

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

**Initial Study Checklist  
(form updated January 2019)**

1. **Project Title:** Kenzo Winery, Use Permit Major Modification #P19-00396-MOD
2. **Property Owner:** Kenzo Estate, Inc., 3200 Monticello Road, Napa CA 94558; (707) 256-1541
3. **County Contact Person, Phone Number and email:** Trevor Hawkes; (707) 253-4388; trevor.hawkes@countyofnapa.com
4. **Project Location and Assessor's Parcel Number (APN):** The project is located on a 36.13 acre parcel, within the AW (Agricultural Watershed) zoning district on the west side of a private road approximately 3,500 feet south of its intersection with State Route 121/Monticello Road; 3200 Monticello Road, Napa CA 94558; APN: 033-110-075.
5. **Project sponsor's name and address:** Tom Adams & Josh Devore, Dickenson, Peatman & Fogarty, 1455 First Street, Suite 301, Napa, CA 94559; phone: 707-255-6876, email [tadams@dpf-law.com](mailto:tadams@dpf-law.com) or [jdevore@dpf-law.com](mailto:jdevore@dpf-law.com)
6. **General Plan description:** Agriculture, Watershed, and Open Space (AWOS) Designation.
7. **Zoning:** Agricultural Watershed (AW) District.
8. **Background/Project History:** Kenzo Estates was established and approved by the Planning Commission in March 2005, by approval of Use Permit #03515-UP for a 85,000 gallon per year winery and the construction of a 20,000 sq. ft. winery production building, 18,000 sq. ft. of caves, 2,500 sq. ft. hospitality center, nine (9) full-time and two (2) part-time employees, and 20 parking spaces. Tours and tastings by appointment only were permitted at this time for a maximum of 25 daily visitors and a maximum of 75 weekly visitors. A marketing program consisting of 25 events with 50 persons maximum, two (2) wine release events for 150 persons maximum, and two (2) Napa Valley Wine Auction events for 75 persons was also approved. In addition, all winery access and egress was restricted to Monticello Road including employees, guests and deliveries. All winery traffic is restricted from Wild Horse Valley Road. (Condition of Approval #1 - Scope (p).

There were subsequent use permit modification approvals to expand the facility:

**June 2008** - Very Minor Modification #P08-00196-MODVMIN was approved administratively by the Planning Director to increase the cave by 7,000 sq. ft. and reduce the winery structure by 7,000 sq. ft. No other changes were requested or approved.

**January 2009** – Very Minor Modification #P08-00635MODVMIN was approved administratively by the Planning Director to increase the tasting and administration building from 3,088 sq. ft. to 3,266 sq. ft. No other changes were requested or approved.

**September 2009** – Very Minor Modification #P09-00334-VMOD was approved administratively by the Planning Director to construct a new 1,320 sq. ft. winery equipment storage building. No other changes were requested or approved.

**February 2010** – Very Minor Modification #P10-00025-VMM was approved administratively by the Planning Director to modify the winery layout from three (3) patios with freestanding trellis features totaling 2,900 sq. ft. to two (2) patios with freestanding trellis features totaling 3,500 sq. ft. No other changes were requested or approved.

**January 2013** – Very Minor Modification #P11-00487-VMM was approved administratively by the Planning Director to enclose an existing 754 sq. ft. patio to be used for hospitality purposes. No other changes were requested or approved.

**July 2013** – Minor Modification #P12-00434-MOD was approved by the Zoning Administrator to construct a 12,645 sq. ft. winery structure for white wine production, tank rooms, covered crush pad, storage, and associated parking for a new total of approximately 53,145 sq. ft. (to include existing caves). No other changes were requested or approved.

**September 2016** – Major Modification #P15-00293-MOD was approved by the Planning Commission to increase production from 85,000 gallons to 102,000 gallons annually, onsite premises consumption of wines produced onsite, expansion of their wastewater treatment system, an exception to a required left turn lane on Monticello Road and an increase in employment from nine (9) full-time and two (2) part-time employees to 17 full-time and six (6) part-time employees. Tours and Tasting visitation was increased to 50 visitors Monday through Thursday and 100 visitors Friday through Sunday for the May through October with a weekly maximum of 250 visitors; 50 visitors Monday-Thursday and 75 visitors Friday-Sunday for the months November through April with a weekly maximum of 150. The applicant's marketing program was also modified to allow 36 events per year with 50 guests maximum, four (4) events per year with 150 guests maximum, and two (2) events per year with 75 guests maximum.

Existing Winery Characteristics: According to the applicant, in 2018 the winery processed 98,485 gallons of wine and has a three (3) year production average of 74,046 gallons; in a 67,250 sq. ft. winery facility, inclusive of 22,470 sq. ft. of wine caves, 22 parking spaces and has 8.15 acres of vineyards, which were originally planted in 2004. The site also includes an existing stormwater detention basin, mechanical yard, water storage tanks, a well, and a 900 sq. ft. barn.

9. **Description of Project:** Approval for a modification of the previous project approvals (Use Permit 03513-UP, Very Minor Modification #PO8-00196-MODVMIN, Very Minor Modification #P08-00635MODVIN, Very Minor Modification #P09-00334-VMOD, Very Minor Modification #P10-00025-VMM, Very Minor Modification #P11-00487-VMM, Minor Modification #P12-00434-MOD, Major Modification #P15-00293-MOD) for an existing 102,000 gallons per year winery to allow the following:

- (a) Increase wine production from 102,000 gallons to 150,000 gallons annually;
- (b) Expand the existing 22,470 square foot cave (Type two (2)) to a 68,415 square foot (Type three (3)) cave;
- (c) Excavation of a new cave portal;
- (d) Deposit of approximately 20,300 cubic yards of cave spoils at a spoils stockpile on land owned by the applicant, 0.9 miles southeast of the project site;
- (e) Utilize 720 square feet of the cave expansion as a tasting room;
- (f) Construct 3,350 square feet of covered crush pad;
- (g) Construct 820 square feet of an uncovered mechanical yard;
- (h) Paving an existing unpaved road and utilizing it as a cave portal access road;
- (i) Widening of sections of the project access road (Wild Horse Valley Road) to bring it into compliance with the Napa County Road and Street Standards; and
- (j) Expand the existing wastewater treatment and disposal systems to handle the increase in winery process wastewater.

The project also includes a request for an exception to the Napa County Road and Street Standards (RSS) and the requirement to widen a 500-foot section to 22 feet on Wild Horse Valley Road from Monticello Road to the winery. The section of roadway (Station 42+70 to 47+86 on the submitted improvement plans) is entirely contained within the setback distances of several watercourses including an identified blue line stream, an ephemeral stream, and the ponds known as Leoma Lakes. The section of roadway is flanked by the water courses on its western side and slopes exceeding 30% on the eastern side; any expansion of the roadway width would potentially require significant earthwork/grading and potentially impact water quality.

There are no changes to the winery hours of operations (7:00 AM to 6:00 PM), visitation hours (9:00 AM to 4:00 PM), marketing event hours (7:00 PM to 10:00 PM Fridays and on weekends or Noon to 2:30 PM on weekends).

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

The 36.13 acre parcel is located approximately five (5) miles east of the City on Napa on the west side of a private road approximately 3,500 feet south of its intersection with State Route 121/Monticello Road and zoned Agricultural Watershed. The project site is situated on the northeast slope of a moderately sloping knoll on slopes of 5-23%. Soils on site consist of Class VI soil of the Hambright-Rock outcrops complex, with medium to rapid runoff, and slight to moderate erosion hazard. The site is underlain by pumictic ash-flow tuff (Tst), rhyolitic lava flows (Tsr), and andesitic to basaltic lava flows (Tsa) of the Pliocene age Sonoma volcanics. The project is located west of the Concord-Green Valley fault, there are no active faults or potentially active faults through the winery site. No slope instability or unstable landforms are mapped beneath or near the vicinity of the project.

