The Bale clay loam soils that underlie the areas of proposed project construction have a moderate shrink/swell potential near the ground surface, and a low shrink-swell potential beyond the first two feet below ground surface due to the higher proportion of sand in the soil composition at those greater depths (NRCS; RGH Geotechnical and Environmental Consultants, "Geotechnical Investigation, Nickel & Nickel Winery, Oakville, California," December 1999, page 7, and letter of May 9, 2019). With moderate shrink/swell potential of the existing soil layers near ground surface, development on-site could experience cracking in building foundations and pavement surfaces as the underlying soil is dampened (contracts) and subsequently dries (expands). As noted above, concurrently with submittal of a building permit application for the proposed new fermentation building addition or shed buildings to be repurposed for winery use, the property owner must submit a geotechnical report that characterizes the soils on-site and recommends criteria for building foundations and other structural elements of the buildings. These recommendations would have the intent of minimizing structural damage from expansive soils and would be required to be incorporated into the architectural plans for the project, prior to issuance of the requested building permit. With compliance with building code and geotechnical report recommendations, impacts of the project would be less than significant.

e) Bale clay loam soils under the developed portion of the property generally have moderate limitations for functioning of septic dispersal fields due to slow percolation, though such limitations can be overcome by design, for example, by expanding the area of the leachfield. The existing winery currently treats wine process wastewater and domestic sanitary wastewater on-site; there are no public sewers proximate to the property. Existing treatment systems consist of a septic tank and leachfield (located west of the existing on-site pond) for treatment of sanitary wastewater, and the on-site pond with recirculating and filtration systems for treatment and storage of process wastewater that is eventually reused as vineyard irrigation. The proposed project includes replacement of the existing sanitary wastewater treatment system with a package treatment system that would treat effluent to California Title 22 standards for recycled water; treated effluent would then be stored in the on-site pond and reused as vineyard irrigation. For treatment of process wastewater, the winery operation would either continue to use the existing on-site pond for treatment and storage, or would combine the process wastewater with sanitary wastewater for treatment using the package treatment system. In either scenario, the existing on-site pond would be used for storage of treated process wastewater until it is applied as vineyard irrigation and landscape irrigation and taken up by grapevines or other plant root systems. (See "Wastewater Feasibility Study, Nickel & Nickel Winery, 8164 St. Helena Highway, Oakville, CA," prepared by Summit Engineering, August 2019.) As the proposed treatment systems would no longer rely on subsurface soils for effluent treatment, the proposed project's impacts related to septic systems would be less than significant.

f) The site has been significantly disturbed through past construction and grading activities associated with the existing winery and previously-established agricultural (historically, orchard and corn, and currently, vineyard) uses of the project site. As discussed in Section V, Cultural Resources, of this initial study, there are known archaeological resources sites in the vicinity of the property, and mitigation is recommended to address potential on-site archaeological impacts of the project in a potentially archaeologically sensitive area. There are no known paleontological resource discoveries on properties near the project site, and during two visits to the project site on January 30, 2018, and May 7, 2019, County staff observed no significant geological features on the relatively flat property. Project impacts on paleontological and geological resources are anticipated to be less than significant.

Mitigation Measures: None required.

VIII.	**GREENHOUSE GAS EMISSIONS**. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	☐	☐	☒	☐
b)	Conflict with a county-adopted climate action plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion:

Greenhouse gases (GHGs) are the atmospheric gases whose absorption of solar radiation is responsible for the greenhouse effect, including carbon dioxide, methane, ozone, and the fluorocarbons, that contribute to climate change (a widely accepted theory/science explaining human effects on the atmosphere). Carbon dioxide (CO_2) gas, the principal GHG being emitted by human activities, and whose concentration in the atmosphere is most affected by human activity, also serves as the reference gas to compare other greenhouse gases. Agricultural sources of carbon emissions include forest clearing, land-use changes, biomass burning, and farm equipment and management activity emissions (http://www.climatechange.ca.gov/glossary/letter_c.html). Carbon dioxide equivalents (CO_2e) is the most commonly reported type of GHG emission and a way to get one number that approximates total emissions from all the different gasses that contribute to GHG (BAAMD CEQA Air Quality Guidelines, May 2017). In this case, CO_2 is used as the reference molecule to obtain atmospheric carbon CO_2 effects of GHG. Carbon stocks are converted to CO_2e by multiplying the carbon total by 44/12 (or 3.67), which is the ratio of the atomic mass of a carbon dioxide molecule to the atomic mass of a carbon atom (http://www.nciasi2.org/COLE/index.html).

Napa County has been working to develop a Climate Action Plan (CAP) for several years. In 2012, a Draft CAP (March 2012) was recommended using the emissions checklist in the Draft CAP, on a trial basis, to determine potential GHG emissions associated with project development and operation. At the December 11, 2012, Napa County Board of Supervisors (BOS) hearing, the BOS considered adoption of the proposed CAP. In addition to reducing Napa County's GHG emissions, the proposed plan was intended to address compliance with CEQA for projects reviewed by the County and to lay the foundation for development of a local offset program. While the BOS acknowledged the CAP's objectives, the BOS requested that the CAP be revised to better address transportation-related greenhouse gas, to acknowledge and credit past accomplishments and voluntary efforts, and to allow more time for establishment of a cost-effective local offset program. The BOS also requested that best management practices be applied and considered when reviewing projects until a revised CAP is adopted to ensure that projects address the County's policy goal related to reducing GHG emissions.

In July 2015, the County re-commenced preparation of the CAP to: i) account for present day conditions and modeling assumptions (such as but not limited to methods, emission factors, and data sources); ii) address the concerns with the previous CAP effort as outlined above; iii) meet applicable state requirements; and iv) result in a functional and legally defensible CAP. On April 13, 2016, the County, as the part of the first phase of development and preparation of the CAP, released Final Technical Memorandum #1: 2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016. This initial phase included: i) updating the unincorporated County's community-wide GHG emissions inventory to 2014; and ii) preparing new GHG emissions forecasts for the 2020, 2030, and 2050 horizons. Additional information on the County CAP can be obtained at the Napa County Department of Planning, Building and Environmental Services Department or online at http://www.countyofnapa.org.

a,b) Overall increases in GHG emissions in Napa County were assessed in the Environmental Impact Report (EIR) prepared for the Napa County General Plan Update and certified in June 2008. GHG emissions were found to be significant and unavoidable in that document, despite the adoption of mitigation measures incorporating specific policies and action items into the General Plan.

Consistent with these General Plan action items, Napa County participated in the development of a community-wide GHG emissions inventory and "emission reduction framework" for all local jurisdictions in the County in 2008-2009. This planning effort was completed by the Napa County Transportation and Planning Agency in December 2009, and served as the basis for development of a refined inventory and emission reduction plan for unincorporated Napa County.

In 2011, the BAAQMD released CEQA Project Screening Criteria and Significance of Thresholds (1,100 metric tons [MT] per year of carbon dioxide and carbon dioxide equivalents]. This threshold of significance is appropriate for evaluating projects in Napa County.

During our ongoing planning effort, the County requires project applicants to consider methods to reduce GHG emissions consistent with Napa County General Plan Policy CON-65(e). (Note: Pursuant to State CEQA Guidelines Section 15183, because this initial study assesses a project that is consistent with an adopted General Plan for which an EIR was prepared, it appropriately focuses on impacts which are "peculiar to the project," rather than the cumulative impacts previously assessed.) For the purposes of this analysis, potential GHG emissions associated with winery 'construction' and 'development' and with 'ongoing' winery operations have been discussed.

One time "Construction Emissions" associated with the project include: emissions associated with the energy used to develop and prepare the project area, construction, and construction equipment and worker vehicle trips (hereinafter referred to as Equipment Emissions). These emissions also include underground carbon stocks (or soil carbon) associated with any existing vegetation that is proposed to be removed. As previously stated, this project consists of operational changes and physical improvements to an existing winery, including renovation of existing buildings but also including grading and vine and tree removal for a 6,000 square foot production building expansion and installation of new surface parking stalls.

In addition to the one time Construction Emissions, "Operational Emissions" of the winery are also considered and include: i) any reduction in the amount of carbon sequestered by existing vegetation that is removed as part of the project compared to a "no project" scenario (hereinafter referred to as Operational Sequestration Emissions); and ii) ongoing emissions from the energy used to maintain and operate the winery, including vehicle trips associated with employee and visitor trips (hereinafter referred to as Operational Emissions). See

Section XVI, Transportation/Traffic, of this initial study, for anticipated number of operational trips. Operational Emissions from the proposed winery would be the primary source of emissions over the long-term when compared to one time construction emissions.

As discussed in Section III, Air Quality, of this initial study, in 2010, the BAAQMD adopted and later incorporated into its 2011 CEQA Guidelines project screening criteria (Table 3-1 – Criteria Air Pollutants and Precursors & GHG Screening Level Sizes) and thresholds of significance for air pollutants, including GHG emissions, which have now been updated by BAAQMD through May 2017. With the winery production buildings totaling approximately 75,627 square feet of enclosed or covered production floor area, of which 7,710 square feet of space is dedicated to tasting/hospitality uses (inclusive of tasting rooms and patios, kitchen, scullery and glass storage rooms) in the Gleason Barn, renovated White Shed and the Sullenger House, compared to the BAAQMD's GHG screening criteria of 121,000 square feet for general industrial and 9,000 square feet for high quality restaurant, the project was determined not to exceed the 1,100 MT of CO_2e per year GHG threshold of significance.

