

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

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

1. **Project Title:** Amici Cellars Use Permit Minor Modification and Variance Nos. (P19-00390-MOD & P21-00049-VAR)
2. **Property Owner:** Palisades Wine Company, LLC., 3130 Old Lawley Toll Road, Calistoga CA 94515
3. **County Contact Person, Phone Number and email:** Melanie Jackson, (707) 259-8194, melanie.jackson-couch@countyofnapa.org
4. **Project Location and Assessor's Parcel Number (APN):** 3130 Old Lawley Toll Road, Calistoga CA 94515, 017-140-035-000 and 017-140-037
5. **Project sponsor's name and address:** Tom Adams and Josh Devore with Dickenson Peatman and Fogarty Professional Law Corp., 1455 First St., Napa CA 94559
6. **General Plan description:** Agriculture, Watershed, Open Space (AWOS)
7. **Zoning:** Agricultural Watershed (AW)
8. **Background/Project History:** Amici Cellars Winery use permit was originally approved by the Planning Commission as T-Vine Cellars Winery (98583-UP) on October 20, 1999. In conjunction with the use permit, a variance was also approved (98584-VAR) to allow the location of the winery structure to be 170 feet from the ROW of Highway 29 (where 600 feet is normally required). The 98583-UP entitlement allowed for the following:
  - a. 20,000 gallon per year winery
  - b. One (1) employee
  - c. Private tours and tastings by appointment only
  - d. Retail sales by appointment only
  - e. Construction of a 5,000 square foot winery structure
  - f. Custom Production (crushing, fermentation, barrel aging) for up to two (2) entities and a maximum of 50 percent of the total production (up to 10,000 gallons)
  - g. Three off street parking stalls on a dust-free all-weather surface
  - h. Hours of operation from 8:30 a.m. to 5:00 p.m. Monday through Friday
  - i. A variance to allow the winery structure to be located no closer than 170 feet from the right-of-way of Highway 29, and
  - j. A marketing plan, including:
    - i. Private wine tasting for trade (between the hours of 12:00 p.m. and 4:00 p.m. and 6:00 p.m. and 10:00 p.m.), with up to 15 tradespeople four (4) times per year.
    - ii. Private Promotional events (between the hours of 12:00 p.m. and 4:00 p.m. and 6:00 p.m. and 10:00 p.m.) for up to 20 guests two (2) times per year.

Marketing activities limited to members of the wine trade, persons with pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a pre-arranged basis.

In addition to the above permits, a Structural Erosion Control Plan (ECPS) No. ECPS-99349 was approved on March 27, 2000 for construction of the approved winery and driveway.

On March 26, 2019, the applicant requested a Status Determination (P19-00108) to document and delineate the existing entitlement rights

for the subject property. The status determination delineated the uses approved with the original entitlement (98583-UP), consistent with that listed above, and no uses beyond those included in the original use permit were included in the status determination.

The subject property consists of approximately 17 acres and is located at 3130 Old Lawley Toll Road, north of the city of Calistoga, west of Lawley Toll Road and east of Calistoga Grade in the Calistoga area. The project site is presently developed with a 2,558 square foot winery structure consisting of approximately 307 square feet of accessory use area and 2,251 square feet dedicated to wine production. The project site is presently served by an onsite sewage disposal system and a water well.

### **Description of Project:**

The proposed project includes a request for a Use Permit Minor Modification to the existing use permit (Permit No. 98584-UP), a Variance to the Highway 29 600-foot road setback and a request to reduce the 50-foot wetland setback. Each request is described individually below:

#### Winery Minor Modification

The project includes a minor modification to an existing use permit (Permit No. 98584-UP) to allow for the following:

- Increase in wine production from 20,000 gallons of wine per year to 30,000 gallons of wine per year;
- Increase in the approved number of employees from one full time (1) employee to a total of four (4) full time employees and four (4) part time employees;
- Modification to the hours of operation from 8:30 a.m. to 5:00 p.m. Monday through Friday to 7:00 a.m. to 5:00 p.m. Monday through Sunday for production and 10:00 a.m. to 5:00 p.m. Monday through Sunday for Visitation;
- Modification to marketing plan from:
  - o Private wine tasting for trade (between the hours of 12:00 p.m. and 4:00 p.m. and 6:00 p.m. and 10:00 p.m.), with up to 15 tradespeople four (4) times per year.
  - o Private Promotional events (between the hours of 12:00 p.m. and 4:00 p.m. and 6:00 p.m. and 10:00 p.m.) for up to 20 guests two (2) times per year.

Marketing activities limited to members of the wine trade, persons with pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a pre-arranged basis.

To:

- o Eight (8) events per year with up to 25 guests per event, not to exceed twelve (12) vehicles for transportation of all guests to and from the winery, per event (average of approximately 2.1 guests per vehicle), to be held between the hours of 6:00 p.m. to 10:00 p.m. with clean-up over by 11:00 p.m.
  - o One (1) event per year with up to 50 guests, not to exceed sixteen vehicles for transportation of all guests to and from the winery (average of approximately 3.1 guests per vehicle), to be held between the hours of 6:00 p.m. to 10:00 p.m. with clean-up over by 11:00 p.m.
  - o Two (2) wine-trade only events for up to 75 guests, utilizing two (2) buses for transportation of all guests to and from the winery (average of 37.5 guests per bus), to be held between the hours of 6:00 p.m. to 10:00 p.m. with clean-up over by 11:00 p.m.
  - o Catered food to be served at events
- Visitation plan allowing for:
    - o Up to 25 visitors per day, not to exceed seven (7) vehicles per day for transportation of all visitors to and from the winery (average of approximately 3.6 visitors per vehicle), with a weekly maximum of 42 vehicles per week, during the non-harvest season. Based on the average number of visitors per vehicle, weekly visitors would be less than or equal to 175 people.
    - o Up to 25 visitors per day, not to exceed a maximum of four (4) vehicles per day to and from the winery (average of approximately 6.3 visitors per vehicle) during the harvest season. Based on the average number of visitors per vehicle, weekly visitors would be less than or equal to 175 people.