The project site is developed with winery buildings, a wine cave, associated infrastructure, and vineyards. The surrounding land uses include vineyards, and residential development on large parcels, the nearest of which is approximately 1,450 feet to the west from the existing winery. The project site is located outside the boundaries of the 100 and 500 year flood hazard zones. Native vegetation of the site includes Ruderal Agrestal/Pastoral Grassland, Oak Woodland, and Chaparral; however, the majority of the site is disturbed and primarily planted with vineyards. Existing Oak Woodlands located to the south of the project are not proposed to be disturbed as part of the current proposal. There is an existing unnamed blue-line stream located approximately 435 feet to the south that runs through the

existing Oak Woodlands and parallel with Wild Horse Valley Road. No improvements are proposed near the stream. Based on the information contained in Napa County's environmental maps, no archeological, historical, sensitive sites are existing on or adjacent to the project site.

11. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement). Discretionary approval required by Napa County consists of a Use Permit. The proposed 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 Cal Fire standards. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms.
12. **Tribal Cultural Resources.** On September 8, 2020, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who, as of that date, had requested to be invited to consult on projects in accordance with the requirements of Public Resources Code Section 21080.3.1. On September 22, 2020, Staff received a response from the Cultural Resource Manager of the Yocha Dehe Wintun Nation, expressing concern the project could impact known tribal cultural resources. The Yocha Dehe Wintun Nation recommended including cultural monitors during construction and ground disturbance, as well as conducting cultural sensitivity training to personnel involved in project construction and ground disturbance. This request was identical to a request letter received by the applicant on October 28, 2020, and forwarded to Staff as part of the project application, which was received subsequent to tribal outreach conducted as a portion of the project's Cultural Resources Study (Cultural Resources Study for the Kenzo Estate Cave Expansion Project; Tom Origer & Associates, November 8, 2019). Staff has included the Yocha Dehe Wintun Nation's recommendations as conditions for project approval. No other responses to the consultation invitations were received for this project.

**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.

**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.



Signature

Date

10/28/2020

Name: Trevor Hawkes

Napa County  
Planning, Building and Environmental Services Department

I. <b>AESTHETICS.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a/b/c Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken-in. As generally described in the **Environmental Setting and Surrounding Land Uses** section above, this area is defined by a mix of vineyard, and large lot rural residential uses. The project consists of some above ground development; a 3,350 square foot crush pad canopy extension for the white wine winery production building, two new cave portals, expansion of the existing wastewater treatment and disposal system, and grading and earthmoving to accomplish the new construction. The new roof will be built from corrugated steel and has been designed to match existing roof lines, materials, and design. The area that the new roof canopy extension will cover is not within an area considered a scenic vista, nor does it preclude views of a scenic vista. The project does not endanger any scenic resources within a state scenic highway, such as trees, rock outcroppings or historic buildings, because the project is not viewable from a designated state scenic highway. The project also does not substantially degrade the existing visual character or quality or public views of the site and its surroundings because the project is approximately 3,500 feet from Monticello Road where public views of the site and its surroundings are not possible.
- d. The production facility features proposed may result in the use of additional lighting that may have the potential to impact nighttime views. Pursuant to standard Napa County conditions of approval for wineries, the existing outdoor lighting for the winery is required to be shielded and directed downwards, with only low level lighting allowed in parking areas. As designed and operating subject to the County's standard condition of approval, below, the project does not have a significant impact resulting from new sources of outside lighting.

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.*

- 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.

Mitigation Measures: None are required.

II.	AGRICULTURE AND FOREST RESOURCES. <sup>1</sup> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d) Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b/e The project site is partially designated unique farmland and would not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance as shown on the Napa County Important Farmland Map 2002 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The proposed project would not conflict with existing zoning for agricultural uses. There is no existing Agricultural contract on the property. No vines will be removed as part of the winery’s expanded operations. There are no other changes included in this proposal that would result in the conversion of Farmland beyond the immediate project site. General Plan Agricultural Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. As a result, this application will not result in the conversion of special status farmland to a non-agricultural use.

c/d The project site is zoned Agricultural Watershed (AW), which allows wineries upon grant of a use permit. According to the Napa County Environmental resource maps (based on the following layers – Sensitive Biotic Oak Woodlands, Riparian Woodland Forest and

<sup>1</sup> “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.

Coniferous Forest) the project site does contain Oak Woodland. However, no improvements are proposed near the existing woodlands, therefore the proposed project will not conflict with existing zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production.

Mitigation Measures: None are 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

On June 2, 2010, the Bay Area Air Quality Management District's (BAAQMD) Board of Directors unanimously adopted thresholds of significance to assist in the review of projects under the California Environmental Quality Act. 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 PM2.5, 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 PM2.5 occasionally does reach unhealthy concentrations. There are multiple reasons for PM2.5 exceedances in Napa County. First, much of the county is wind-sheltered, which tends to trap PM2.5 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 PM2.5 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 (NOx and ROG), carbon monoxide (CO), nitrogen dioxide (NO2), and suspended particulate matter (PM10 and PM2.5). Other criteria pollutants, such as lead and sulfur dioxide (SO2), 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. Given the size of the proposed project at build out plus existing, which is approximately 115,995 square feet of winery area (winery buildings, winery offices, crush pads, production area, winery caves) and 6,744 square feet of space dedicated to tasting/hospitality uses compared to the BAAQMD's screening criterion of 47,000 square feet (high quality restaurant) and 541,000 square feet (general light industry) for NOX (oxides of nitrogen), the project would contribute an insignificant amount of air pollution and would not result in a conflict or obstruction of an air quality plan. (Please 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 or contribute considerably to any cumulative air quality impacts.

- c/d. In the short term, potential air quality impacts are most likely to result from earthmoving and construction activities required for project construction related to the access driveway improvements. Earthmoving and construction emissions would have a temporary effect; consisting mainly of dust generated during grading and other construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other architectural coatings. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant:

7.1 SITE IMPROVEMENTS

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:*

1. *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.*
2. *Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
3. *Cover all haul trucks transporting soil, sand, or other loose material off-site.*



4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. 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.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.
8. 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/perfact\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perfact_04-16-15.pdf) or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

Furthermore, while earthmoving and construction on the site would generate dust particulates in the short-term, the impact would be less than significant with dust control measures as specified in Napa County's standard condition of approval relating to dust:

7.1 SITE IMPROVEMENTS

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 mph.

While the Air District defines public exposure to offensive odors as a potentially significant impact, wineries are not known operational producers of pollutants capable of causing substantial negative impacts to sensitive receptors. The existing winery is located approximately 1,730 feet to the northeast of the nearest neighboring residence which is located at 1539 Sage Canyon Road. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures: None are 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- |                                                                                                                                                                                                                                    |                          |                          |                                     |                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?                                               | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

- a. The proposed project is comprised of an expansion to an existing winery and access roadway improvements, including the widening of sections to bring it into compliance with the Napa County Road and Street Standards. Areas planned for construction, earthmoving, or disturbance include land directly adjacent to the winery, sections of Wild Horse Valley Road, and an existing spoils stockpile that is located approximately 0.9 miles southeast of the winery on land owned by the applicant. While generally disturbed, these areas are located adjacent to existing annual grassland, oak woodland, chaparral, and riparian habitat. An unnamed blue line stream runs east to west between two man made reservoirs, approximately 150 feet south of the proposed southeastern cave portal, before turning north and feeding the stream beds known as Leoma Lakes. From there the unnamed blue line stream runs north under Wild Horse Valley Road where it descends into the Wooden Valley area and connects to White Creek. A Special Status Habitat and Species Analysis dated March 2020 was prepared for the project by Zentner Planning and Ecology. The report includes the results of a site survey of the project site (conducted February 11, 2020) and a review of special-status plant and wildlife species potentially occurring in the project site vicinity (a 5-mile radius) through consultation of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB), the United States Fish and Wildlife Service (USFWS) special species list, and the California Native Plant Society's (CNPS) Online Inventory of Rare and Endangered Plants.