Furthermore, the applicant intends to implement the following GHG reduction methods at the winery, as indicated in the Voluntary Best Management Practices Checklist for Development Projects attached to the use permit major modification application:

- Generation of on-site renewable energy (BMP-1): The winery currently has a photovoltaic array for on-site solar power generation. This array generates approximately 85-90 percent of the winery's energy needs. The project includes retention of this solar power generation source, with relocation of the solar panels from an area among the vineyards to the carports over the proposed new employee parking stalls. With the expansions proposed with the project, and with continued intent to utilize energy conserving lighting at the facility (BMP-9), the applicant estimates that the relocated photovoltaic array would still be able to generate 75-80 percent of the winery's power demands.
- Vehicle Miles Traveled (VMT) reduction plan (BMP-6): Among various options suggested in the checklist, and as noted in the addendum to the project traffic study, the applicant has indicated intent to reduce emissions from single-occupancy vehicles through continued implementation of an employee carpool incentive program and expansion of measures to reduce single-occupancy vehicle use, including group shuttles and transit incentives.
- Cool Roof (BMP-10): Existing structures on the property, including the fermentation barns and White Shed, have light roofs that reflect solar energy, reducing temperatures inside the buildings and the energy demands associated with space conditioning.
- Recycle 75 percent of all waste (BMP-17) and Compost 75 percent of food and garden material (BMP-18): The winery operators currently recycle waste and indicated intent to augment that effort with a composting program. Together, reduction of the winery's waste stream reduces the volume of material deposited in landfills, thereby reducing methane emissions from landfill decomposition.
- Electric Vehicle Charging Stations (BMP-21): Improvements to the property are proposed to include an electric vehicle charging station supporting the use of ultra low emission vehicles by customers and employees.

The proposed project has been evaluated against the BAAQMD thresholds and determined that the project would not exceed the 1,100 MT per year of CO_2e. GHG Emission reductions from local programs and project level actions, such as application of the Cal Green Building Code, tightened vehicle fuel efficiency standards, and more project-specific on-site programs including those winery features and operational programs noted above would combine to further reduce emissions below BAAQMD thresholds.

As indicated above, the County is currently preparing a CAP, and as part of the first phase of development and preparation of the CAP, the County has released Final Technical Memorandum #1 (2014 Greenhouse Gas Emissions Inventory and Forecast, April 13, 2016). Table 1 of the Technical Memorandum indicates that 2 percent of the County's GHG emissions in 2014 were a result of land use change.

The increase in emissions expected as a result of the project would be relatively modest, and the project is in compliance with the County's efforts to reduce emissions as described above. For these reasons, project impacts related to GHG emissions are considered less than significant.

Mitigation Measures: None required.

IX.	HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
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?	☐	☐	☒	☐
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires?	☐	☐	☒	☐

Discussion:

a,b) The proposed project includes expanded service and sales of wine, and service of food with wine pairings. These types of uses might utilize chemicals for purposes of cleaning and property maintenance activities but are not typically generators or users of significant quantities of hazardous materials. During construction of the improvements associated with the project, some hazardous materials, such as building coatings and adhesives would be utilized. However, given the quantities of hazardous materials and the limited duration of construction, their use on-site would result in less than significant impact.

The requested use permit major modification also includes an increase in wine production. Wine production and vineyard maintenance, both of which currently occur on the property, involve utilization of chemicals such as fuels and fertilizers. Previous years' hazardous materials inventories submitted to the County Environmental Health Division by winery and vineyard maintenance operations have listed gasoline, diesel and propane fuels; fertilizer; sulfurous, tartaric and citric acids; diatomaceous earth; propylene glycol; and ammonia among the specific chemicals used on-site. Pursuant to California Health and Safety Code, commencing with Section 25500, the project proponent and winery operator is required to file a Hazardous Materials Business Plan (HMBP) and to maintain a Hazardous Waste permit with the Napa County Environmental Health Division. As authorized by Napa County Code Section 16.28.120, County Environmental Health Division staff is authorized to collect permit fees and to conduct periodic inspections under the HMBP; County staff conducts these inspections every three years or more frequently as needed to confirm ongoing compliance or identify corrective measures for compliance with state regulations for management of hazardous materials. With compliance with regulatory requirements for use of hazardous materials, the project's impacts would be less than significant.

c) The winery and proposed modifications thereto would not affect schools within one-quarter mile. The school closest to the subject property is Yountville Elementary School, which is over four miles southeast of the Nickel & Nickel Winery property.

d) Not applicable to the project. The Nickel & Nickel Winery property is not on any state agency list maintained pursuant to Government Code Section 65962.5, of identified hazardous materials sites in Napa County, (https://dtsc.ca.gov/dtscs-cortese-list/ and https://www.envirostor.dtsc.ca.gov/public/search?basic=True, viewed April 17, 2020).

e) The requested use permit major modification would not cause an unsafe condition within two miles of a public airport or airstrip, as the subject parcel is not within two miles of any public airport or airstrip. There are two public use airports in the County: Angwin-Parrett Field

and Napa County Airport. Angwin-Parrett Field is over seven miles northeast of the project site, and the Napa County Airport is over 18 miles southeast of the site. The Nickel & Nickel Winery property is outside of the boundaries of the land use compatibility plans for both airports.

River Meadow Farm, located at 1019 Rutherford Road and approximately two miles northeast of the project site, has Napa County use permit approval for a private use heliport (Use Permit No. U-347778, approved June 7, 1978; U.S. Federal Aviation Administration Location Identification No. 7CA9). While the project site is within two miles of a private heliport, the existing winery use and requested use permit major modification exclude any air travel component or on-site aircraft landing facilities that could contribute to increased air traffic in the immediate area. The project also excludes any increase in the height of any existing wine production or barn structure on-site, and the proposed production building expansion would be shorter than existing winery buildings to which it would be proximate. The use permit major modification request, if approved, would be conditioned to preclude any uplighting that could cause visual or physical interference with existing air traffic that may occur to or from that heliport. The project's impacts would therefore be less than significant. (Also see Section I, Aesthetics, of this initial study.)

f) The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery and resource management efforts associated with the occurrence of a natural disaster, significant emergency, or other major threat to public safety. No component of the project would result in permanent closure or obstruction of right-of-way adjacent to the site (State Route 29) so as to impede emergency access or response, and no component of the implementation of the EOP would otherwise be impaired by the requested use permit major modification. The project would have no impact.

g) The property is currently developed with winery facilities on the westernmost one-third of the site, with the remaining two-thirds of the property planted in vineyards. The Napa County General Plan (Figure SAF-2) indicates that the property is within a Local Responsibility Area for fire protection services and has a low risk of damage from wildland fires. The property does not abut any natural forested or grassland areas; rather, lands in the vicinity of the property are paved roadways (State Route 29 west of the parcel) or are also developed with wineries and vineyard plantings. In accordance with building code requirements for commercial buildings, the renovated barn and shed, and the new production building expansion, would be equipped with fire suppression sprinklers. The property is within emergency response area of Napa County fire protection services and is within 1.5 miles of the volunteer Station 15 located near the intersection of State Route 29 and Rutherford Road, northwest of the site. The project's impacts would be less than significant.

Mitigation Measures: None required.

X.	**HYDROLOGY AND WATER QUALITY.** Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
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 which would:				
	i) result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
	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?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Discussion:

On January 14, 2014, Governor Jerry Brown declared a drought emergency in the state of California. That declaration was followed on April 1, 2015, when the Governor directed the State Water Resources Control Board to implement mandatory water reductions in cities and towns across California to reduce water usage by 25 percent. These water restrictions do not apply to agricultural users. On April 7, 2017, Governor Brown signed an executive order lifting California's drought emergency in all but four counties (Fresno, Kings, Tulare and Tuolumne). The County of Napa had not adopted or implemented any additional mandatory water use restrictions. The County requires all discretionary permit applicants to complete necessary water analyses in order to document that sufficient water supplies are available for their proposed projects and to implement water saving measures to prepare for periods of limited water supply and to conserve limited groundwater resources.

In general, recent studies have found that groundwater levels on the Napa Valley Floor exhibit stable long-term trends with a shallow depth to water. Historical trends in the Milliken-Sarco-Tulucay (MST) area, however, have shown increasing depths to groundwater, but recent stabilization in many locations. Groundwater availability, recharge, storage and yield are not consistent across the County. More is known about the resource where historical data have been collected. Less is known in areas with limited data or unknown geology. In order to fill existing data gaps and to provide a better understanding of groundwater resources in the County, the Napa County Groundwater Monitoring Plan recommended 18 Areas of Interest (AOIs) for additional groundwater level and water quality monitoring. Through the well owner and public outreach efforts of the Groundwater Resources Advisory Committee (GRAC), approximately 40 new wells have been added to the monitoring program within these areas. Groundwater Sustainability Objectives were developed and recommended by the GRAC and adopted by the Board of Supervisors of the County. The recommendations included the goal of developing sustainability objectives, providing a definition, and explaining the shared responsibility for Groundwater Sustainability and the important role of monitoring as a means to achieving groundwater sustainability.