NOTE: Visitation and marketing events would not occur on the same day.

- 10,000 square foot Type II cave for production and storage
- Reconfiguration of the existing outdoor production area
- Construction of a 790 square foot cover over a portion of the existing outdoor crush area
- Construction of a 1,667 square foot structure to accommodate expansion of winery operations
- Construction of two outdoor restrooms totaling 89 square feet
- Installation of a public water system
- Expansion and improvement of existing parking area to allow for a total of nine (9) parking stalls, one of which would be ADA compatible

- Removal of Use Permit 98584-UP Condition of Approval No. 1.c. restricting custom crush operations
- Expansion of existing waste disposal system (leach fields to be located on secondary parcel, APN 017-140-037) to accommodate increase in process waste
- Improvements to re-align the existing driveway for improved turning radius and access for emergency vehicles

Development of the proposed project would require the removal of 31 trees, including 17 fir, two (2) bay, two (2) black oak, six (6) live oak, three (3) madrone and one (1) conifer, which would be mitigated on an acreage basis at a 3:1 ratio. Project grading would result in approximately 3,117 cubic yards of cut and 230 cubic yards of fill. The remaining soil in addition to the cave spoils would total 8,360 cubic yards of dirt that would be stored on adjacent parcel 017-140-037. Grape sourcing would come from vineyards within Napa County, with up to 25 percent of the total grapes sourced from outside the County.

#### Wetland Setback Reduction

A reduction in the wetland setback from the onsite pond, pursuant to Section 18.108.026 (General Provisions; Wetlands), to allow for minor improvements to the existing access road, the construction of a 180 square foot pumphouse to be located 15 feet from the delineated boundary of the pond where 50 feet is required.

#### Variance to Highway 29 Road Setback

A variance to the road setback to allow for the construction of the proposed, 1,667 square foot additional winery structure approximately 170 feet from the right of way of Highway 29 where 600 feet is normally required. The basis of the variance request is the site topography, parcel orientation, the location of existing development and the fact that Highway 29 borders approximately half of the subject parcel boundary, on the northwest, west, and southwest sides. Strict application of the street setback would essentially render the lot unbuildable as there would be little to no area for construction that would not encroach into the setback.

9. **Describe the environmental setting and surrounding land uses.** The subject property consists of moderately sloping terrain with slopes averaging 20-22 percent at an elevation of 600 feet above sea level. The project site is located north of the city of Calistoga, west of Old Lawley Toll Road and east of Calistoga Grade. The property is not located within any environmentally sensitive areas as delineated on the County Environmental Resource Sensitivity Maps. Foundation materials consist of Sonoma Volcanic andesitic to basaltic lava flows, overlain by Class VI soils of the Boomer Gravelly Loam series and by Class VII soils of the Hambright-Rock Outcrop Complex. Runoff is rapid to very rapid and the erosion hazard is moderate. Vegetative cover consists primarily of Douglas fir, Ponderosa Pine, Black Oak, Madrone, Manzanita, California Laurel and Poison Oak, as well as wild grasses. Surrounding land uses include residential and the closest residence is located approximately 240 feet from the winery on the secondary.

Parcel 017-140-035 (primary parcel) consisting of approximately 12 acres and parcel 017-140-037 (secondary parcel) consisting of approximately five (5) acres are in common ownership. The primary parcel is presently developed with the 2,558 square foot winery structure, parking areas and associated infrastructure. The secondary parcel is developed with an approximately 2,200 square foot single-family residence and an approximately 552 square foot detached garage. The primary parcel accommodates the winery structures and the majority of the physical modifications to the project site and the secondary parcel would accommodate the leach lines for the upgraded waste disposal system.

10. **Other agencies whose approval is required.** The project would also require various ministerial approvals by the County, including but not limited to building permits, grading permits, waste disposal permits, and an encroachment permit, in addition to meeting CalFire standards. Permits may also be required by the Department of Alcoholic Beverage Control and Bureau of Alcohol, Tobacco, & Firearms.

#### **Responsible (R) and Trustee (T) Agencies**

None

#### **Other Agencies Contacted**

None

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

A cultural resources study for the project site was prepared in November of 2019 by Tom Origer and Associates. As part of the study, a request was sent to the State of California's Native American Heritage Commission (NAHC) and to Cortina Rancheria, Middletown Rancheria, the Mishewal-Wappo Tribe of Alexander Valley and the Yocha Dehe Wintun Nation. The NAHC replied via letter dated October 9, 2019, stating that a review of the Sacred Lands File showed that there are no resources in the vicinity of the project area. No other comments were received.

In addition, on May 12, 2021, County staff sent invitations to consult on the proposed project to native American tribes who have a cultural interest in the area and who as of that date had requested invitation for consultations on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No responses were received within 30-days of the tribe's receipt of the invitations.

**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 (SUBSEQUENT) 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 (SUBSEQUENT) 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 \_\_\_\_\_

Name: \_\_\_\_\_  
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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from 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. The project site is not located within a scenic vista or a state scenic highway. Therefore, there is no possibility that the project would have a substantial adverse effect, or result in damage to scenic resources, within a scenic vista or state scenic highway. Therefore, there are no impacts.

c. The proposed project cannot be viewed from any public vantage point as it is screened by the natural topography of the site and its surroundings and by natural vegetation. As such, there are no impacts.

d. Installation of lighting for the proposed project has the potential to create impacts to nighttime views in the project vicinity and surrounding areas. However, pursuant to standard conditions of approval for wineries, outdoor lighting would be required to be shielded and directed downwards with only low level lighting permitted in parking areas. With the implementation of the standard conditions of approval (included below), the proposed project would not create a new source of substantial light or glare that would have a significant impact on nighttime views in the area. As such, impacts would be less than significant.