The review of special-status plant and wildlife species potentially occurring in the area determined that a total of two (2) special-status wildlife species and 11 special-status plant species have the potential to occur in the general region of the proposed project. The site survey did not find the presence of any candidate, sensitive, or special-status plant or wildlife species within those areas; however the survey did identify potentially suitable habitat for one (1) of the recorded wildlife species (Western Pond Turtle), due to the adjacency of Leoma Lakes to the proposed improvements to Wild Horse Valley Road, and nine (9) of the recorded plant species (Brewer's western flax, Greene's narrow-leaved daisy, Henderson's bent grass, Holly-leaved ceanothus, Mead's owl-clover, Napa bluecurls, Napa checkerbloom, Narrow-anthered brodiaea, and Oval-leaved viburnum). Furthermore the report found that project construction, earthmoving, and disturbance areas were also adjacent to potential foraging and nesting habitat for raptor or other migratory nesting bird species. While none of the identified candidate, sensitive, special-status plant or wildlife species were observed, the report found that the potential for occurrence of these special-status species cannot be ruled out based on this reconnaissance level field survey. Construction, earthmoving, and disturbance activities associated with the project would potentially significantly impact these biological resources, thus mitigation measures (below) have been proposed which, if implemented, would reduce impacts to less than significant. Mitigation measure BIO-1 recommends special-status plant pre-construction surveys prior to project activities which might begin during the blooming period. Mitigation measure BIO-2 recommends pre-construction surveys and construction monitoring for Western Pond Turtle prior to work within the vicinity of Leoma Lakes. Finally mitigation measure BIO-3 recommends a nesting bird survey prior to any work which would commence anytime during the nesting/breeding season of raptors or other bird species listed in the Migratory Bird Treaty Act.

- b. The project area is defined by a winery production facility, vineyards, and rural residential homes. Natural communities within the vicinity of the project include annual grasslands, oak woodlands, chaparral habitats and riparian habitat (Leoma Lakes). The proposed project includes construction and earthmoving in areas that are adjacent to existing structures and improvements and generally heavily disturbed. Build out of the project would result in marginal loss of annual grassland, oak woodland, and chaparral habitats, but the loss would not be a significant impact due to the abundance of these sensitive communities in the region. The applicant has requested an exception to the Napa County Road and Street Standards that would result in no earthmoving taking place within the conservation setbacks of Leoma Lakes and the identified blue line stream, reducing the impact and loss of riparian habitat to less than significant.
- c. The project area does not contain any state or federally protected wetlands. No impacts would occur.
- d. The project area is defined by a winery production facility, vineyards, and rural residential structures. Beyond the project boundaries, Kenzo Estates is part of a large swath of open space land that could constitute a north-south wildlife corridor for animal passage between the Green Valley and Lake Berryessa regions of Napa County. While the proposed project may be located in a wildlife corridor, numerous paths and routes exist within this corridor, and the physical features proposed with this project are located in areas that are already

generally disturbed and unlikely to be utilized by wildlife moving through the area. Impacts would remain less than significant.

- e. The proposed project would not conflict with any local policies or ordinances protecting biological resources. Construction and earthmoving activities related to the crush pad canopy extension, winery production facility expansion, and the newly proposed northeast cave portal will not remove any existing native oak trees. Furthermore, construction and earthmoving activities will not be conducted within any streambed setbacks. The southeast cave portal and access road will require the removal of some ornamental olive trees, but these trees are relatively recently planted and are not protected by the County's Water Quality and Tree Protection Ordinance.
- f. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures:

**MM BIO-1; Special-Status Plants:** A qualified biologist shall complete a late May-early June survey for special-status plant species prior to initiation of project activities. The survey shall be completed during the appropriate blooming period for the species likely to occur on site. These surveys shall be in compliance with all CDFW (2009), USFWS (1996), and CNPS (2001) published survey guidelines.

If the survey finds that there are no special-status plants on the property that would be impacted or within the proposed project site, then there would be no further mitigation and the project may proceed, provided all other applicable permits and authorizations are obtained for the project.

If special-status plant species are found, populations shall be mapped and enumerated. If any populations are found within the proposed work area, they shall be flagged and project development plans shall be avoided to the maximum extent feasible. If avoidance is not feasible as determined by the County of Napa Planning Division, then other suitable measures shall be implemented as detailed below.

A qualified biologist shall complete an inventory and analysis of the on-site population(s) of the species within and outside of the work area to determine the extent and significance of the potential impacts that will occur as a result of the project. This analysis shall be presented to the County's Planning Division as part of their review of the project. If special-status plant species are found within the project area and the project cannot be revised to avoid their removal, then a mitigation plan shall be developed and approved by the County for implementation of the following measures prior to site disturbance. If sufficient populations of the special-status plants species exist on site and outside of the project area, permanent protection of those populations and their habitat may serve in lieu of the requirement to replant special status plant species required to be removed, consistent with the requirements of Napa County General Plan Policy CON-17(e)<sup>2</sup>. If mitigation is unable to be achieved through avoidance and the permanent protection of remaining special-status species in accordance, a mitigation restoration plan shall include, at a minimum, the following elements:

1. a site plan showing the locations where replacement plants will be planted;
2. a plant pallet composed the special-status plans specie(s) being removed including sizes and/or application rates: seed mixes shall not contain species known to be noxious weeds and any non-native grasses should be sterile varieties;
3. planting notes and details including any recommended plant protection measures;
4. invasive species removal and management specifications;
5. an implementation schedule;
6. performance standards with a minimum success rate of 80%; and
7. a monitoring schedule for a period of at least three years to ensure success criteria are met.

A CNDDDB form shall be filled out and submitted to CDFW for any special-status plant species identified within the project site.

**Monitoring:** A late May-early June survey for special-status plant species shall be prepared by a qualified biologist and be submitted to Planning Division staff prior to issuance of the grading/building permit.

**MM BIO-2: Western Pond Turtle:** A pre-construction survey for Western Pond Turtle (WPT) and their eggs shall be completed by a qualified biologist between five (5) days and 24 hours before the start of ground disturbing activities associated with the widening of Wild Horse Valley Road closest to Leoma Lakes. Surveys shall take place between 9 a.m. and 3 p.m. and be conducted in areas that WPT are likely to inhabit and focus on detection of basking and foraging turtles. Surveyors shall station in place for periods of 30 minutes in each area that is suitable for WPT and use binoculars to visually detect and identify WPT. The preconstruction survey shall also identify the location of WPT exclusion fencing.

Exclusion fencing shall be installed between the roadway construction area and Leoma Lakes, and any other areas determined necessary by the project biologist, in such a manner as to preclude WPT from entering ground disturbance areas from Leoma Lakes. The fencing shall have a

---

<sup>2</sup> Require no net loss of sensitive biotic communities and habitats of limited distribution through avoidance, restoration, or replacement where feasible. Where avoidance, restoration, or replacement is not feasible, preserve like habitat at a 2:1 ratio or greater within Napa County to avoid significant cumulative loss of valuable habitats.

minimum height above ground of 38 inches, the bottom of the fence buried to a minimum depth of 4 inches. The locations and installation of WPT exclusion fencing shall be inspected by the project biologist to ensure that it is placed correctly and effective, and remain installed until on-site mechanized ground disturbance is completed. WPT exclusion fencing shall also be inspected and approved prior to the commencement of vegetation removal and earth-disturbing activities.