In 2009, Napa County began a comprehensive study of its groundwater resources to meet identified action items in the County's 2008 General Plan update. The study, by Luhdorff and Scalmanini Consulting Engineers (LSCE), emphasized developing a sound understanding of groundwater conditions and implementing an expanded groundwater monitoring and data management program as a foundation for integrated water resources planning and dissemination of water resources information. The 2011 baseline study by LSCE, which included over 600 wells and data going back over 50 years, concluded that "the groundwater levels in Napa County are stable, except for portions of the MST district." Most wells elsewhere within the Napa Valley floor with a sufficient record indicate that groundwater levels are more affected by climatic conditions, are within historical levels, and seem to recover from dry periods during subsequent wet or normal periods. The LSCE Study also concluded that, on a regional scale, there appear to be no current groundwater quality issues except north of Calistoga (mostly naturally occurring boron and trace metals) and in the Carneros region (mostly salinity).

a,c) Provision E.10 of the statewide Phase II municipal stormwater National Pollutant Discharge Elimination System (NPDES) permit reissued by the California State Water Resource Control Board in 2013 requires all individuals undertaking public or private construction or ground disturbing activities to take steps to prevent the discharge of pollutants resulting from their projects. In accordance with the NPDES permit requirements, the applicant's engineer prepared a preliminary SCP ("Preliminary Stormwater Control Plan for a Regulated Project: Nickel & Nickel Winery, 8164 St. Helena Highway, Oakville, CA") to outline the measures to be implemented with the project in compliance with the intent of the NPDES permit.

Existing impervious surfaces on the subject parcel consist of the winery buildings, parking lots and driveways, and asphalt-paved outdoor work areas. Proposed additional impervious surfaces would include the footprint of the winery building expansion and additional employee and visitor parking stalls and associated drive aisles. The project SCP specifies a total pre-project impervious surface area of approximately 4.61 acres and a post-project impervious surface area of approximately 4.77 acres (1).

According to the project SCP, the project site slopes gently to the northeast toward the Napa River (1). Among the existing and proposed winery buildings and adjacent paved areas, a combination of bioretention facilities, self-retaining pervious areas (e.g., vineyard or landscaping), and vegetated swales would provide areas for treatment of runoff from impervious surfaces on the site, including buildings, parking and gravel-paved areas and decomposed granite courtyard surfaces. As detailed in the SCP, there is sufficient area on the property in the winery development area to size each receiving treatment area adequately according to the drainage area to which it corresponds. The project would utilize the existing vineyard area between winery facilities and the Napa River as a vegetative buffer, allowing stormwater to naturally infiltrate into the soil or sheet flow across the site after treatment in and conveyance from treatment facilities but before discharge to the Napa River. Additional stormwater best management practices selected for incorporation into the project include labeling on-site storm drain inlets with "No Dumping – Drains to River" (or similar text), implementation of integrated pest management practices to facilitate reduction or elimination of pesticide use, and regular sweeping of parking lots to minimize discharge of pollutants (e.g., dust, brake pad wear) to the storm drain system.

As summarized above, the preliminary SCP demonstrates how the project would comply with NPDES permit requirements. Although the project would increase the area of impervious surfaces on-site, with the addition of best management practices, swales, bioretention and utilization of opportunities for direct infiltration of stormwater into soils as identified in the preliminary SCP, the project would not have the effect of overwhelming the storm drainage system nor substantially increasing stormwater pollutant loads.

That portion of the property on which winery buildings would be built is over 1,200 feet westward of the Napa River. No element of the project would require modification of the river so as to cause redirection of its channel or flows. Existing vineyard development on the property that is within proximate to the river would remain unchanged from existing conditions in the event that the project proceeds. Further, the Bale clay loam soils that underly the development area of the winery have low wind and erosion potential, so that the project would not likely result in excessive siltation or soil erosion.

As described in Section VII.e, Geology, of this initial study, the proposed project includes replacement of the existing sanitary wastewater treatment system with a package treatment system that would treat effluent to California Title 22 standards for recycled water. Treated effluent would then be stored in the on-site pond and reused as vineyard irrigation. Treatment and storage of process wastewater would continue to occur using the existing on-site pond, or would be combined with sanitary wastewater for treatment using the package treatment system before being conveyed to the pond. In either scenario, the existing on-site pond would be used for storage of treated process wastewater until it is applied as vineyard irrigation and landscape irrigation and taken up by grapevines or other plant root systems. As the proposed treatment systems would no longer rely on subsurface soils for treatment, the proposed project's impacts related to septic systems would be less than significant.

As demonstrated by the analysis in the SCP and Wastewater Feasibility Study prepared for the project, the winery could be built and operated in compliance with state and local regulations for stormwater quality and wastewater treatment. The project would therefore have a less than significant impact on water quality.

b) Nickel & Nickel Winery currently produces wine on the property and is entitled to produce up to 125,000 gallons of product per year, with up to 75 guests per day for wine tasting. Water for on-site vineyard irrigation and domestic consumption is provided from two wells located near the western property line; there is a backup well for irrigation on the property. In addition to well water, the property has surface water rights to divert 6.1 acre-feet per year from the Napa River for vineyard irrigation, frost protection and heat control (California State Water Resources Control Board, Division of Water Rights, Permit No. 16521).

Groundwater (GW) and surface water demand estimated for the winery as currently entitled and described in the Water Availability Analysis (WAA) provided by the applicant is approximately 16.8 acre-feet per year. The current entitlement data from the WAA is summarized in Table 2, below, except that the data below are slightly higher to reflect the permitted maximum of 75 daily tours and tastings visitors rather than the average of 50 daily visitors as was analyzed in the WAA. Using the applicant's assumptions, approximately 20 percent of guests would have wine tasting with food. Vineyard irrigation demand is assumed to be 0.5 acre-feet (162,925 gallons) per acre of vineyard, applying the demand factors from the County's WAA Guidelines, and is considered to be conservative given that vineyard manager's data reflects a lesser number (i.e., actual water use records indicate an annual vineyard irrigation use of 3,845,000 gallons for the 19.24 acres of grapevines on-site plus another 12.53 acres off-site that are also managed by Nickel & Nickel staff). Water demand for landscape irrigation is also conservatively estimated as the Estimated Total Water Use (ETWU) calculated for irrigation pursuant to the State Model Water Efficient Landscape Ordinance (WELO, California Code of Regulations Title 23, Division 2, Chapter 2.7), though the WAA notes that actual irrigation water use has been lower (600,000 gallons/year):

Table 2: Winery Water Demand – Current Use Permit Entitlement

Winery Activity	Quantity	Demand Factor	Estimated Annual GW Demand (gallons)
Winemaking	125,000 gal.	6 gallons / gallon of wine	750,000
Winery Employment (FT)	21 persons	15 gallons / person / day	114,975
Winery Employment (PT, harvest)	6 persons	15 gallons / person / day (30 days/year)	2,700
Vineyard Management Employees	5 persons	15 gallons / person / day	27,375
Daily Tours/Tastings Visitors (80% w/o food)	60 persons	3 gallons / person / day	65,700
Daily Tours/Tastings Visitors (20% w/ food)	15 persons	15 gallons / person / day	82,125
Marketing Events (25-person, 156 / year)	3,900 persons	15 gallons / person	58,500
Special Events (4 / year)	400 persons	15 gallons / person	6,000
Annual Special Event (1 / year)	250 persons	15 gallons / person	3,750
Vineyard Irrigation (incl. some offsite vines)	19.24 acres	0.5 acre-feet / year	3,135,000
Other Landscape Irrigation	76,100 sq. ft.	*From WELO*	1,233,370
		Total, gallons	**5,479,495**
		Total, Permitted Demand, acre-feet (gallons / 325,851)	**16.8 acre-feet**

The submitted WAA estimated groundwater demand for the requested entitlement to be 25.8 acre-feet, as itemized in Table 3, below. Using the applicant's assumptions, approximately 20 percent of guests would have wine tasting with food. The number of daily tours and tasting visitors is extrapolated from the requested entitlement for maximum weekly visitation (1,440) divided by seven. Vineyard irrigation demand is again assumed to be 0.5 acre-feet (162,925 gallons) per acre of vineyard, applying the demand factors from the County's WAA Guidelines, and water demand for landscape irrigation is again estimated as the ETWU calculated for irrigation pursuant to the State Model WELO.

Table 3: Winery Groundwater Demand – Requested Use Permit Entitlement

Winery Activity	Quantity	Demand Factor	Estimated Annual GW Demand (gallons)
Winemaking	225,000 gal.	6 gallons / gallon of wine	1,350,000
Winery Employment (FT)	67 persons	15 gallons / person / day	366,825
Winery Employment (PT)	6 persons	15 gallons / person / day (Sept. only)	2,700
Vineyard Management Employment (FT)	*Included in FT Winery Employment*		---
Daily Tours/Tastings Visitors (with food)	41 persons	15 gallons / person / day	224,475
Daily Tours/Tastings Visitors (w/o food)	165 persons	3 gallons / person / day	180,675
Weekly Marketing Events (156 / year)	3,900 persons	15 gallons / person	58,500
Special Marketing Events (4 / year)	400 persons	15 gallons / person	6,000
Annual Special Event (1 / year)	250 persons	15 gallons / person	3,750
Special Marketing Events (2 / year)	1900 persons	15 gallons / person	28,500
Annual Special Event (1 / year)	1000 persons	15 gallons / person	15,000
Vineyard Irrigation	19.64 acres	162,925 gallons / planted acre	3,200,000
Other Landscape Irrigation		*From WELO*	2,950,000
		Total, gallons	8,386,425
		Total, Requested Entitlement, acre-feet (gallons / 325,851)	**25.8 acre-feet**

Thresholds for water use have been established by the Napa County Department of Public Works, using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project which reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels. The subject property is located within the Napa Valley Floor – St. Helena subarea of Napa County according to Figure 2-2 of the Napa County Groundwater Monitoring Plan 2013. Within the Napa Valley Floor, the County has determined that an annual groundwater draw of up to one acre-foot of water per acre of a parcel is a scientifically and operationally adequate threshold. Any project on the Napa Valley Floor for which groundwater demand is at or below that threshold is concluded not to have a significant effect on groundwater levels. (See Napa County Water Availabilty Analysis – Guidance Document [2015], 7-8.)