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 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 checked="" type="checkbox"/>	<input 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. The subject property (primary and secondary parcels) is identified as “other land” on the California Statewide Important Farmlands Map. While the secondary parcel contains some vineyards, the amount of vineyards are ornamental in nature and aren’t large enough for the parcel status to be reclassified as farmland. As such, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statement Importance to a non-agricultural use. Therefore, there are no impacts.

b/c. The subject property is zoned Agricultural Watershed (AW) and is designated as Agriculture/Watershed and Open Space (AWOS) by the Napa County General Plan. Wineries are an allowed use within the AW zone district and within the AWOS general plan designation. In addition, the winery is an existing use on the subject property. As such, the proposed project would not conflict with existing zoning for an agricultural use, nor would it conflict with existing zoning or cause rezoning of forest land. The property is not presently under a Williamson Act contract. Therefore, there are no impacts.

d. To accommodate the project, a total of 31 trees would be removed. This would result in a conversion of forest land to a non-forest use. However, the proposed tree removal would not result in significant impacts to forest land because the number of trees to be removed would equate to a small percentage of the total tree canopy on the subject property and because the tree removal is concentrated within or near previously disturbed areas on the project site. In addition, the total amount of tree coverage removed would be mitigated at a 3:1 ration pursuant to County Code Section 18.108.020 (D) (Zoning; Conservation regulations; General Provisions; Vegetation Removal Mitigation). Therefore, impacts would be less than significant.

e. There are no farmlands located on the subject property, nor properties within the vicinity of the project site. As such, implementation of the project would not result in conversion of Farmland to a non-agricultural use.

Mitigation Measures:

None required.

<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.

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 winery at project completion - entire project, which is approximately 4,225 square feet of enclosed floor area (winery structures, pump house, cave) with 459 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/perpfact\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perpfact_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 240 feet west of the nearest neighboring residence, which is located on the secondary parcel at 3120 Old Lawley Toll Road, Calistoga. 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 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, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion:

The proposed project includes the expansion of an existing winery and its operations to include the construction of a second winery structure consisting of approximately 1,667 square feet, construction of a new 10,000 square foot Type II cut and cover cave, parking improvements for eight (8) additional parking spaces, an upgrade to the existing waste disposal system to accommodate production waste, construction of a well pumphouse, construction of a 790 square foot crush pad cover, an increase in production from 20,000 gallons per year to 30,000 gallons per year and an increase in visitation and marketing. The project would also include improvements to the access driveway to ensure accommodation of large emergency vehicles (fire engines).

A Special Status Habitat and Species Analysis (Analysis) dated August 2020 was prepared for the subject property by Zentner Planning and Ecology. The purpose of the study was to assess the environmental conditions of the subject property to determine the presence or likelihood of occurrence of any special status plant or wildlife species that are listed by State, Federal or local governments and to identify appropriate mitigation measures for impacts to these resources. Preparation of the study included a field visit for site analysis and survey (PBES Current Projects Explorer (arcgis.com)).

a/b/d/e. According to the Analysis, outside of the existing development, the majority of the study area (subject parcels) is comprised of undeveloped open space consisting of oak woodland habitat, a man-made freshwater pond, annual grassland, riparian habitat and ornamental landscaped areas. The project site is moderately sloping with the lowest portion of the site is located in the northeast where the property's driveway exits to Old Lawley Toll Road. The majority of the study area has been mowed or disturbed, or otherwise maintained for fire suppression purposes. Areas of undisturbed property are primarily located along the perimeter of the study area, the majority of which would not be disturbed by implementation of the proposed project. Work associated with cave excavation would occur adjacent to the existing winery in areas that have already been modified and maintained as part of the existing facilities.

Napa County General Plan Conservation Element Policy CON-24 requires that oak woodland be maintained and/or improved to the extent feasible to provide for oak woodland and wildlife habitat, slope stabilization and soil protection, and species diversity. More specifically, this Conservation Policy strives to: preserve oak trees and other significant vegetation that occurs near the heads of drainages to maintain diversity of vegetation types and wildlife habitat (CON-24a); achieve comply with the Oak Woodlands Preservation Act (PRC Section 21083.4) regarding oak woodland preservation to conserve the integrity and diversity of oak woodlands, and retain existing oak woodland (CON-24b); and provide replacement of lost oak woodlands or preservation of like habitat (on an acreage basis) at a 2:1 ratio, and avoid removal of oak species that are limited in distribution (CON-24c).

The Conservation Regulations (Napa County Code Chapter 18.108) intent and purpose is to preserve the natural resources of the County and provide greater environmental protection for natural environmental resources, particularly agricultural lands, forests, wildlife habitat, and water. Additionally, the Conservation Regulations strive to accomplish the following: minimize cut, fill, earthmoving, grading operations and other such man-made effects in the natural terrain; preserve natural habitat by controlling development near streams, rivers and wetlands; minimize impacts on existing land forms by avoiding steep slopes, and preserving existing vegetation; and, reduce the loss of vegetation by protecting vegetation canopy cover and requiring minimum mitigation requirements.

NCC Section 18.108.020(C) (General Provisions: Vegetation Retention Requirements) requires that parcels within the AW zoning district retain 70% of the vegetation canopy cover<sup>15</sup> based on the on-site canopy present on June 16, 2016.