Following the pre-construction survey and prior to the initiation of work, a biological education program shall be provided by the qualified biologist to all personnel that will be present at the site during ground disturbance and related activities. The worker education program shall include information regarding the identification and the natural history of WPT (including photographs), the potential for occurrence of these species within work areas, the legal status of each and the ramifications for take, the purpose of the exclusion fencing and importance of maintaining it, and specific measures being implemented to avoid impacts to WPT (which shall include halting all ground disturbance and immediately alerting the qualified biologist if WPT are observed in the course of the work.

If WPT are detected, all ground disturbance shall halt immediately and the qualified biologist shall be alerted so that additional avoidance measures can be developed and implemented in coordination with the Napa County Planning Division and CDFW.

**Monitoring:** Prior to issuance of the grading/building permit, a report by a qualified biologist shall be submitted to the Napa County Planning Division. The report will include the results of the pre-construction survey for WPT, a map of the location of WPT exclusion fencing and a statement that the biological education program for all construction personnel has been completed.

**MM BIO-3: Nesting Birds and Raptors:** For earth-disturbing activities occurring between February 1 and August 31, (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with potential to occur at the project site) shall conduct pre-construction surveys for nesting birds and raptors, within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas. The preconstruction survey shall be conducted no earlier than seven (7) days prior to vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys should be repeated. A copy of the survey will be provided to the Napa County Planning Division and the CDFW prior to commencement of work.

After commencement of work, if there is a period of no work activity of 5 days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.

In the event that nesting birds are found, the Permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Planning Division and the U.S. Fish and Wildlife Service (USFWS) and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with County Planning Division and the USFWS and/or CDFW.

Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County Planning Division prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.

Alternative methods aimed at flushing out nesting birds prior to pre-construction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas should undergo consultation with the Napa County Planning Division, USFWS and/or CDFW prior to any activity that could disturb nesting birds.

**Monitoring:** If construction/earthmoving activity is to occur between February 1 and August 31 the survey prepared by a qualified biologist shall be submitted to Planning Division staff prior to issuance of the grading/building permit.

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

Discussion:

a/b. According to the Napa County Environmental Resource Maps (based on the following layers – Historical sites points & lines, Archaeology surveys, sites, sensitive areas, and flags) no historic sites have been identified on the property. However, if resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with the following standard condition of approval:

7.2 ARCHEOLOGICAL FINDING

*In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.*

*If human remains are encountered during the development, all work in the vicinity must be by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the Public Resources Code Section 5097.98.*

c. No human remains have been encountered on the property during previous development of the site and no information has been encountered that would indicate that this project would encounter human remains. All construction activities will occur on previously disturbed portions of the site. However, if resources are found during grading of the project, construction of the project is required to cease, and a qualified archaeologist will be retained to investigate the site in accordance with standard condition of approval noted above. Impacts would be less than significant.

Mitigation Measures: None are required

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a. The proposed project would comply with Title 24 energy use requirements and would not result in significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation. Impacts would be less than significant.

b. The proposed project would not conflict with the provisions of a state or local plan for renewable energy or energy efficiency because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None are 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Be located on expansive soil 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a.
  - i.) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.
  - ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level.
  - iii.) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Compliance with the latest editions of the California Building Code for seismic stability would result in less than significant impacts.
  - iv.) According to the Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) there are no landslide deposits in the proposed development area.
- b. The existing winery buildings resides on slope that are less than 10% however, the project proposes features (expanded crushpad canopy, new cave portal) which will require cuts into hillsides with slopes that can reach as high as 25%. The project site is situated on the northeast and southeast slopes of a moderately sloping knoll on slopes of 5-25%. Soils on site consist of Class VI soil of the Hambright-Rock outcrops complex, with medium to rapid runoff, and slight to moderate erosion hazard. The applicant has submitted a

Stormwater Control plan as part of their application, which was reviewed and approved by the Engineering Division. The project will require incorporation of best management practices and will be subject to the Napa County Stormwater Ordinance, which addresses sediment and erosion control measures and dust control, as applicable.

- c/d. According to preliminary geologic mapping of the St. Helena Quadrangle performed by the California Geologic Survey (CGS-2004), the property is underlain by pumictic ash-flow tuff (Tst), rhyolitic lava flows (Tsr), and andesitic to basaltic lava flows (Tsa) of the Pliocene age Sonoma volcanics. The project is located west of the Concord-Green Valley fault; there are no active faults or potentially active faults through the winery site. No slope instability or unstable landforms are mapped beneath or near the vicinity of the project. Based on the Napa County Environmental Sensitivity Maps (liquefaction layer) the project site has a very low susceptibility for liquefaction on the entirety of the property. Development will be required to comply with all the latest building standards and codes, including the California Building Code that would reduce any potential impacts to the maximum extent possible.
- e. A Transient Non-Community Water System (a water system to serve the winery, visitors, and employees) was installed in conjunction with the original development of the winery. The system was designed by a licensed engineer and approved by the Division of Environmental Health. As a component of their Use Permit Major Modification request the applicant provided a Winery Wastewater Feasibility Report prepared by RSA+ on September 27, 2019. Because the project does not propose a change in visitation, marketing or onsite employment, the report found that the existing domestic wastewater system has adequate disposal capacity to serve the project, and it suggested no changes to this system. The report did find that the existing process wastewater system would need to be expanded to accommodate the requested increase in production, and provided the applicant with options to accommodate the increase in process wastewater flow. The Division of Environmental Health reviewed this report and concurred with its findings. Impacts would be less than significant.
- f. According to Napa County Environmental Sensitivity Maps (Archaeological Resources Layer, historical site, points & lines), no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. If resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with standard condition of approval 7.2 identified in **Section V** above.

Mitigation Measures: None are 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

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 greenhouse gas (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 plan'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 Board 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 or <http://www.countyofnapa.org/CAP/>.

a/b. Overall increases in Greenhouse Gas (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 Bay Area Air Quality Management District (BAAQMD) released California Environmental Quality Act (CEQA) Project Screening Criteria and Significance of Thresholds [1,100 metric tons per year (MT) of carbon dioxide and carbon dioxide equivalents (CO<sub>2</sub>e)]. 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 environmental impact report (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.

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 explain human effects on the atmosphere). Carbon Dioxide (CO<sub>2</sub>) gas, the principal greenhouse gas (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](http://www.climatechange.ca.gov/glossary/letter_c.html)). Equivalent Carbon Dioxide (CO<sub>2</sub>e) 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, carbon dioxide (CO<sub>2</sub>) is used as the reference atom/compound to obtain atmospheric carbon CO<sub>2</sub> effects of GHG. Carbon stocks are converted to carbon dioxide equivalents (CO<sub>2</sub>e) 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>)

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 includes the expansion of additional winery cave and production area, maintenance and expansion of access roads, and the construction of additional crushpad canopy.

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, 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 the Air Quality section 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 existing winery buildings and expansion of production area totaling approximately 115,995 square feet of floor area, with 6,744 square feet of space dedicated to tasting/hospitality uses, compared to the BAAQMD's GHG screening criteria of 121,000 square feet for general industrial, and compared to the BAAQMD's screening criterion of 9,000 square feet for high quality restaurant, the project was determined not to exceed the 1,100 MT of CO<sub>2</sub>e/yr GHG threshold of significance.