With the location of the 34.64-acre project site on the Napa Valley Floor, the requested use permit major modification would have a potentially significant groundwater impact if it resulted in more than 34.64 acre-feet of groundwater extraction per year. With an estimated demand of 25.8 acre-feet of water per year, the proposed project would have a less than significant impact on groundwater. It is further noted that the groundwater demand estimated in the applicant's WAA is conservative, not accounting for reductions in groundwater demand as a result of: 1) actual vineyard irrigation use of 0.37 acre-feet of groundwater per planted acre per year, rather than the County's demand factor 0.5 acre-feet (162,925 gallons) of irrigation demand per planted vineyard acre; and 2) proposed reuse of domestic wastewater, treated to Title 22 disinfected tertiary standards, for vineyard and ornamental landscape irrigation. It is also noted that the property owner has entitlements to draw up to 6.1 acre-feet of water per year from the Napa River for irrigation, frost protection and heat control uses, to augment existing irrigation and frost control fan operations; river water, when needed, could also serve to reduce groundwater demand.

While no significant groundwater impacts from the project are anticipated, the winery use permit, if approved, would include the following standard condition of approval pertaining to groundwater:

4.9 GROUND WATER MANAGEMENT - WELLS
This condition is implemented jointly by the Public Works and PBES Departments:

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES Director determines that substantial evidence1 indicates that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In order to support the County's groundwater monitoring program, well monitoring data as discussed above will be provided to the County if the Director of Public Works determines that such data could be useful in supporting the County's groundwater monitoring program. The project well will be made available for inclusion in the groundwater monitoring network if the Director of Public Works determines that the well could be useful in supporting the program.

In the event that changed circumstances or significant new information provide substantial evidence1 that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

d) The project site is not within a location of projected tsunami run-up. In Napa County, the southernmost areas adjacent to the San Pablo Bay carry some risk of inundation as a result of tsunami, but those areas are roughly 20 miles south of the project site. County GIS maps indicate that the eastern, roughly one-half of the project site is within 100-year and 500-year floodplains of the Napa River. The project would have no impact with respect to release of pollutants as a result of flooding from the 100-year flood because only vineyards are located in that floodplain, and treated effluent that may be applied as irrigation in this area would meet California Title 22 standards allowing discharge of highly-treated effluent to ground surfaces and surface waters.

No winery production or accessory buildings are proposed within either the 100-year or 500-year floodplain, though the existing photovoltaic panel array and the existing irrigation pond are within the 500-year floodplain. The proposed project includes relocation of the existing solar energy array to a new area west of the on-site pond, thus improving upon the existing condition by removing the solar array from the boundaries of both floodplains. The on-site pond that is and would remain within the 500-year floodplain is not likely to risk release of pollutants as a result of flooding. As noted above, water stored in the pond would be highly treated effluent that would meet standards for discharge to surface waters. Additionally, the top of bank of the pond is at the 140-foot elevation, about five feet above the 135-foot elevation contour that also reflects the 500-year flood boundary. (See Napa County GIS, FEMA Flood Zone Info layer, and Project Civil Plans.) The project's potential impacts related to discharge of pollutants from flooding is therefore considered to be less than significant.

e) The Sustainable Groundwater Management Act (SGMA, California Water Code Sections 10720-10737.8) requires local governments and water agencies in medium and high priority basins in California to create long-term sustainability plans that would result in balanced groundwater extraction and recharge within 20 years of adoption of the plan, and no later than 2042. Plans for medium or high priority basins are due to the Department of Water Resources (DWR) by January 2022. As designated by the DWR in its SGMA 2019 Basin Prioritization, the Napa Valley Subbasin is a high priority due to local reliance on groundwater resources (https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization, viewed July 7, 2020). In December 2019, Napa County

established a Groundwater Sustainability Agency, and in the first half of calendar year 2020, the GSA established an Advisory Committee and selected LSCE to provide technical support for preparation of a groundwater sustainability plan for the County.

The anticipated water demands of the proposed project would be less than the County threshold (one acre-foot per parcel acre per year) at which groundwater extraction would be considered significant, and no known element of the project would impede the County's ongoing efforts toward groundwater management under the requirements of SGMA as outlined above. Further, as noted in response to Section X.a and X.c, above, the proposed project includes stormwater quality measures and wastewater treatment in compliance with County regulations and the Phase II municipal stormwater NPDES permit. The impact of the project with respect to compliance with water quality or groundwater management programs would be less than significant.

Mitigation Measures: None required.

XI.	**LAND USE AND PLANNING.** Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	Physically divide an established community?	☐	☐	☒	☐
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Discussion:

a) The project site is currently developed with vineyards, winery structures, and other accessory structures such as mechanical and equipment buildings. The proposed project would not change the existing agricultural use of the property. The Napa County General Plan (Policy AG/LU-2) defines agriculture as the raising of crops, trees, and livestock; the production and processing of agricultural products; and related marketing, sales and other accessory uses. The surrounding land uses are also predominantly agricultural land uses (vineyards and wineries) on large parcels, and therefore, the existing vineyard, winery and accessory structures are consistent with the development pattern of the properties surrounding the site. The proposed project does not include any permit modifications that would introduce non-agricultural use to the property nor interfere with other existing agricultural or residential uses on nearby properties. The proposed project would integrate with the property's surroundings and would not physically divide an established community, and thus, would have a less than significant impact.

b) The use permit modifications would not change the agricultural use of the property which includes agricultural product processing (winemaking from grapes) and related, accessory uses. The requested use permit major modification is generally consistent with the uses described in General Plan Goal AG/LU-1 and Policies AG/LU-1, AG/LU-2. The proposed project is also consistent with General Plan Policy AG/LU-9, which was specifically adopted by the Board of Supervisors as a mitigation measure of the General Plan EIR and is intended to prioritize preservation of farmland in the County. Napa County Code Section 18.16.030 also identifies wineries as conditionally permitted uses within the AP District where the site is located. The vineyard supports the economic viability of agriculture within the County consistent with General Plan Agricultural Preservation and Land Use Policy AG/LU-4 ("The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/ open space…") and General Plan Economic Development Policy E-1 (The County's economic development will focus on ensuring the continued viability of agriculture…).

The General Plan includes two policies (Policy AG/LU-10 and Community Character Element Policy CC-2) requiring new wineries to be designed generally of a high architectural quality for the site and its surroundings. Although Nickel & Nickel is not a new winery, the use permit major modification includes a request to construct a new winery building. As depicted in the plans submitted with the use permit major modification application, the proposed winery building would be built using concrete finished in gray and metal exterior wall panels finished in neutral light and dark brown colors. Combined with the deep building setback and placement of the new structure behind the existing winery buildings (see Section I, Aesthetics, of this initial study), these neutral color selections would reduce the prominence of the winery building expansion from the perspective of the nearest public vantage point of State Route 29. Barn and shed buildings proposed to be repurposed for winery accessory use would be maintained with a white finish. Although these buildings are highly visible from the highway, their light color is indicative of their age and relationship to the 19th century Sullenger House, which is also finished in white. As such, the architectural design of the project would reflect the 19th century context of the property but would not degrade the existing character of the site and its surroundings.

The Napa River adjoins the eastern property line of the site. With over 900 feet of distance between the river and the closest bank of the on-site irrigation pond, the existing winery buildings and pond are and would remain well outside of the required 45-foot minimum setback established under the water quality and riparian area Conservation Regulations identified in County Code Chapter 18.108. Construction proposed with the current use permit major modification request (production area canopies, utility structures, production building expansion, employee parking lot) would be proximate to existing winery buildings, west of the existing on-site pond, and so would also be well beyond 1,000 feet from the Napa River bank. (Also see EIR Mitigation Measure 4.5.2c and General Plan Conservation Element Policy CON-27.) With no portion of the property having a slope in excess of 15 percent, the proposed new physical project elements, including construction of a new fermentation building expansion, are not subject to the requirements of Napa County Code Chapter 18.106 (Viewshed Protection Program) and so would not conflict with the aesthetic regulations of that code chapter. The property is located within a highly sensitive area for occurrence of prehistoric and historic-period archaeological resources; due to the potential for presence of such resources on the project site, the Applicant commissioned Archaeological and Historic reports for the project (Barrow & Bartel 2018; Tom Oringer & Associates 2019), consistent with the intent of General Plan Community Character Element, Action Item 23.1. (Also see sections V, Cultural Resources, and XVIII, Tribal Cultural Resources, of this initial study.)

For these reasons, the project is not anticipated to cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The impact would be less than significant.

Mitigation Measures: None required.