Specific to vegetation removal mitigation and preservation NCC Section 18.108.020(D) (Vegetation Removal Mitigation) requires that the removal of any vegetation canopy cover in the AW zoning district be mitigated by permanent replacement or preservation of comparable vegetation canopy cover, on an acreage basis at a minimum 3:1 ratio. NCC 18.108.020(D) prioritizes where the mitigation replacement and preservation areas should be allowed, whereby the first priority is for onsite replacement and/or preservation areas that generally occur on slopes less than 30% and outside of stream and wetland setbacks; if this cannot be reasonably accomplished, then onsite replacement and/or preservation may occur on slopes up to 50%, in areas that result in the highest biological and water quality protections, etc. NCC Section 18.108.020(E) (Preserved Vegetation Canopy Cover) requires preserved vegetation canopy cover to be protected (or otherwise enforceable restricted) through a perpetual protective easement or deed restriction preserving and conserving the preserved vegetation canopy cover. Onsite preservation on the project site will be determined prior to approval of grading and/or building permit.

As noted in the Analysis, the California National Diversity Database (CNDDDB) identified a total of 16 special status wildlife species and 36 special status plant species known to occur within a 5-mile buffer of the study area. The study notes that the majority of these 16 wildlife species would be unlikely to occur on the subject property because of the absence of suitable habitat. However, some special status wildlife species have the potential to occur on the project site, including Pallid bat, Townsend's big-eared bat, Yuma Myotis, Foothill yellow-legged frog, California red-legged frog, western pond turtle, Sharp-shinned hawk, Purple Martin, various species of nesting raptors and migratory birds. According to the Analysis, only one of the special status wildlife species, the western pond turtle, were observed on the project site and no other species are known to occur within the study area. The study areas does contain habitat with the potential to support nesting birds and raptors.

Of the 35 special status plant species known to occur within the 5-mile buffer area, 11 of these species a moderate-high potential to occur on the

project site, including Jepson's milk vetch, Mt. Saint Helena morning-glory, Colusa Layia, Jepsomn's leptosiphon, Wolley meadowfoam, Sebastopol meadowfoam, Cobb Mountain lupine, Baker's navarretia, Calistoga popcornflower, California Alkali grass and Saline clover. The Analysis notes that there is a relatively limited potential for a number of these species to occur on the project site. While the potential for special status plant species to be present is limited, and due to the potential for special status wildlife species, the proposed development could result in impacts to special status species. In order to minimize or eliminate such impacts, mitigation measures BIO-1 through BIO-5 are included, below.

c. The Analysis included special-status habitats including wetlands and jurisdictional waters (Waters of the United States). The study area contains two jurisdictional features, including the freshwater (agricultural) pond and the ephemeral drainage below the pond. The ephemeral drainage is outside the limits of the proposed project and would not be impacted by project implementation. However, the minor improvement to the shoulder of the existing access road to allow for a better turning radius, construction of well pumps, a generator and a pumphouse near the pond would be located in a previously disturbed area within the 50-foot setback from the delineated boundary of the pond approximately fifteen feet from the closest disturbance (pumphouse) to the boundary line. As such, the applicant is requesting a reduction to the 50-foot setback, consistent with Section 18.108.026 (General Provisions; Wetlands) to allow for the construction of the pumphouse and well improvements within the setback. A Wetland Setback Justification paper, prepared by Kjedsen Biological Consulting dated September 13, 2019, which included onsite analysis of the biological sensitivities of the pond and potential disturbance resulting from the minor road improvements and the construction of the well infrastructure, concluded that adherence to the 50-foot setback from the agricultural pond is unnecessary to protect sensitive resources because: 1) no wetland vegetation is proposed for removal, 2) the project would not impact the existing aquatic functions at the site, 3) no grading would occur closer to the pond than the existing hardscape, 4) the proposed site improvements would not degrade the existing biotic resources, and 5) the proposed project would not significantly change the hydrology of the reservoir. As such, impacts would be less than significant and no mitigation measures would be required.

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: If construction related work would commence anytime during the nesting/breeding season of raptors or other bird species listed in the Migratory Bird Treaty Act (typically February through September 15), a pre-construction survey of the project vicinity for nesting birds should be conducted. This survey should be conducted by a qualified biologist (experienced with the nesting behavior of bird species of the region) within 7 days prior to the commencement of construction activities that would occur during the nesting/breeding season. The intent of the survey should be to determine if active nests are present within or adjacent to the construction zone, that is within approximately 250 feet. The surveys should be timed such that the last survey is concluded no more than one week prior to initiation of construction. If ground disturbance activities are delayed following a survey, then an additional pre-construction survey should be conducted such that no more than one week will have elapsed between the last survey and the commencement of ground disturbance activities.

If active nests are found in areas that could be directly or indirectly affected by the project, a no-disturbance buffer zone should be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted within them should be determined through consultation with the CDFW depending on the species, taking into account factors such as the following:

- Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;
- Distance and amount of vegetation or other screening between the construction site and the nest; and
- Sensitivity of individual nesting species and behaviors of the nesting birds.

The buffer zone around an active nest should be established in the field with orange construction fencing or another appropriate barrier and construction personnel should be instructed on the sensitivity of nest areas. The qualified biologist should serve as a construction monitor during those periods when construction activities would occur near active nest areas of special status bird species to ensure that no impacts on these nests occur.

**Monitoring:** If tree removal and/or noise producing activities occur during the nesting season, between the dates of February 1 to August 31, the pre-construction nesting bird survey shall be submitted to Planning Division staff prior to issuance of the grading permit.