Furthermore, the applicant intends to continue to implement the following GHG reduction methods at the winery: vehicle miles reduction plan, energy conserving lighting, low-impact development, recycle 75% of all waste, site design optimized to us natural cooling, use of recycled materials, and education of staff and visitors on sustainable practices.

The proposed project has been evaluated against the BAAQMD thresholds and determined that the project would not exceed the 1,100 MT/yr of CO<sub>2</sub>e. 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 noted above would combine to further reduce emissions below BAAQMD thresholds. As indicated above, the County is currently preparing a CAP and as the part of the first phase of development and preparation of the CAP 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% 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 are 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The proposed project will not involve the transport of hazardous materials other than those small amounts normally used in winery operations. A Business Plan will be filed with the Environmental Health Division should the amount of hazardous materials reach reportable levels. However, in the event that the proposed use or a future use involves the use, storage or transportation of greater the 55 gallons or 500 pounds of hazardous materials, a use permit and subsequent environmental assessment would be required in

accordance with the Napa County Zoning Ordinance prior to the establishment of the use. During construction of the project some hazardous materials, such as building coatings/ adhesives/ etc., will be utilized. However, given the quantities of hazardous materials and the limited duration, they will result in a less-than-significant impact.

- b. Hazardous materials such as diesel, maintenance fluids, and paints would be used onsite during construction. Should they be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. The proposed project consists of the continued operations of an existing winery that would not be expected to use any substantial quantities of hazardous materials. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the existing winery buildings. According to Google Earth, the nearest school to the project site is Vichy Elementary School, located approximately 3 miles to the west. No impacts would occur.
- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.
- e. No impact would occur as the project site is not located within an airport land use plan.
- f. The proposed access driveway improvements and on-site circulation configuration meets Napa County Road and Street Standards except for a limited request for an exception. The applicant proposes an exception to the Napa County RSS to allow a 500 foot section of Wild Horse Valley Road to remain at a substandard 18 feet wide. The RSS exception has been requested to avoid grading/earthmoving within conservation setbacks of an identified blue line stream, an ephemeral stream, and the Leoma Lakes stream beds, and would prevent water quality issues associated with grading/earthmoving. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. The improvement achieves the same overall practical effect of the NCRSS by providing defensible space and consideration toward life, safety and public welfare by providing the following permanent measures: 1) horizontal and vertical vegetation management as described in the RSS exception request shall be implemented along the entire length of Wild Horse Valley Road; 2) significant improvements are proposed to bring a majority of the road into compliance with the NCRSS as illustrated on the Kenzo Winery Use Permit Major Modification Conceptual Site Plans prepared by RSA+; 3) substandard width road sections are mitigated with intervisible pullouts, "Yield to Emergency Vehicles" signage and with standard width sections immediately before and after the substandard section; and 4) all portions of the driveway not discussed in the Engineering Division Road Exception Evaluation are proposed to meet commercial standards as defined in the NCRSS. Therefore, the proposed project would not obstruct emergency vehicle access and impacts would be less than significant.
- g. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The proposed driveway improvements would provide adequate access to Monticello Road. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Impacts would be less than significant.

Mitigation Measures: None are 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	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?                                                                                                                          | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?                                                             | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv) impede or redirect flood flows?                                                                                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?                                                                                     | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?                                                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Discussion:

On January 14, 2014, Governor Jerry Brown declared a drought emergency in the state of California. That declaration was followed up on April 1, 2015, when the Governor directed the State Water Resources Control Board to implement mandatory water reductions in cities and town across California to reduce water usage by 25 percent. These water restrictions do not apply to agricultural users. However, on April 7, 2017, Governor Jerry 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 the proposed project 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 in 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 understand 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. 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). The subject property is located within the Southern Interior Valleys subarea of Napa County according to the Napa County Groundwater Monitoring Plan 2013.

Minimum thresholds for water use have been established by the 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 project is categorized as “all other areas” based upon current County Water Availability Analysis policies and therefore water use criteria is parcel specific based upon a Tier 2 analysis. The applicant completed a Water Availability Analysis prepared by RSA+ dated August 28, 2020, which included a parcel specific recharge evaluation. According to the recharge evaluation, the project recharge area revealed that average water year recharge available to the project site was approximately 17.34 AF/YR. These recharge estimates are conservative in that they represent recharge from infiltration of precipitation only. Significant additional recharge may occur through streambed infiltration, groundwater inflows from outside the defined project recharge area, and/or from excess irrigation.

a/b. The project is not expected to violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. The project’s development plans incorporate a Transient Non-Community Water System (a water system to serve the winery, visitors, and employees). The current well produces at 180 gpm. The projected water use for the project is 8.73 AF/YR. Current water use for the vineyard is 5.50 AF/YR and will remain constant. The winery currently uses 1.99 AF/YR and is expected to use 2.72 AF/YR. Landscaping currently utilizes 0.51 AF/YR and will remain constant. The proposed water use of 8.73 AF/YR is well below the available groundwater of 17.34 AF/YR available to the site and no further analysis is needed. Additionally, there are no non-project wells within 500 feet. Below is a table that breaks down each source of existing and proposed water use:

Usage Type	Existing Usage (af/yr)	Proposed Usage (af/yr)
Vineyard		
Irrigation - Well	5.50	5.50
Landscaping	0.51	0.51
Winery		
Process Water	1.57	2.30
Domestic Water	0.42	0.42
Total	8.00	8.73
Estimated Water Recharge Rate	17.34	17.34

The estimated water demand of 8.73 AF/YR, represents an increase of 0.73 AF/YR over the existing condition, and is well below the 17.34 AF/YR average water year recharge calculation for the site. Under past approvals for the winery, the property is already subject to the County’s standard condition of approval requiring well monitoring as well as the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use. However, given the new standard conditions adopted by the Board of Supervisors on March 7, 2017, staff will be applying the County’s new “ground water management – well” standard condition.

**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 evidence<sup>1</sup> 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 evidence<sup>1</sup> 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.*

<sup>1</sup> *Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.*

In response to the regional drought and the general Statewide need to protect groundwater resources, the Governor enacted new legislation requiring local governments to monitor and management groundwater resources. Napa County's prior work on the Napa Valley Groundwater Management Plan provides a strong foundation for Napa County to comply with this State mandated monitoring and management objective. As a direct result, the project site is now subject to this new legislation requiring local agencies to monitor groundwater use. Assembly Bill - AB 1739 by Assembly member Roger Dickinson (D-Sacramento) and Senate Bills 1168 and 1319 by Senator Fran Pavley (D-Agoura Hills) establish a framework for sustainable, local groundwater management for the first time in California history. The legislation requires local agencies to tailor sustainable groundwater plans to their regional economic and environmental needs. The legislation prioritizes groundwater basin management Statewide, which includes the Napa Valley/Napa River Drainage Basin, and sets a timeline for implementation of the following:

By 2017, local groundwater management agencies must be identified;  
By 2020, overdrafted groundwater basins must have sustainability plans;  
By 2022, other high and medium priority basins not currently in overdraft must have sustainability plans; and  
By 2040, all high and medium priority groundwater basins must achieve sustainability.

The State has classified the Napa River Drainage Basin as a medium priority resource. Additionally, the legislation provides measurable objectives and milestones to reach sustainability and a State role of limited intervention when local agencies are unable or unwilling to adopt sustainable management plans. Napa County supports this legislation and has begun the process of developing a local groundwater management agency which is anticipated to be in place and functioning within the timeline prescribed by the State.