XII.	**MINERAL RESOURCES.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion:

a,b) Historically, the two most valuable mineral commodities in Napa County in economic terms have been mercury and mineral water. More recently, building stone and aggregate have become economically valuable. Mines and Mineral Deposits mapping included in the Napa County Baseline Data Report (Mines and Mineral Deposits, BDR Figure 2-2) indicates that there are no known mineral resources nor any locally important mineral resource recovery sites located on the project site. No impacts would occur.

Mitigation Measures: None required.

XIII.	**NOISE.** Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Discussion:

a) The proposed project would cause a temporary increase in noise levels as a result of construction of the building and site modifications, including grading for new landscaping and surface parking areas. Examples of construction equipment that would be associated with site improvements include bulldozers for grading, along with smaller-scale equipment necessary for installation of planting or building details. Noise levels generated from such equipment has been measured as high as 90 decibels at 50 feet from the source (https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm, viewed July 30, 2020). With a six-decibel reduction in noise levels per doubling of distance from the source, and with the County's noise threshold of 75 A-weighted decibels (dBA, a measurement of sound that mimics human hearing by de-emphasizing low- and very-high frequency sound) during daytime hours for construction noise effects on residential uses (County Code Section 8.16.080), a residence located within 400 feet of the location of construction activities could potentially be affected by construction noise generated by grading or construction activities associated with the project. The closest receptor to the winery property is an off-site residence located on APN 031-020-002 approximately 600 feet south from where grading would occur for the proposed new courtyard landscaping; a second residence is also located approximately 600 feet east of the area of work of the photovoltaic array to be disassembled for relocation on-site. With no residence within 400 feet of any area of construction on the property, construction-related noise impacts would be less than significant. Nonetheless, the project would be subject to standard conditions of development in Napa County that are intended to reduce to acceptable levels the potential impacts of construction-related noise on neighboring uses, by requiring mufflers on construction equipment, prohibiting operation of noise-disturbing construction tools or equipment between the hours of 7:00 p.m. and 7:00 a.m., and limiting construction noise levels measured at property lines to 75 dBA between the hours of 7:00 a.m. and 7:00 p.m.:

7.3 CONSTRUCTION NOISE

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur daily between the hours of 8:00 a.m. to 5:00 p.m.

Increased wine production as requested under the proposed use permit major modification would occur within existing wine production and fermentation buildings and would not significantly change the existing noise environment associated with wine production. However, the application includes a request to expand upon the winery's existing program of wine marketing events, with some events occurring outdoors. Under current use permit approvals, the largest wine marketing event permitted to occur on the property is a 250-person event. In recent years, the County has permitted larger events, up to 1,000 attendees, under issuance of a Temporary Event Permit for each event. However, the nature of these events is now understood to be wine-related marketing events rather than cultural, artistic expression or nonprofit events and is not consistent with the intent of the County's Temporary Events Ordinance (Napa County Code Chapter 5.36). Therefore, the applicant has proposed that these larger events be incorporated into the winery's marketing program under the winery's use permit. These events would include food service and would occur between the hours of 10:00 a.m. and 6:00 p.m. Up to 300 people would be on-site at a given time during the course of the event. As described in the Project Description, above, the proposed outdoor consumption and marketing areas include the garden adjacent to the White Shed, the Sycamore Grove between the White Shed and North Fermentation Barn, the porch of the Sullenger House, and the overflow parking area south of the Sullenger House and South Fermentation Barn.

The proposed project involves changes to the approved marketing program that have the potential to generate higher noise levels as a result of larger assemblies compared to the event sizes allowed under the current use permit entitlement (250 people). Although event sizes are requested to be increased under the proposed use permit major modification, these 900- and 1,000-person events are infrequent,

occurring not more than four times a year. These larger events also do not pose a change in the existing noise environment because they have occurred in previous years under County authorization from a Temporary Event Permit. These largest events would not include outdoor amplified sound.

Though not a condition of approval of the previously-issued Temporary Event permits, the large marketing events, as well as the currently-entitled, 25- to 250-person marketing events, would be subject to the following standard condition with respect to amplified sound generated during events:

4.10 AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

b) Groundborne vibration can occur as a result of movement of heavy machinery, such as diesel trains or large vehicles on uneven road surfaces, or as a result of impactful construction activity such as pile driving or blasting. There are no ongoing activities related to project operations that would cause groundborne vibrations, though the project includes construction of new structures and surface installations (parking stalls, relocation of solar panels) on-site. Site preparations for this construction, as well as grading necessary for the proposed new parking areas, would not require pile driving or blasting but would require soil movement and excavation conducted by heavy equipment, as described in section XIII.a, above. These excavation and grading activities, though construction-related and therefore temporary in nature, could generate groundborne vibrations.

Noise regulations in County Code Chapter 8.16 do not include specific criteria for groundborne vibration. In the absence of local County criteria for vibration analysis, this initial study utilizes the guidance in the "Transit Noise and Vibration Impact Assessment Manual" (2018) prepared for the Federal Transit Administration (FTA, online at https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf, viewed April 29, 2020). While the project is not a transit project, the noise levels generated by heavy construction equipment that would be used for construction of the project are similar to those that would be generated by locomotive engines (85-90 decibels).

The guidance in the FTA manual suggests screening criteria for different land use types, from the most sensitive land uses such as recording studios and research facilities that rely on vibration sensitive equipment, to comparably less sensitive institutional facilities occupied by potentially sensitive receptors during days and residences occupied by sleeping residents at night. Projects that do not fall within the screening criteria are not considered to have a significant groundborne vibration impact on a sensitive receptor, and no further analysis is required.

Land uses proximate to the project site include winery, vineyard management (office), and residential uses. There are no highly vibration-sensitive land uses in the general vicinity of the property. Table 6-8, Screening Distances for Vibration Assessments, of the FTA "Transit Noise and Vibration Impact Assessment Manual" indicates that a residential use located within 200 feet of the right-of-way of a conventional railroad track could potentially be negatively affected by groundborne vibration from the source, and an office type of use could be impacted if it was within 120 feet of the vibration source. Translating this criterion to the requested use permit major modification, a residence within 200 feet of areas of excavation (e.g., courtyard landscaping, production building expansion, surface parking lot) could potentially be negatively impacted by groundborne vibration from the project. As described above, the closest residences are 600 or more feet from these areas, and the vineyard management office (currently owned by the applicant) is over 200 feet from the project site, so the project would not have a significant impact related to groundborne vibration.

c) The requested use permit major modification would not expose people to excessive noise levels from air traffic. There are two public use airports in the County for which the County has adopted an airport land use compatibility plan: Angwin-Parrett Field and Napa County Airport. Angwin-Parrett Field is over seven miles northeast of the project site, and the Napa County Airport is over 18 miles southeast of the site. The Nickel & Nickel Winery property is outside of the boundaries of the land use compatibility plans for both airports.

River Meadow Farm, located at 1019 Rutherford Road and approximately two miles northeast of the project site, has Napa County use permit approval for a private use heliport (Use Permit No. U-347778, approved June 7, 1978; U.S. Federal Aviation Administration Location Identification No. 7CA9), though it does not have a land use compatibility plan. While the project site is within two miles of a private heliport, the existing winery use and requested use permit major modification excludes any air travel component. With no element of the project generating additional air traffic to or from this private landing pad, no aircraft-related noise impacts would be generated by the project.

Mitigation Measures: None required.

XIV.	**POPULATION AND HOUSING.** Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
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)?	☐	☐	☒	☐
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion:

a) The requested use permit major modification would facilitate ongoing operation of an existing winery. The proposed permit modifications mainly serve to increase the winery's production and support the increased operation of the winery. The modifications propose an increase in winery employment from 21 full-time staff to the winery's current employment of 67 full-time staff (no change to number of six part-time staff), in recognition of existing staff employed at the winery outside of the winery's current permit entitlement.

The project would be subject to County Code Section 18.107.060 (Nonresidential developments – Housing fee requirement), which requires developers of nonresidential projects to pay a fee to help meet demand for local affordable housing. The modifications do not propose any new infrastructure that might induce growth by extending services outside of the boundaries of any of the winery owner's properties. Absent an increase in new employees, with enforcement of the County's housing impact mitigation fee, and without an expansion of services or infrastructure beyond the boundaries of the project site, the project would have a less than significant impact on population growth.

b) There are no residences on the property. The proposed use permit modification does not include any modifications that would affect housing; thus, no residents would be displaced, and there would be no impact.

Mitigation Measures: None required.

XV.	**PUBLIC SERVICES.** Would the project result in:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	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:				
	i) Fire protection?	☐	☐	☒	☐
	ii) Police protection?	☐	☐	☒	☐
	iii) Schools?	☐	☐	☒	☐
	iv) Parks?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
v) Other public facilities?	☐	☐	☒	☐

Discussion:

a) The property is located within the service areas of both the Napa County Sheriff's Department (Beat 4), as well as the Napa County Fire Department (Napa County Baseline Data Report, Figure 13-3 and Table 13-9). The winery facilities proposed to be repurposed or built with this use permit major modification request would be inspected by County building inspectors and fire prevention officials to ensure that construction occurs in accordance with current Building and Fire Codes applicable at the time of submittal of the requisite building permit application. If approved, the requested use permit major modification would facilitate the continued operation and expansion of an existing winery on-site of an existing vineyard. The proposed project scope does not include construction of any new residential units nor accompanying introduction of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the cities north and south of the winery. No new parks or other public recreational amenities or facilities (such as police or fire stations) are proposed to be built with or as a result of the requested use permit major modification. Also see discussion under Section XVI, Recreation, of this initial study. Impacts of the project would be less than significant.