MM BIO-2: A qualified biologist shall conduct a training program for all personnel working on the proposed project. The program shall consist of a presentation that includes a description of the western pond turtle, its biology and habitats, the importance of this species and their

habitat and the general measures that are being implemented to conserve the species as they relate to the project, as well as the consequences and potential fines or penalties of taking a special status species. Interpretation shall be provided for non-English speaking workers.

If at any point during construction, a western pond turtle is identified within the project work area, all work in the area shall stop until the species leaves the area on its own accord.

**Monitoring:** Verification that training of all personnel has been completed shall be provided to the Planning Division prior to the commencement of grading and earthmoving activities,

MM BIO-3: Prior to construction activities, wildlife exclusionary fencing shall be installed along the edge of all works areas within 50 feet of the freshwater pond. The fencing shall be installed such that it guides wildlife movement away from the project work area. A qualified biologist shall monitor the installation of the wildlife exclusionary fencing.

The fencing will be standard fencing at least forty-two (42) inches in height that will be trenched 6 inches into the soil. The soil will then be compacted against both sides of the fence to prevent wildlife from gaining access underneath. Stakes to support the fencing will be placed on the inside of the fence facing the development. The fence will be inspected occasionally by a qualified biologist for holes, gaps, or access points, which shall be repaired upon discovery.

**Monitoring:** A qualified biologist shall monitor the installation of the wildlife exclusionary fencing and verification of placement shall be submitted to the Planning Division staff prior to the commencement of grading and earthmoving activities.

MM BIO-4: A qualified biologist shall complete an April to 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 will be mapped and enumerated. If any populations are found within the proposed work area, they shall be flagged and project development plans shall consider avoidance to the extent practicable. If avoidance is not practicable while otherwise obtaining the project's objectives, 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 as part of their review of the project. If a significant impact will occur as a result of the project work then a mitigation plan shall be developed and approved by the County for implementation of the following measures prior to site disturbance. The mitigation plan shall include the following elements:

1. Prior to construction within the project area, a qualified botanist shall collect the seeds, propagules, and top soils, or other part of the plant that would ensure successful replanting of the population elsewhere. The seeds, propagules, or other plantable portion of all plants shall be collected at the appropriate time of the year.
2. At least 2/3 of the seeds, propagules, or other plantable portion of all plants shall be planted at the appropriate time of year (late-fall months). Half of the seeds and top soils collected shall be appropriately stored and propagated at a native plant nursery to ensure germination. This material will be planted at an approved and protected area during the appropriate season. Planting location, timing, collection methods etc., will be detailed in a mitigation plan.
3. The applicant shall hire a qualified biologist to conduct annual monitoring surveys of the transplanted plant population for a five-year period and shall prepare annual monitoring reports reporting the success or failure of the transplanting efforts. These reports shall be submitted to the County no later than December 31st each monitoring year.
4. These steps shall be implemented prior to site disturbance.

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

In lieu of the above prescribed mitigation, as allowed in writing by the County, mitigation requirements may be satisfied via the purchase of qualified mitigation credits or the preservation of offsite habitat.

**Monitoring:** A qualified biologist shall complete an April to early June survey for special-status plant species prior to initiation of project activities

MM BIO-5: For construction activities between October 16 and August 14: Prior to the commencement of construction activities, a qualified biologist shall conduct a focused survey to determine the presence/absence of any special status bat species. If bats are found then a plan for removal or exclusion between October 16 and August 14 will be developed by a qualified biologist and in consultation with CDFW.

For construction activities between August 15 and October 15: If trees are to be removed between August 15 and October 15, they will be trimmed and removed in a two-phased system conducted over two consecutive days under the supervision of a qualified biologist. The first day (afternoon), limbs, branches and trunks without cavities, crevices and deep bark fissures are removed by chainsaw only. Limbs and trunks with cavities, crevices and bark fissures would be avoided. On the second day, the remainder of the tree may be removed.

**Monitoring:** A qualified biologist shall conduct focused surveys in accordance with the parameters listed above.

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. A Cultural Resources Study dated November 12, 2019, was prepared by Tom Origer and Associates for the subject property. The purpose of the study was to identify potential cultural resources on the subject property. Preparation of the study included archival research at the Northwest Information Center, correspondence with Native American tribes, and field inspection of the study area. Archival research determined that the study area had not been previously subjected to a cultural resources study but that reported ethnographic sites are located within one mile of the study area and no archaeological site indicators or cultural resources were observed during the course of the field survey of the subject property. As part of the study, a request was sent to the State of California’s Native American Heritage Commission (NAHC) and to Cortina Rancheria, Middletown Rancheria, the Mishewal-Wappo Tribe of Alexander Valley and the Yocha Dehe Wintun Nation. The NAHC replied via letter dated October 9, 2019, stating that a review of the Sacred Lands File showed that there are no resources in the vicinity of the project area. No other comments from Native American tribes were received. Based on the results of the study, no protection of historical, archaeological or other resources were recommended. 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 the following standard condition of approval:

**7.2 ARCHAEOLOGICAL FINDING**

*In the event that archaeological 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 project development, all work in the vicinity must be 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 requirements of Public Resources Code Section 5097.98.

c. No human remains have been encountered on the property and no information has been encountered that would indicate that this project would encounter human remains. However, if resources are found during project grading, 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 noted above. Impacts would be less than significant.

Mitigation Measures:

None 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 the 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 property. No impacts would occur.

Mitigation Measures:

None required.