The proposed project would not result in a substantial increase the demand of ground water supplies or interfere with groundwater recharge or lowering of the local groundwater level. A Tier II Well Interference Analysis was conducted as part of the WAA. There are no nearby off-site wells identified to be located within 500-feet of the project site. According to Napa County environmental resource mapping (*Water Deficient Areas/Storage Areas*), the project site is not located within a water deficient area and the County is not aware of, nor has it received any reports of groundwater deficiencies in the area. Impacts would be less than significant.

- c. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans prepared prior to the issuance of a building permit would ensure that the proposed project does not increase runoff flow rate or volume as a result of project implementation. General Plan Policy CON-50 c) requires discretionary projects, including this project, to meet performance standards designed to ensure peak runoff in 2-, 10-, 50-, and 100-year events following development is not greater than predevelopment conditions. The preliminary grading and drainage plan has been reviewed by the Engineering Division. The proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.
- d. The site lies outside the boundaries of the 100 and 500 year flood hazard boundaries. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows. No impacts would occur.
- e. The proposed project would not conflict with a water quality control plan or sustainable groundwater management plan because there are no such plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None are 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. The project would not occur within an established community, nor would it result in the division of an established community. The project complies with the Napa County Code and all other applicable regulations. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, “preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County.” The property’s General Plan land use designation is AWOS (Agriculture, Watershed, and Open Space), which allows “agriculture, processing of agricultural products, and single-family dwellings.” More specifically, General Plan Agricultural Preservation and Land Use Policy AG/LU-2 recognizes wineries and other agricultural processing facilities, and any use clearly accessory to those facilities, as agriculture. The project would allow for the continuation of agriculture as a dominant land use within the county and is fully consistent with the Napa County General Plan.

The proposed use of the property for the “fermenting and processing of grape juice into wine” (NCC §18.08.640) 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 complimentary policies requiring wineries to be designed generally of a high architectural quality for the site and its surroundings. There are no applicable habitat conservation plans or natural community conservation plans applicable to the property.

Mitigation Measures: None are 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 are 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a/b The project would result in a temporary increase in noise levels during grading and construction activities for the roadway improvements, crushpad canopy construction, production area expansion, winery cave expansion, and expansion of the winery's process wastewater system. Construction activities would be limited to daylight hours using properly muffled vehicles. Noise generated during this time is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise or vibration impacts. The nearest residence to the project site is approximately 1,450 feet to the southwest of the proposed winery structures/wine cave and 600 feet from the improvement areas of the access road. Due to this distance there is a low potential for impacts related to construction noise to result in a significant impact. Further, construction activities would occur during the period of 7am-7pm on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The proposed project would not result in long-term significant construction noise impacts. Conditions of approval would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. Impacts would be less than significant.
- c. The project site is not located within the influence area of the Napa County Airport, according to the *Airport Land Use Compatibility Plan*. No impacts would occur.

Mitigation Measures: None are 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The proposed project does not include a direct inducement of population growth, because the proposed project does not include an increase in full-time or part-time seasonal employment or onsite workforce housing. The proposed project also does not indirectly induce population growth through the extension of infrastructure or other services/improvements necessary to sustain population growth. No impacts would occur.
- b. This application will not displace a substantial volume of existing housing or a substantial number of people and will not necessitate the construction of replacement housing elsewhere.

Mitigation Measures: None are 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



v) Other public facilities?

Discussion:

Public services are currently provided to the project site and the additional demand placed on existing services would be marginal. Fire protection measures are required as part of the development pursuant to Napa County Fire Marshall conditions and there will be no foreseeable impact to emergency response times with the adoption of standard conditions of approval. The Fire Department and Engineering Services Division have reviewed the application and recommend approval as conditioned. School impact mitigation fees, which assist local school districts with capacity building measures, will be levied pursuant to building permit submittal. The proposed project will have little to no impact on public parks. County revenue resulting from any building permit fees, property tax increases, and taxes from the sale of wine will help meet the costs of providing public services to the property. The proposed project will have a less than significant impact on public services.

Mitigation Measures: None are 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b The project would not significantly increase the use of recreational facilities, nor does the project include recreational facilities that may have a significant adverse effect on the environment.

Mitigation Measures: None are required.

XVII. TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- d) Result in inadequate emergency access?
- e) 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:

- a. As proposed the project would not conflict with any plans, ordinances or policies addressing the circulation system. No transit, bicycle or pedestrian facilities exist on Wild Horse Valley Road, or at the project, nor are any facilities planned at this time. A function of this project includes the expansion of sections of Wild Horse Valley Road from Monticello Road to the winery only to meet the Napa County Road and Street Standards requirement for a 20-foot wide private access roadway. The applicant is also requesting an exception to the width requirement for an approximately 500-foot section of the roadway in order to prevent grading or earthwork from taking place within stream and pond setbacks.
- b. The Circulation Element includes new policies that reflect the new VMT reduction regulatory framework for transportation impact assessment, along with a draft threshold of significance that is based on reduction of VMT compared to the unmitigated project rather than the regional average VMT (Policies CIR-7 through CIR-9). Staff believes this alternative approach to determining the significance of a project's transportation impacts would be better suited to Napa County's rural context, while still supporting the efforts of the County to achieve the greenhouse gas emissions goals of its pending Climate Action Plan. The reduction in VMT and, correspondingly, GHG emissions from the transportation sector, is also necessary for Napa County, the region, and the state to achieve long-term, statewide mandates targeted toward reducing GHG emissions. Such mandates include, but are not limited to Executive Orders S-3-05 and B-16-12, which respectively, set a general statewide GHG emissions reduction target of 80 percent below 1990 levels by 2050, and an 80 percent GHG emissions reduction below 1990 levels (also by 2050) specifically for the transportation sector.
- The proposed project does not include an increase in the winery's visitation, marketing, or on-site employment. According to the Winery Traffic Information/Trip Generation Sheet that was completed by the applicant for this project, the increase in production from 102,000 annual gallons to 150,000 annual gallons would increase daily commercial truck trips by .864 trips per day. Commercial truck traffic is exempt from VMT analysis under CEQA. For non-commercial VMT, the applicant estimated their existing VMT to be 280,650 miles under existing entitlements and their active Transportation Demand Management (TDM) program. The applicant self-reports an existing TDM which includes Best Management Practices (BMP) that include employee carpool/vanpool and bus transportation for large marketing events. By their estimation, these BMP's reduce the existing project's annual VMT by 50,513 miles, an 18% reduction of VMT without an existing TDM. Therefore the project as proposed does not conflict with CEQA Guidelines section 15064.3, subdivision (b) and potential impacts would be less than significant.
- c/d. The proposed project does not contain any incompatible uses. All sections of Wild Horse Valley Road from Monticello Road to the winery only are proposed to be brought into compliance with the current Napa County Road and Street Standards (NCRSS), except for an approximately 500 foot section of the roadway, completely within stream setbacks of an unnamed blue line stream, an ephemeral stream, and the Leoma lakes stream beds. An exception to the NCRSS has been requested as a function of this project, and while this section of road would not have a code compliant width, other features such as intervisible pullouts, "Yield to Emergency Vehicles" signage and standard width sections immediately before and after the substandard section, are proposed to achieve the same overall practical effect of the NCRSS by providing defensible space and consideration toward life, safety and public welfare. Impacts would be less than significant. The Napa County Fire Department has reviewed the plans and approved as designed with conditions to maintain adequate emergency access.
- e. The proposed project does not include an increase in the winery's visitation, marketing, or on-site employment, nor an increase in the parking stalls. Parking would remain at the number (20) established through previous permit issuance and modification, which was found adequate at those times with the levels of visitation, marketing and employment. Impacts would be less than significant.

Mitigation Measures: None are required.