Mitigation Measures: None required.

XVI. **RECREATION.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) 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?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Discussion:

a) The requested use permit major modification does not include any residential component and would not lead to the accompanying introduction of new residents. The permit modifications would increase the number of employees and visitors to the property, some of whom might visit recreational facilities in the area during breaks, before or after work, or on the way to or from other wineries. However, given that the purpose of employees' and guests' trips are to and from the winery as the primary destination, such visits to area recreational facilities are anticipated to be infrequent and would not drastically accelerate the deterioration of the park amenities. This impact would be less than significant.

b) No new parks or other public recreational amenities are proposed to be built with or as a result of the proposed winery modifications. The proposed project would have no impact.

Mitigation Measures: None required.

XVII.	**TRANSPORTATION.** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system and/or conflict with General Plan Policy CIR-38, which seeks to maintain an adequate Level of Service (LOS) at signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities?	☐	☐	☒	☐
b)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
c)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
d)	Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e)	Result in inadequate emergency access?	☐	☐	☒	☐
f)	Conflict with General Plan Policy CIR-14, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	☐	☐	☒	☐

Discussion:

As noted in the Project Description above, approval of the requested use permit major modification would allow continued operation of the previously-entitled Nickel & Nickel Winery, with increased production, visitation and employment. The proposed project would result in an increase in the number of vehicle trips to and from the property. Applying the trip generation factors from the Napa County Use Permit Application form, and comparing to the production, visitation and employment allowances under the current entitlement, the proposed project is estimated to generate a net increase of 293 weekday daily trips during the harvest season and 285 weekday daily trips during the remainder of the year. The estimated net increase on Saturdays is slightly lower (283 weekend daily trips during the harvest season and 274 weekend daily trips during the remainder of the year).

Traffic impact analysis prepared by Crane Transportation Group (CTG), the applicant's consultant, described existing roadway conditions within the vicinity of the project site and the projected near-term and long-term impacts to the circulation system in the vicinity of the winery, under scenarios both with and without traffic from the requested Use Permit Major Modification.

a,b) Level of service standards for roads in the unincorporated areas have been established by the County in its General Plan Circulation Element, last updated in February 2019. Level of Service (LOS) is a system for classifying roadway segments' and intersections' operations using a letter rating of A through F, based on how much delay a driver experiences on a particular facility. LOS A indicates free flowing traffic with minimal delays, and LOS F indicates a severely congested segment or intersection. For intersections where the minor approaches are stop sign controlled, LOS indicates the seconds of delay experienced by each driver on the minor approach, where LOS A indicates no more than 10 seconds of delay, and LOS F indicates more than 50 seconds. General Plan policy CIR-38 establishes the County's desired LOS on all County roadways as LOS D, with some exclusions, including State Route 29 (SR 29) in the unincorporated areas between Yountville and Calistoga. For this road segment that is in the vicinity of the project site, the General Plan policy specifies LOS F as acceptable level of service. The County previously clarified this and its predecessor policy as it applies to traffic analysis of projects, to specify the following significance thresholds as applied at the time the traffic study was prepared:

- If an unsignalized intersection operates at LOS A through D during peak hours under existing conditions without the project, the project would be considered to have a significant impact if it would cause the intersection to fall to LOS E or F. The peak hour traffic signal warrant criteria should also be evaluated and presented for informational purposes.
- If an unsignalized intersection operates at LOS E or F during peak hours under existing conditions without the project, the project

would be considered to have a significant impact if it would cause an increase of 10 or more percent of the traffic on the side street approach for a side street stop controlled intersection. The peak hour traffic signal warrant criteria should also be evaluated and presented for informational purposes.

- A project would have a significant cumulative impact if:
    - LOS fell below an acceptable level as defined in General Plan policy; or
    - The project's contribution to a significant cumulative impact would be five or more percent of the increase in traffic from existing conditions; or
    - Access driveway and roadway volumes meet County warrant criteria for a left-turn lane on the approach to the project entrance; or
    - Sight lines at project access driveways do not meet Caltrans' stopping sight distance criteria based upon prevailing vehicle speeds.

The traffic study evaluated the project's anticipated impacts to the segment of SR 29 between Rutherford Road and Oakville Cross Road, and at the following unsignalized intersections:

1) State Route 29 and Oakville Cross Road – This is a four-legged intersection with stop sign control on the minor approaches (westbound Oakville Cross Road, and on the opposite side of the intersection, eastbound Walnut Lane). The westbound approach on Oakville Cross Road has a straight/left turn lane and an exclusive right turn lane. There are center left turn lanes on State Route 29 for both the northbound and southbound approaches to the intersection, and the highway right-of-way includes wide shoulders on both sides of the road. The fourth intersection leg, opposite Oakville Cross Road, is Walnut Lane, which provides access to vineyards, wineries and residences west of SR 29.
2) State Route 29 and Nickel & Nickel Winery Driveway – This is a four-legged intersection with stop sign control on the minor approach (Nickel & Nickel Winery Driveway). The private road to the Mondavi Winery is just north of the Nickel & Nickel Winery Driveway on the opposite side of SR 29, resulting in a slight offset to the intersection; for this reason, the traffic study evaluated level of service of each leg independently. The Mondavi Winery Driveway is also stop sign controlled. The Nickel & Nickel Winery Driveway has separate lanes for right turn and left turn vehicle movements onto SR 29. There is a center, two-way left turn lane in the SR 29 right-of-way, for both the northbound and southbound approaches to the intersection. There are striped Class 2 bicycle lanes on both sides of SR 29.
3) State Route 29 and Rutherford Road/State Route 128 – This is a four-legged intersection with stop sign control on the minor approach (westbound Rutherford Road). The private road opposite Rutherford Road/State Route 128 provides access to the Rutherford Fire Department station and the Inglenook Winery and Bistro. There are left turn lanes for both northbound and southbound traffic on SR 29. The westbound Rutherford Road/State Route 128 approach does not have a striped right turn lane but does flare out to allow separate queuing for vehicles making the right turn movement onto northbound SR 29.

For the project's traffic analysis, the consulting traffic engineer utilized methodology from the Transportation Research Board's *Highway Capacity Manual, Version 6* (2017). Under this methodology, intersection operation is defined by LOS and in average control delay for the stop sign controlled approaches or turn movements. Existing condition traffic volumes and turn movement counts were collected on a Friday and a Saturday in the months of September 2016 and (for the State Route 29/Rutherford Road intersection only) mid-June 2017. Because the June traffic counts were collected after the end of the school year and before the harvest/crush season, counts were adjusted upward by 10 percent (Friday) and 8 percent (Saturday). And because the adjusted June counts were higher than counts collected in September for the State Route 29/Rutherford Road intersection, the adjusted June volumes were used in the analysis as a conservative baseline, and the September data for the other intersections was adjusted upward to correlate with the adjusted June data. Intersection impacts, with and without the project, are summarized below in terms of LOS and seconds of delay. "Other Projects" referenced in the second column include five winery use permit or use permit modification applications that were pending or recently approved as of the date of the traffic analysis, and that are generally located within the vicinity of the project site. Except where noted as percentages of increase of intersection volumes, numbers in parentheses indicate seconds of delay experienced by the driver. Italicized text refers to LOS and delay measured on the intersection's minor approach:

Table 4: Weekday PM Peak Hour Level of Service (Friday 3:00 – 4:00 p.m.)

Facility	Existing (2017)		Near Term (2020)		Cumulative (2030)	
	Without Project	With Project	Without Project	With Project	Without Project	With Project
Oakville Cross / State Route 29	F-	F- (0.7%)	F-	F- (0.7%)	F-	F- (0.6%)
Rutherford Rd / State Route 29	F-	F- (0.6%)	F-	F- (0.5%)	F-	F- (0.5%)
Nickel & Nickel D'way / State Route 29	D (29.8) *B (10.1)*	D (31.7) *B (10.2)*	D (33.2) *B (10.4)*	D (35.4) *B (10.5)*	E (37.6) *B (10.8)*	E (40.6) *B (10.9)*
Mondavi Winery D'way / State Route 29	D (26.8) *B (11.8)*	D (26.8 *B (11.8)*	D (30.5) *B (12.4)*	D (30.8) *B (12.4)*	E (35.4) *B (13.2)*	E (35.4) *B (13.2)*
State Route 29 (north of Oakville Cross)	NB: E (959) SB: F (1,301)	NB: E (965) SB: F (1,313)	NB: E (1,014) SB: F (1,400)	NB: E (1,020) SB: F (1,412)	NB: E (1,135) SB: F (1,553)	NB: E (1,139) SB: F (1,446)
State Route 29 (south of Rutherford Rd)	NB: E (949) SB: E (1,192)	NB: E (957) SB: E (1,197)	NB: E (1.011) SB: F (1,288)	NB: E (1,019) SB: F (1,293)	NB: E (1,131) SB: F (1,441)	NB: E (1,139) SB: F (1,446)

Table 5: Weekend PM Peak Hour Level of Service (Saturday 3:00 – 4:00 p.m.)