VII.	GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<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 regarding to rupturing a known fault.
  - ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Construction of the project would be required to comply with 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 edition 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 known landslide areas at the project site.
- b. The proposed improvements would occur on slopes of 14 and 29 percent. The project would require incorporation of best management practices and would be subject to the Napa County Storm water Ordinance that addresses sediment and erosion control measures and dust control, as applicable. Impacts would be less than significant.
- c/d. Soil types on the project site include Boomer gravelly loam, volcanic bedrock, 14-60 percent slopes, MLRA 15, hambright rock-outcrop complex, 30-75 percent slopes, bale loam, 0 to 2 percent slopes. Based on the Napa County Environmental Sensitivity maps (liquefaction layer) the proposed improvements would occur in an area with very low susceptibility for liquefaction. Compliance with the latest building standards and codes, including the California Building Code, would reduce potentially significant impacts to a level of less than significant.
- e. According to the Wastewater Feasibility Report prepared for the Amici Cellars minor modification project by Delta Consulting and Engineering, dated May 29, 2020, the project site and proposed upgrades to the existing waste disposal system would have adequate disposal capacity to serve the project. The Division of Environmental Health reviewed this report and concurred with its findings. Impacts would less than significant.
- f. According to Napa County Environmental Sensitivity Maps (Archaeological Resources Layer, historical site, points and lines) known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. In addition, the prepared by Tom Origer and Associates, discussed above, determined that such sensitivities being located within the parcel boundary would be unlikely. As such, impacts are considered less than significant.

Mitigation Measures:

None required.

VIII.	GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	<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 <https://www.countyofnapa.org/2876/Current-Projects-Explorer>.

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 construction of a replacement winery office building and improvements to existing internal access road.

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 structure and the proposed additional winery structure totaling approximately 4,225 square feet of floor area, with 450 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 implement the following GHG reduction methods at the winery:

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 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

release of hazardous materials into the environment?

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <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 would not involve the transport of hazardous materials other than those small amounts utilized for a typical single-family residence. Impacts would be less than significant.
- b. Hazardous materials such as diesel, maintenance fuels 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 construction of an approximately 1,700 square foot second winery structure, a 790 square foot crush pad cover, a 10,000 square foot Type II cut and cover cave, fire pumps and a pump house, driveway and parking improvements and associated infrastructure. Therefore, it would not be reasonable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environment and impacts would be less than significant.
- c. The project site is not located within one-quarter mile of an existing or proposed school. 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. The project site is not on any known list of hazardous materials sites and no impacts would occur.
- e. No impact would occur as the project site is not located within an airport land use plan.
- f. The proposed access driveway and site circulation design are consistent with the Napa County Road and Street Standards. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. Therefore, the proposed project would not obstruct emergency vehicle access and impacts would be less than significant.

The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wildland fires. The proposed driveway improvements would provide adequate access to the Old Lawley Toll Road and Highway 29. 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 required.

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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 checked="" type="checkbox"/>	<input 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 April 21, 2021, the Governor of the State of California proclaimed a State of Emergency for the Counties of Sonoma and Mendocino due to extremely low reservoir levels and drought conditions. On May 11, 2021, the Governor expanded the drought emergency to an additional 39 counties, including the County of Napa. This potentially historic drought in Napa County may result in broad impacts and considerations that extend beyond drinking water and conservation efforts. The local agricultural system, general county operational practices, tourism, fire services and prevention, maintenance of environmental health, protection of vulnerable ecosystems, and consideration of the public's health are all important aspects. On May 11, 2011, the Napa County Board of Supervisors adopted a resolution declaring a Proclamation of Local Emergency due to drought conditions which are occurring in napa County.

Napa 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, as well as 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 Napa Valley Floor Calistoga 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.

a. The project would not violate any water quality standards or waste discharge requirements. According to the Wastewater Feasibility Study prepared by Delta Consulting and Engineering of St. Helena, dated May 29, 2020, the proposed winery production, employees, visitation and marketing plan increases are feasible in terms of wastewater treatment and dispersal on the project site. The existing conventional wastewater system would be demolished and replaced with a new code compliant system consisting of primary settling, aeration and clarification, secondary treatment with Orenco Advantex system and dispersal to land with a sub-surface drip system. With the implementation of this system, the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impacts are less than significant.

b. The findings of the Water Availability Analysis completed by Delta Engineering of St. Helena dated May 29, 2020, demonstrate that the project would not substantially deplete local groundwater supplies and would not have a significant impact on groundwater resources. According to the water analysis, the existing groundwater use for the winery is 0.59 ac-ft./yr. The proposed project would result in an anticipated water demand total of 0.91 ac-ft./yr., an increase of 0.32 ac-ft./yr. (35.2 percent increase). The parcel recharge rate on the subject property is 3.82 ac-ft./yr, more than the 0.91 ac-ft./yr anticipated water use. No wells are located within 500 feet of the well located on the project site. Based on this, the analysis found that water availability on the project site met the criterion for both Tier 1 and Tier 2 analysis. However, while groundwater demand of the proposed project is significantly lower than the recharge rate, the requested modification would include 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:

#### 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.*

In response to regional drought and the general Statewide necessity to protect groundwater resources, the Governor enacted new legislation requiring local governments to monitor and manage groundwater resources. Napa County 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 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-Agora 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 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 resources. 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 result in a modest increase on the demand of ground water supplies and therefore would not interfere with groundwater recharge or lowering of the local groundwater level. According to Napa County environmental resource mapping (*Water Deficient Areas/Storage Areas*), the project site is not located within a water deficient area.

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 have 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 of the 100 and 500 year flood hazard boundaries. The parcel is not located in an area that is subject to inundation by tsunamis, seiche, 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 project site. Therefore, there are no impacts.

Mitigation Measures:

None required.