<b>XVIII. TRIBAL CULTURAL RESOURCES.</b> 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a/b On September 8, 2020, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who, as of that date, had requested to be invited to consult on projects in accordance with the requirements of Public Resources Code Section 21080.3.1. On September 22, 2020, Staff received a response from the Cultural Resource Manager of the Yocha Dehe Wintun Nation, expressing concern the project could impact known tribal cultural resources. The Yocha Dehe Wintun Nation recommended including cultural monitors during construction and ground disturbance, as well as conducting cultural sensitivity training to personnel involved in project construction and ground disturbance. This request was identical to a request letter received by the applicant on October 28, 2020, and forwarded to Staff as part of the project application, which was received subsequent to tribal outreach conducted as a portion of the project's Cultural Resources Study (Cultural Resources Study for the Kenzo Estate Cave Expansion Project; Tom Origer & Associates, November 8, 2019). Staff has included the Yocha Dehe Wintun Nation's recommendations as conditions for project approval. No other responses to the consultation invitations were received for this project.

Mitigation Measures: None are required

<b>XIX. UTILITIES AND SERVICE SYSTEMS.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Discussion:

- a. The proposed project would not require the relocation, construction or expansion of water, domestic wastewater, storm water drainage, electrical power, and natural gas or telecommunication facilities. As evidences in the applicant's submitted Winery Wastewater Feasibility Report (September 2019), the existing process wastewater disposal system will require modification in order handle the requested increase in wine production. The report that was submitted includes 3 sets of modification options for the applicant to choose from, that should all be able to expand the system to meet the increase in process wastewater flows; enlarging the existing pressure distribution system, disposing of the increased flow through surface drip irrigation, or converting all process wastewater to surface drip irrigation. The County of Napa Environmental Health division has reviewed the applicant's Winery Wastewater Feasibility Report and has approved of the project with the requirement that the Environmental Health Department approve of the final design of the modified process wastewater system. Construction or relocation of the process wastewater system based on the options available to the applicant in the submitted report would result in significant environmental effects.
- b. The project has sufficient water supplies to serve projected needs. The projected water use for the proposed project and existing uses is 8.73 af/yr. The submitted groundwater study submitted by RSA+ has established a threshold of 17.34 af/yr. for this parcel; therefore the total estimated water demand of 8.73 af/yr is below the threshold established for the parcel. No further analysis is required.
- c. Wastewater would be treated on-site and would not require a wastewater treatment provider. Impacts would be less than significant.
- d/e. According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have more than sufficient capacity related to the current waste generation. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Mitigation Measures: None are 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a/b. The proposed project is located within the state responsibility area and is classified as a high fire hazard severity zone. The project would not substantially impair an adopted emergency response plan or emergency evacuation plan because the proposed driveway improvements would provide adequate access to the Monticello Road. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. The project application was reviewed and approved by the Napa County Fire Department, as conditioned. Impacts would be less than significant.
- c/d. Implementation of the project would include the improvement of the existing access driveway (on and off-site) to County standards except for the request noted above. The improvement achieves the same overall practical effect of the NCRSS by providing defensible space and consideration toward life, safety and public welfare by providing the following permanent measures: 1) horizontal and vertical vegetation management as described in the RSS exception request shall be implemented along the entire length of the private lane and driveway connection to Monticello Road; 2) significant improvements are proposed to bring a majority of the road into compliance with the NCRSS as illustrated on the Kenzo Winery Use Permit Major Modification Conceptual Site Plans prepared by Applied Civil Engineering; 3) substandard width road sections are mitigated with standard turnouts throughout and/or are short in length with standard width sections immediately before and after the substandard section; and 4) all portions of the driveway not discussed in the Engineering Division Road Exception Evaluation are proposed to meet commercial standards as defined in the NCRSS. Proposed site access, including the RSS exception, was reviewed and approved by the Napa County Fire Department, Engineering Services Division, and Public Works Department, as conditioned. The project was designed to minimize impacts to steep slopes which would also minimize potential slope instability and drainage issues. Impacts would be less than significant.

Mitigation Measures: None are 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. As discussed in **Section IV** above, the project site contains vegetation suitable for special-status birds and a special-status plant. Mitigation is proposed for those biological topics that would reduce potentially significant impacts to a level of less than significant. As identified in **Section V** above, no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. In summary, all potentially significant effects on biological and cultural resources can be mitigated to a level of less than significant.
- b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential air quality, greenhouse gas emissions, hydrology, and traffic impacts are discussed in the respective sections above. The project would also increase the demands for public services to a limited extent, increase traffic and air pollutions, all of which contribute to cumulative effects when future

development in Napa Valley is considered. Cumulative impacts of these issues are discussed in previous sections of this Initial Study, wherein the impact from an increase in air pollution is being addressed as discussed in the project's Greenhouse Gas Voluntary Best Management Practices including but not limited to vehicle miles reduction plan, energy conserving lighting, low-impact development, recycle 75% of all waste, site design optimized to us natural cooling, limit grading and tree removal, use of recycled materials, and education of staff and visitors on sustainable practices.

Potential impacts are discussed in the respective sections above. The project trip generation was calculated from winery operations, where the calculated trips reflect total visitation, on-site employees and wine production trips generated by the winery. Under the Napa County General Plan, traffic volumes are projected to increase and will be caused by a combination of locally generated traffic as well as general regional growth. The General Plan EIR indicates that much of the forecasted increase in traffic on the arterial roadway network will result from traffic generated outside of the county, however the project will contribute a small amount toward the general overall increase.

General Plan Policy CIR-16 states that "The County will seek to maintain an arterial Level of Service D or better on all County roadways, except where the level of Service already exceeds this standard and where increased intersection capacity is not feasible without substantial additional right of way." State Highway 121/Monticello Road is listed as two-lane Rural Throughways on the General Plan Circulation Map and operates at a LOS B/C during peak hours. As discussed above under Section XVI Transportation, the project will not cause any further deterioration to any road segments.

- c. All impacts identified in this MND are either less than significant after mitigation or less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human being either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None are required

---

**Kenzo Estate Winery Use Permit Major Modification No. P19-00396-MOD  
Mitigation Monitoring and Reporting Program**

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
<p><b>Impact BIO-1: Special Status Plants.</b> The study area provides potentially suitable habitat for 9 special status plant species. These plants include: Brewer's western flax (<i>Hesperolinon brewerii</i>), Greene's narrow-leaved daisy (<i>Erigeron greenei</i>), Henderson's bent grass (<i>Agrostis hendersonii</i>), holly-leaved ceanothus (<i>Ceanothus purpureus</i>), Mead's owl-clover (<i>Castilleja ambigua</i> var. <i>meadii</i>), Napa bluecurls (<i>Trichostema ruygtii</i>), Napa checkerbloom (<i>Sidalcea hickmanii</i> ssp. <i>napensis</i>), narrow-anthered brodiaea (<i>Brodiaea leptandra</i>), and oval-leaved viburnum (<i>Viburnum ellipticum</i>).</p> <p>None of these plants have been observed within the project site, however, a late spring/early summer plant survey is needed to ensure the presence/absence of these special status plant species. The project could, therefore, result in the loss of plants of these species if this bloom period survey is not completed. Therefore, the following measures shall be implemented to reduce potential impacts to these special status species.</p>	<p><b>MM BIO-1:</b> A qualified biologist shall complete a late May-early June survey for special-status plant species prior to initiation of project activities. The survey shall be completed during the appropriate blooming period for the species likely to occur on site. These surveys shall be in compliance with all CDFW (2009), USFWS (1996), and CNPS (2001) published survey guidelines.</p> <p>If the survey finds that there are no special-status plants on the property that would be impacted or within the proposed project site, then there would be no further mitigation and the project may proceed, provided all other applicable permits and authorizations are obtained for the project.</p> <p>If special-status plant species are found, populations shall be mapped and enumerated. If any populations are found within the proposed work area, they shall be flagged and project development plans shall be avoided to the maximum extent feasible. If avoidance is not feasible as determined by the County of Napa Planning Division, then other suitable measures shall be implemented as detailed below.</p> <p>A qualified biologist shall complete an inventory and analysis of the on-site population(s) of the species within and outside of the work area to determine the extent and significance of the potential impacts that will occur as a result of the project. This analysis shall be presented to the County's Planning Division as part of their review of the project. If special-status plant species are found within the project area and the project cannot be revised to avoid their removal, then a mitigation plan shall be developed and approved by the County for implementation of the following measures prior to site disturbance. If sufficient populations of the special-status plants species exist on site and outside of the project area, permanent protection of those populations and their habitat may serve in lieu of the requirement to replant special status plant species required to be removed, consistent with the requirements of Napa County General Plan Policy CON-17(e)<sup>1</sup>. If mitigation is unable to be achieved through avoidance and the permanent protection of remaining special-status species in accordance, a mitigation restoration plan shall include, at a minimum, the following elements:</p>	<p>A late May-early June survey for special-status plant species shall be prepared by a qualified biologist and be submitted to Planning Division staff prior to issuance of the grading/building permit.</p>	<p>P</p>	<p>PD</p>	<p>PC __/__/__</p>