Facility	Existing (2017)		Near Term (2020)		Cumulative (2030)	
	Without Project	With Project	Without Project	With Project	Without Project	With Project
Oakville Cross / State Route 29	F-	F- (0.8%)	F-	F- (0.7%)	F-	F- (0.6%)
Rutherford Rd / State Route 29	F-	F- (0.6%)	F-	F- (0.6%)	F-	F- (0.5%)
Nickel & Nickel D'way / State Route 29	D (29.7) *B (10.9)*	D (30.4) *B (10.9)*	D (33.0) *B (11.3)*	E (35.2) *B (11.4)*	E (40.0) *B (12.1)*	E (43.7) *B (12.2)*
Mondavi Winery D'way / State Route 29	C (21.6) *B (10.9)*	C (21.6) *B (10.9)*	D (23.8 *B (11.4)*	C (24.0) *B (11.4)*	D (28.5) *B (12.2)*	D (28.5) *B (12.2)*
State Route 29 Segment (north of Oakville Cross)	NB: E (1,134) SB: E (1,163)	NB: E (1,141) SB: F (1,172)	NB: F (1,208) SB: F (1,246)	NB: F (1,215) SB: f (1,255)	NB: F (1,346) SB: F (1,386)	NB: F (1,353) SB: F (1,395)
State Route 29 Segment (south of Rutherford Rd)	NB: E (1,116) SB: E (1,099)	NB: E (1,123) SB: E (1,102)	NB: E (1,191) SB: E (1,182)	NB: E (1,198) SB: E (1,185)	NB: F (1,327) SB: F (1,386)	NB: F (1,353) SB: (1,395)

While the proposed project would contribute to increases in traffic volumes at the studied intersections and roadway segment, the project would not increase volumes above 10 percent on any minor approach, and would not increase traffic volumes by 5 or more percent in the cumulative scenario (CTG, *Final Traffic Impact Report, Nickel & Nickel Winery Expansion Along SR 29 in the Napa Valley,* December 2019, pages 18-22). The project would therefore not have a significant impact to this intersection due to inconsistency with County policies pertaining to LOS.

The Napa County Board of Supervisors adopted the Napa Countywide Bicycle Plan most recently on June 26, 2012 (Resolution No. 2012-98). The adopted Plan identifies SR 29, including at the project site frontage, for Class 2 on-street bicycle lanes. As noted above, the right-of-way at the project frontage currently has Class 2 lanes, and no element of the proposed project would involve modification of the right-of-way so as to eliminate or impede use of the bicycle lane. There are no existing, proposed or planned sidewalks on SR 29. Napa Vine Transit bus routes 10 and 10X travel on SR 29 between the city of Napa south of the project site and the city of Calistoga to the north. The nearest bus stop to the project site is roughly one-half mile southward, at the intersection of SR 29 with Oakville Cross Road. No element of the proposed project would necessitate changes (such as a road closure requiring detour) to the existing bus route, nor would the project require relocation of the nearest existing bus stops. The project would have a less than significant impact on pedestrian or public transit transportation modes.

c) The traffic study prepared by the applicant's consultant did not evaluate vehicle miles traveled (VMT) associated with the winery permit modifications. However, the applicant submitted a description of the winery's current and potential trip and VMT reduction measures that include four-day work weeks, full-time or partial work-from-home options for employees (other than harvest/crush staff), and a $3 per day financial incentive for employees who choose to carpool to work. The applicant's description of the winery's existing programs included

participation rates for the winery's existing work-from-home and carpool cash incentive programs. As of the date of the traffic study (and prior to implementation of current stay-at-home orders, which have since increased the number of remote workers), the winery operator reported that two employees worked from home, and as many as 10 employees participated in the carpool cash incentive program. Assuming that remote workers are full-time, and that carpools consisted of one driver plus one passenger, employee annual and average daily VMT is estimated to be reduced by approximately 10 percent (equivalent to seven of the winery's 67 full-time employees) compared to an unmitigated scenario wherein no trip reduction programs are implemented.

The proposed winery would potentially have a significant impact if it significantly increased VMT. Recently-adopted General Plan policy CIR-7 suggests that project applicants should aim to reduce their projects' unmitigated VMT by at least 15 percent. It is estimated that current trip reduction measures with known participation rates at the winery reduce annual and average daily employee VMT by about 10 percent compared to the scenario without these programs. The applicant notes that winery operators are considering implementing other trip reduction incentives in the future, including compressed work schedules (four-day work weeks) and a transit reimbursement program. These additional programs, along with the continued practice of providing visitor shuttles and rental of sport utility vehicles (SUVs) for transport of guests to the winery from local hotels and the Yountville Veterans' Home (for large events), would further reduce VMT associated with the winery expansion, as compared to the unmitigated scenario.

The winery representatives indicate that, following compliance with recent orders for remote work for non-essential workers due to the Covid-19 pandemic, the number of employees working from home notably, and logically, increased. As the expanded work-from-home participation has not impaired winery operations but rather been beneficial for the winery and its staff, winery representatives anticipate that higher numbers of employees voluntarily participating in the winery's remote work program—either some days or all days of the work week—will continue post-pandemic. Assuming that all 67 full-time non-seasonal employees would work from home one day each week (on average, assuming that some employees may work more days from home while others may prefer to work exclusively on-site of the winery), employee-related VMT would be 20 percent lower than the unmitigated scenario. Factoring back in those employees who opt into the carpool cash incentive program would reduce VMT even further beyond the 15 percent reduction General Plan policy, additionally offsetting some guest VMT. With continued implementation of carpool cash incentive, alternative workplace, and group transport programs, and with addition of new transit incentive and other programs aimed at reducing VMT, the project's impacts would be less than significant.

d,e) The traffic study submitted with the use permit major modification application evaluated vehicle sight distance at the intersection of the Nickel & Nickel Winery driveway with SR 29. SR 29 in the vicinity of the project site has a posted speed limit of 50 miles per hour. The traffic study notes that based on field measurements, sight distance from the winery access driveway is over 1,000 feet to the north and south and exceeds the minimum 580-foot distance necessary for a vehicle traveling at 60 miles per hour (5 miles per hour above the posted speed limit) to stop to accommodate a vehicle making a turning movement into or out of the Nickel & Nickel Winery driveway (24).

In 1971, Napa County adopted its initial iteration of the Napa County Road and Street Standards (RSS). The intent of the RSS was to establish a uniform set of standards for public and private roads that strive to preserve the natural landscape and water quality, minimize impacts to environmental sensitive areas and native habitats, and provide adequate safety and service in the interest of protecting public health and welfare. As further described in the RSS Objectives, the RSS "attempt to meet the related interests of several other agencies, including the Resource Conservation District, Cal-Fire, the Federal Emergency Management Agency, the Napa County Planning, Building and Environmental Services Department, and the California Department of Fish and Wildlife" (5). The RSS has since been amended to reflect changes in the best practices and regulations of the respective agencies, with the most recent amendment occurring in February 2020 (Board of Supervisors Resolution No. 2020-12).

The proposed project does not include any request for exception to any standard in the RSS. Access to the winery will continue to be via the winery's existing driveway from SR 29. No work is proposed in the public highway, and thus, the project would not result in temporary or permanent lane closures that might affect travel by emergency vehicles needing access to the site or surrounding properties. SR 29 currently has a two-way center left turn lane that provides vehicles entering or exiting the winery driveway a sheltered location to wait and queue safely outside of the flow of traffic in the through lanes before turning into the winery or merging into traffic. With the existing SR 29 improvements, adequate sight distance at the winery driveway at SR 29, and on-site circulation improvements designed in accordance with Napa County RSS, the potential for the project to create a hazard or impair emergency vehicle response would be less than significant.

f) The requested use permit major modification includes paving and striping for up to 106 parking stalls for employee and visitor vehicles on the property. These new parking facilities would have less than significant environmental impacts to water and water quality.

As described in Section X, Hydrology, of this initial study, the project would include vegetation swales, a bioretention facility, and existing vineyard areas to treat stormwater runoff from impervious surfaces, in protection of stormwater quality. With installation and maintenance of these stormwater quality facilities, the addition of paved employee and visitor parking to the property would not have a significant environmental impact related to storm drainage or pollutant loads. Relocation of the winery's existing photovoltaic array to the new employee parking lot would also provide shade to the asphalt surface and help to manage the heat island effect from the parking stalls.

Although the proposed parking lots would not have significant environmental effects, the Planning Commission will be tasked with determining whether the proposed increase from 45 to 106 parking stalls as requested with the use permit major modification application is

consistent with General Plan Policy CIR-14, which discourages permit applicants from providing unnecessary or excessive quantities of parking stalls for their uses, as part of the Commission's evaluation of the merits of the requested use permit modification.

Mitigation Measures: None required.

XVIII.	**TRIBAL CULTURAL RESOURCES.** 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:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	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	☐	☒	☐	☐
b)	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 Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Discussion:

CEQA (Public Resources Code Section 21074.2) requires the lead agency to consider the effects of a project on tribal cultural resources. As defined in Public Resources Code Section 21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are listed or determined to be eligible for listing on the national, state, or local register of historic resources. Pursuant to CEQA, Public Resources Code Section 21080.3.1(d), on August 15, 2018, the the Napa County Planning Division contacted Native American individuals and organizations for the Napa Valley area, providing a description of the project and extending an invitation for consultation on the identification, presence, and significance of tribal cultural resources in the project vicinity. During the 30-day comment period, representatives from the Middletown Rancheria of Promo Indians of California contacted the Planning Division to request that they be contacted upon discovery of new information or evidence of human habitation on the project site. Based on prior Native American consultation, the Planning Division considers all prehistoric archaeological resources to be potential tribal cultural resources.

a-b) The project study area has been assessed as having a high sensitivity for the presence of buried prehistoric resources. Project preconstruction and construction activities would be located on porous soils which hold the potential to harbor buried archaeological deposits. On this basis, there is the potential for project excavation to encounter archaeological resources that are also tribal cultural resources.