XI.	LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Physically divide an established community?	<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 checked="" type="checkbox"/>	<input 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 Napa County Code, with the exception of the variance request which does not comply with County requirements for road setbacks, which would require a 600 foot setback from Highway 29. However, as noted in the Background section of the project introduction at the beginning of this document, the Variance request would be considered justified and the findings required for Variance can be made and would therefore be in compliance with the Variance requirements of County Code. The project is consistent with all other applicable regulations. The subject parcel is located in the AW zone district, which allows for residential uses. The proposed project is compliant with the physical limitations of the Napa County Zoning Ordinance. The project site is designated AWOS by the Napa County General Plan, which allows for the expansion of an 2,558 square foot winery to include a second winery structure totaling approximately 1,700 square feet, a 790 square foot crush pad cover, a well pumphouse and a 10,000 square foot Type II cut and cover cave. Therefore, impacts would remain less than significant.

Mitigation Measures:

None required.

XII. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<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 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 construction of the second winery structure, crush pad cover, pump house, access improvements and the Type II cut and cover cave. Construction activities would be limited to daylight hours and properly muffled vehicles would be utilized. Noise generated during construction is not anticipated to be significant. As such, the project would not result in potentially significant temporary construction noise impacts or operational impacts. Because the proposed project is located approximately 240 linear feet from the closest neighboring residence, 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 7:00 a.m. to 7:00 p.m. on weekdays, during normal hours of human activity. All construction activities would be conducted in compliance with the Napa County Noise Ordinance (Chapter 8.16 of Napa County Code). The proposed project would not result in long-term significant construction noise impacts. Conditions of approval identified below would require construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels.

*CONSTRUCTION NOISE*

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

The proposed project includes a modification to the existing marketing plan in order to increase marketing events. Ultimately, the adjusted marketing plan would accommodate the following:

- o Eight (8) events per year with up to 25 guests per event, not to exceed twelve (12) vehicles for transportation of all guests to and from the winery, per event (average of approximately 2.1 guests per vehicle) to be held between the hours of 6:00 p.m. to 10:00 p.m. with clean-up over by 11:00 p.m.
- o One (1) event per year with up to 50 guests, not to exceed sixteen vehicles for transportation of all guests to and from the winery (average of approximately 3.1 guests per vehicle), to be held between the hours of 6:00 p.m. to 10:00 p.m. with clean-up over by 11:00 p.m.
- o Two (2) wine-trade only events for up to 75 guests, utilizing two (2) buses for transportation of all guests to and from the winery (average of 37.5 guests per bus), no hours specified

The events would take place in the evening hours and would be held on the new covered crush pad area on the north side of the expansion. The largest events, dependent on the number of guests attending, would use either the covered crush pad area or on the paved area between the existing structure and the expansion structure. Outdoor events would occur between the hours of 6:00 p.m. to 10:00 p.m. and, as such, create the potential for permanent increase in intermittent ambient noise. However, amplified sound systems would not be permitted at outdoor events and the following condition of approval stating as much would be included in the permit:

*4.10 AMPLIFIED MUSIC*

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

With the implementation of this condition of approval, and with continuing enforcement of Napa County's Noise Ordinance by the Environmental Health Division and the Napa County Sheriff, as needed, the modification to the existing winery would not result in significant impacts relating to noise.

c. The project site is not located within an airport land use plan or the vicinity of a private airstrip. Therefore, there are no impacts.

Mitigation Measures:

None required.

XIV.	POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a. Seven additional employees are proposed as part of the project for a total of eight employees. The Association of Bay Area Governments' *Projections 2003* figures indicate that the total population of Napa County is projected to increase some 23% by the year 2030 (*Napa County Baseline Data Report*, November 30, 2005). Additionally, the County's *Baseline Data Report* indicates that total housing units currently programmed in county and municipal housing elements exceed ABAG growth projections by approximately 15%. The seven additional employees proposed could result in minor population growth in Napa County. Relative to the County's projected low to moderate growth rate and overall adequate programmed housing supply, such population growth would not rise to a level of environmental significance. In addition, the project would be subject to the County's housing impact mitigation fee, which provides funding to meet local housing needs.

Cumulative impacts related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code Section 65580, the County of Napa must facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community. Similarly, CEQA recognizes the importance of balancing the prevention of environmental damage with the provision of a "decent home and satisfying living environment for every Californian". [See Public Resources Code Section 21000(g)] The 2008 Napa County General Plan sets forth the County's long range plan for meeting regional housing needs, during the present and future housing cycles, while balancing environmental, economic and fiscal factors and community goals. The policies and programs identified in the General Plan Housing Element function, in combination with the County's housing impact mitigation fee, to ensure adequate cumulative volume and diversity of housing. Cumulative impacts on the local and regional population and housing balance would be less than significant.

b. No existing housing or people would be displaced as a result of implementation of the proposed project. Therefore, the project would not displace substantial numbers of existing housing or numbers of people necessitating the construction of replacement housing elsewhere and no impact would occur.

Mitigation Measures:

None required.

XV.	PUBLIC SERVICES. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i)	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- ii) Police protection?
- iii) Schools?
- iv) Parks?
- v) Other public facilities?

Discussion:

a. Public services are currently provided to the project area and the additional demand placed on existing services as a result of the proposed project would be minimal. Fire protection measures would be required as part of the development pursuant to conditions established by the Napa County Fire Marshall and there would be no foreseeable impact to emergency response times with compliance with these conditions of approval. The Fire Department and Engineering Services Division have reviewed the application and recommend approval, as conditioned. School impact fees, which assist local school districts with capacity building measures, would be levied pursuant to building permit submittal. The proposed project would have minimal impact on public parks as no residences are proposed. Impacts to public services would be less than significant.

Mitigation Measures:

None required.

XVI. RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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. The project would not significantly increase use of existing park or recreational facilities based on its limited scope. Impacts would be less than significant.
- b. No recreational facilities are proposed as part of the project. No impact would occur.

Mitigation Measures:

None required.