<sup>1</sup> Require no net loss of sensitive biotic communities and habitats of limited distribution through avoidance, restoration, or replacement where feasible. Where avoidance, restoration, or replacement is not feasible, preserve like habitat at a 2:1 ratio or greater within Napa County to avoid significant cumulative loss of valuable habitats.

Notes: P = Permittee, PD = Planning Division, PC = Prior to Project Commencement

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
	<ol style="list-style-type: none"> <li>1. a site plan showing the locations where replacement plants will be planted;</li> <li>2. a plant pallet composed the special-status plans specie(s) being removed including sizes and/or application rates: seed mixes shall not contain species known to be noxious weeds and any non-native grasses should be sterile varieties;</li> <li>3. planting notes and details including any recommended plant protection measures;</li> <li>4. invasive species removal and management specifications;</li> <li>5. an implementation schedule;</li> <li>6. performance standards with a minimum success rate of 80%; and</li> <li>7. a monitoring schedule for a period of at least three years to ensure success criteria are met.</li> </ol> <p>A CNDDDB form shall be filled out and submitted to CDFW for any special-status plant species identified within the project site.</p>				
<p><b>Impact BIO-2: Western Pond Turtle.</b>          Though no western pond turtles have been observed in Leoma Lakes and the Lakes will not be impacted by the proposed project, the lakes could support the western pond turtle and the species could move from the Lakes through the nearby project area. However, the portion of the road near the Lakes is proposed to be exempted from the road improvements. Construction related activities could result in the loss of individual western pond turtles in the vicinity of Leoma Lakes if any work were to take place in that area. Therefore, the following measures shall be implemented to reduce potential impacts on western pond turtles. These potential impacts could be mitigated to a level considered</p>	<p><b>MM BIO-2:</b> A pre-construction survey for Western Pond Turtle (WPT) and their eggs shall be completed by a qualified biologist between five (5) days and 24 hours before the start of ground disturbing activities associated with the widening of Wild Horse Valley Road closest to Leoma Lakes. Surveys shall take place between 9 a.m. and 3 p.m. and be conducted in areas that WPT are likely to inhabit and focus on detection of basking and foraging turtles. Surveyors shall station in place for periods of 30 minutes in each area that is suitable for WPT and use binoculars to visually detect and identify WPT. The preconstruction survey shall also identify the location of WPT exclusion fencing.</p> <p>Exclusion fencing shall be installed between the roadway construction area and Leoma Lakes, and any other areas determined necessary by the project biologist, in such a manner as to preclude WPT from entering ground disturbance areas from Leoma Lakes. The fencing shall have a minimum height above ground of 38 inches, the bottom of the fence buried to a minimum depth of 4 inches. The locations and installation of WPT exclusion fencing shall be inspected by the project biologist to ensure that it is placed correctly and effective, and remain installed until on-site mechanized ground disturbance is completed. WPT</p>	<p>Prior to issuance of the grading/building permit, a report by a qualified biologist shall be submitted to the Napa County Planning Division. The report will include the results of the pre-construction survey for WPT, a map of the location of WPT exclusion fencing and a statement that the biological education program for all construction personnel has been completed.</p>	<p>P</p>	<p>PD</p>	<p>PC           __/__/__</p>

Notes: P = Permittee, PD = Planning Division, PC = Prior to Project Commencement



Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
less than significant by implementing Mitigation Measure BIO-2 and BIO-3.	<p>exclusion fencing shall also be inspected and approved prior to the commencement of vegetation removal and earth-disturbing activities.</p> <p>Following the pre-construction survey and prior to the initiation of work, a biological education program shall be provided by the qualified biologist to all personnel that will be present at the site during ground disturbance and related activities. The worker education program shall include information regarding the identification and the natural history of WPT (including photographs), the potential for occurrence of these species within work areas, the legal status of each and the ramifications for take, the purpose of the exclusion fencing and importance of maintaining it, and specific measures being implemented to avoid impacts to WPT (which shall include halting all ground disturbance and immediately alerting the qualified biologist if WPT are observed in the course of the work.</p> <p>If WPT are detected, all ground disturbance shall halt immediately and the qualified biologist shall be alerted so that additional avoidance measures can be developed and implemented in coordination with the Napa County Planning Division and CDFW.</p>				
<p><b>Impact BIO-3: Nesting Birds.</b> Suitable potential nesting habitat for raptors, as well as other migratory nesting birds, is present on or adjacent to the Study Area. These birds are protected under the Migratory Bird Treaty Act (50 CFR 10.13) and their nest, eggs, and young are protected under California CDFG Code §3503, 3503.5, 3800, and 3513. Any project-related impacts on the nesting success of these species would be considered a significant adverse impact. These impacts could be mitigated to a level considered less than significant by Mitigation Measure BIO-4.</p>	<p><b>MM BIO-3:</b> For earth-disturbing activities occurring between February 1 and August 31, (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with potential to occur at the project site) shall conduct pre-construction surveys for nesting birds and raptors, within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas. The pre-construction survey shall be conducted no earlier than seven (7) days prior to vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys should be repeated. A copy of the survey will be provided to the Napa County Planning Division and the CDFW prior to commencement of work.</p> <p>After commencement of work, if there is a period of no work activity of 5 days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.</p> <p>In the event that nesting birds are found, the Permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Planning Division and the U.S. Fish and Wildlife Service (USFWS) and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and</p>	<p>If construction/earthmoving activity is to occur between February 1 and August 31 the survey prepared by a qualified biologist shall be submitted to Planning Division staff prior to issuance of the grading/building permit.</p>	P	PD	<p>PC</p> <p>___/___/___</p>

Notes: P = Permittee, PD = Planning Division, PC = Prior to Project Commencement

Potential Environmental Impact	Adopted Mitigation Measure	Monitoring and Reporting Actions and Schedule	Implementation	Monitoring	Reporting & Date of Compliance/Completion
	<p>species as determined by a qualified biologist in consultation with County Planning Division and the USFWS and/or CDFW.</p> <p>Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County Planning Division prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.</p> <p>Alternative methods aimed at flushing out nesting birds prior to pre-construction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas should undergo consultation with the Napa County Planning Division, USFWS and/or CDFW prior to any activity that could disturb nesting birds.</p>				

Notes: P = Permittee, PD = Planning Division, PC = Prior to Project Commencement