Mitigation Measures:

Impact TCR-1: Treatment of previously unidentified Tribal Cultural Resources.

Project implementation could directly or indirectly result in the potential disturbance of undiscovered cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features), paleontological resources (i.e., fossils and fossil formations) and unrecorded human remains. This impact would be potentially significant.

Mitigation Measure TCR-1:

If any Tribal Cultural Resources are found during construction, the permittee and/or its contractor shall cease all work within 25 feet of the discovery and immediately notify the PBES Director. A certified Native American monitor will evaluate the finds and recommend appropriate mitigation measures for the inadvertently discovered Tribal Cultural Resource. The PBES Director or the Director's designee and the permittee shall consider the mitigation recommendations and agree on implementation of the measure(s) that are feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, or other appropriate measures, and would reduce impacts on undiscovered Tribal Cultural Resources to a less-than-significant level.

Significance after Mitigation:

The project impact, if it occurred, would be potentially significant. However, should cultural tribal resources be identified during construction, monitoring described in Section V, Cultural Resources, of this initial study and implementation of Mitigation Measure TCR-1, above, would reduce the impact to less than significant.

XIX.	**UTILITIES AND SERVICE SYSTEMS.** Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a)	Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☒	☐	☐
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion:

a) Utility infrastructure necessary to serve the winery, including water, wastewater treatment, and storm drainage, would be accommodated on the property within the existing boundaries of the project site and outside of biologically sensitive areas along the banks of the Napa River. Mitigation measures described in Sections V, Cultural Resources, and XVIII, Tribal Cultural Resources, would reduce potential impacts to historic and archaeological resources that may be uncovered during excavation for installation or removal of of infrastructure. Power service to the site currently serves the existing vineyard management and winery operations. While additional power service would be needed for the proposed new and converted production and hospitality buildings, installation of the infrastructure necessary for that power service would primarily occur on-site within existing, previously-disturbed vineyard and building areas and would not cause significant environmental impacts due to the already disturbed terrain on the property and distance to any biologically sensitive areas, as described in the above sections of this initial study. The project would have a less than significant impact with implementation of Mitigation Measures CR-1, CR-2 and TCR-1.

b) As discussed in additional detail in Section X, Hydrology and Water Quality, of this initial study, water usage under the requested use permit major modification is conservatively estimated at 25.8 acre-feet annually. With a parcel size of 34.64 acres, the groundwater demands of existing and requested uses on the property are within the acceptable threshold of one acre-foot per parcel acre per year for properties located on the Valley Floor. The project would have a less than significant impact.

c) Not applicable to this project. The winery would utilize on-site systems for treatment of process wastewater and sanitary wastewater generated on the property. Will-serve letters or commitments from a wastewater treatment provider are not necessary for the project.

d,e) Non-recyclable and non-organic waste generated by operations on the property is collected by the Upper Valley Disposal Service and ultimately deposited at the Clover Flat Landfill located in Calistoga (Napa County Baseline Data Report, page 13-6). According to 2019 correspondence from an agent of the landfill and posted on the California Department of Resources Recycling and Recovery (www.calrecycle.ca.gov, letter from Neil Edgar, Edgar & Associates, to Peter Ex, Napa County Local Enforcement Agency), Clover Flat has adequate capacity remaining to accommodate any non-recyclable and non-organic waste generated from the expanded winery. More

specifically, the landfill has a permitted capacity of 4.56 million cubic yards, and as of November 2019, had over half (2.4 million cubic yards) of its permitted capacity remaining with an anticipated closure date in 2047. The Greenhouse Gas Best Management Practices checklist that the applicant submitted with the use permit application indicated that the winery operator intends to reduce its waste stream from typical operations by striving to recycle 75 percent of all waste consistent with BMP-17 of the Napa County "Voluntary Best Management Practices Checklist for Development Projects," and by striving to compost 75 percent of food and garden material consistent with checklist BMP-18. Operators of the winery have not requested waiver of any regulation or standard with respect to waste disposal. The project's impact would be less than significant.

Mitigation Measures: None required.

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

Discussion:

a) The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other major threat to public safety. No component of the project would result in permanent closure or obstruction of adjacent public right-of-way (State Route 29), and no component of the implementation of the EOP would otherwise be impaired by the requested use permit major modification.

b-d) The property is located in a Local Responsibility Area for fire protection services. With the exception of the easternmost edge of the property that forms the banks of the Napa River, the site is generally flat, with an elevation differential of 20 feet across the length of the approximately 2,000-foot long property (see project civil plans). The property is not located in an area of wildland fire interface nor in an area of high or moderate fire risk (Napa County General Plan, Figure SAF-2). The property is also in a very low density location, with fewer than 10 single-family residences on smaller lots (0.5 to four acres) located within 1,000 feet of the site, and the predominant development pattern consisting of wineries built on large parcels (15 to 100 or more acres in size) and surrounded by planted and irrigated vineyards. The nearest areas of very high fire risk in the State Responsibility Area are approximately one mile west of the project site and are separated from the Nickel & Nickel Winery property by State Route 29 and planted and irrigated vineyards on parcels west of the highway.

Utility infrastructure providing power to the property is currently in place and serves the existing wine production facility. Other than on-site driveway modifications for additional parking and internal building fire sprinklers required by the California Building Code, no new roads, water lines or other installations necessary to support fire suppression efforts would be needed for the project.

Mitigation Measures: None required.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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?	☐	☒	☐	☐
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)?	☐	☐	☒	☐
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion:

a) The project site has been previously developed and disturbed with orchard and currently vineyard plantings, and buildings associated with wine production vineyard maintenance. Construction of the proposed winery building expansion, as well as renovation of existing shed and barn buildings for reuse as winery accessory spaces, would occur in previously-disturbed areas on the property and proximate to existing buildings. Expanded parking areas would be constructed in parts of the property that have been previously disturbed and planted with grapevines or ornamental landscaping. Visual impacts of the project would be less than significant, as the project includes reuse of existing buildings currently visible from SR 29, and new construction of the winery building expansion would be behind the existing fermentation barns so as not to be visible from SR 29. As previously described, none of the proposed site modifications would be subject to creek setbacks nor likely to disturb any sensitive species, though mitigation (Mitigation Measures CR-1, CR-2 and TCR-1) is recommended for sensitive cultural resources due to the location of the project site in a highly sensitive area for archaeological resources. These mitigations, described above in Section V, Cultural Resources, and Section XVIII, Tribal Cultural Resources, of this initial study would reduce the project's potential impacts to less than significant.

   With implementation of mitigation measures and standard Napa County conditions of approval, impacts of the project would be less than significant.

b) The project would not result in any impacts that are individually limited but cumulatively significant. The proposed project would have the effect of increasing water usage of the winery, although estimated water usage would continue to support winemaking activities and the overall continued use of the property for agricultural purposes, and estimated water use (25.8 acre-feet per year) for the existing vineyard and proposed expanded winery operations is within the County's established threshold of one acre-foot per parcel acre per year for the 34.64-acre winery parcel located on the Valley Floor. Likewise, the approval of the requested modification would increase traffic generation to and from the parcel, though the winery operators' existing (and potentially expanded) practice of offering flexible work schedules, financial incentives for carpooling, and rental of shuttles and vans/sport utility vehicles for group transport of winery business partners and guests has reduced employee home-to-work trips and facilitates car sharing of winery guests, thereby reducing daily trips and vehicle miles compared to base project. These existing programs would be augmented by additional programs that the winery operators intend to implement, including transit pass reimbursement and bike ranks on-site to accommodate multiple modes for winery employees to get to and from work. Noise and air quality impacts associated with construction of building and site improvements would be temporary in nature, and so would also be less than significant. Construction and operational noise and air quality impacts are also anticipated to be less than significant due to the large size of the parcel and adjacent parcels, such that there are no sensitive receptors within 600 feet of proposed areas of construction. The project supports the BAAQMD's Clean Air Plan to reduce regional emissions ozone, ozone precursors, particulate matter, toxic air contaminants, greenhouse gases, and other sources of air pollution, through its continued use of on-site renewable (solar) energy, solar water heating, and building design that includes a cool roof and passive lighting.

c) There are no schools, hospitals or residences housing potentially sensitive receptors within one half mile of the project site. Noise from construction of proposed winery facilities would be temporary; would be limited to day time hours, in accordance with the standard County

condition of approval noted in Section XIII, Noise, of this initial study; and would be subject to best management practices intended to limit fugitive dust and protect stormwater quality, also in accordance with standard conditions noted in Section III, Air Quality, of this initial study. Compliance with permit regulations governing the design and/or periodic inspection of stormwater and floodplain management improvement, wastewater treatment systems, and hazardous materials storage facilities, as described in Section VII, Geology and Soils, Section IX, Hazards and Hazardous Materials, and Section X, Hydrology and Water Quality, of this initial study would ensure preservation of public health and safety by minimizing risk of contamination of surface or groundwaters. The project would have a less than significant impact.

Mitigation Measures: None required.