XVII.	TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The updated CEQA Guidelines Section 15064.3 states that a project's potential environmental impacts should evaluate the generation of vehicle miles traveled (VMT) and that a project's effect on automobile delay and Level of Service (LOS) shall no longer constitute a significant environmental impact. The project applicant submitted a Transportation Demand Management Plan (TDM) prepared by GHD, dated February 21, 2021. Differing from the majority of TDM's prepared for wineries in Napa County, which are based on the number of visitors coming to and from the site, the applicant is basing the TDM on a limitation of vehicles coming to and from the site. Restrictions on the number of vehicles would be incorporated into the operational plan for harvest and non-harvest seasons. The TDM includes three components, including daily and peak hour trip generation, a reservation and reporting plan, and the TDM. In addition, the residence on the secondary property shares a driveway with the winery and trips generated by the residence are included in the TDM.

a/b/c/d. According to the TDM, a comparison of daily and peak hour trip generation for the proposed project was based on the Napa County Trip Generation ratios for winery production, employment, and visitation. Napa County calculates the number of daily trips by using the number of maximum visitation per weekday/weekend day and divides that number by an assumed an auto occupancy of 2.6 persons on weekdays and 2.8 persons on weekends, and then multiplies the resulting vehicles by two trips. The winery, plus the neighboring residence, presently generates 46 peak hour daily trips during the weekdays and 34 peak hour daily trips on weekends (Saturday) during the non-harvest season. During the harvest season, the winery and the residence combined generates 52 daily trips during the weekdays and 51 daily trips on the weekend. The winery generates 16 weekday p.m. peak hour trips and 19 weekend midday peak hour trips.

As noted above, the proposed project bases the trip generation calculations on the number vehicles visiting the site daily. The number of vehicles visiting the site during the non-harvest season would be limited to seven (7) and the number of vehicles visiting the site during the harvest season would be limited to four (4). Based on these limitations, the number of trips generated per weekday would be 39 and ten (10) trips per day on the weekends during the non-harvest season. The proposed project would result in 40 vehicle trips per weekday and 12 vehicle trips per day on the weekends during the harvest season. In order to ensure that the vehicle limitations are maintained, the applicant would be required to prepare a reservation and reporting plan to document daily vehicle trips to and from the winery and winery would not provide tastings during events. Thus, by limiting the number of vehicles accessing the project site, the existing number of vehicle trips to the site have been reduced, ultimately reducing baseline impacts. Therefore, the proposed project would not conflict with a program, plan, ordinance or policy addressing the circulation system, would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b), would not substantially increase hazards due to a geometric design feature or incompatible uses and would not result in inadequate emergency access. Therefore, impacts are less than significant.

d. The proposed project includes an expansion of the existing winery parking area, to include nine parking spaces, one of which would be ADA accessible. Normally, the County standard of 2.6 persons per vehicle during weekdays and 2.8 persons per vehicle during weekends and 1.05 persons per vehicle for employees the minimum parking required for weekend activities would determine the number of parking spaces required for accommodation of vehicles on site. However, given the total of seven vehicle allowed on site at maximum visitation capacity, nine

parking spaces would be adequate to support the project. In addition, tastings will be by appointment, ensuring that the number of vehicles on site at any given time would not exceed the number of spaces provided. Thus, sufficient parking would be available for the project. Impacts are less than significant.

Mitigation Measures:

None 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. A cultural resources study for the project site was prepared in November of 2019 by Tom Origer and Associates. As part of the study, a request was sent to the State of California’s Native American Heritage Commission (NAHC) and to Cortina Rancheria, Middletown Rancheria, the Mishewal-Wappo Tribe of Alexander Valley and the Yocha Dehe Wintun Nation. The NAHC replied via letter dated October 9, 2019, stating that a review of the Sacred Lands File showed that there are no resources in the vicinity of the project area. No other comments were received.

In addition, on May 12, 2021, County staff sent invitations to consult on the proposed project to native American tribes who have a cultural interest in the area and who as of that date had requested invitation for consultations on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No responses were received within 30-days of the tribe’s receipt of the invitations. No impacts would occur.

Mitigation Measures:

None 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?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

a. The project does not require the construction of new or expanded wastewater, storm water drainage electric power, natural gas, or telecommunications facilities. The project site's existing water system was permitted under a California Uniform Food Facilities Law exemption, and thus it will be a requirement that the applicant apply for a Public Water System Permit. Further, the existing water system has demonstrated sufficient capacity to meet both the existing and proposed water demands, so an expansion of the system would not be required.

b. As discussed in Section X, the findings of the Water Availability Analysis completed by Delta Engineering of St. Helena dated May 29, 2020, demonstrate that the project would not substantially deplete local groundwater supplies and would not have a significant impact on groundwater resources. According to the water analysis, the existing groundwater use for the winery is 0.59 ac-ft./yr. The proposed project would result in an anticipated water demand total of 0.91 ac-ft./yr., an increase of 0.32 ac-ft./yr. (35.2 percent increase). As such, the parcel provides sufficient water supplies to support the proposed project.

c. The subject property is served by an onsite waste disposal system for domestic and process waste. With the proposed increase in visitors and increase of 10,000 gallons of wine per year for production, waste disposal would increase. However, as a part of the project, the applicant would install an upgraded waste disposal system to accommodate the increased domestic and process waste. In addition, the project site is not served by a wastewater service provider. As such, the parcel would have adequate capacity to handle the increase in wastewater and would not require evaluation of capacity by a wastewater treatment provider.

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

Discussion:

a/b. The proposed project is located within the state responsibility area and is classified as a “Moderate” fire severity zone. The project would not substantially impair an adopted emergency response plan or emergency evacuation plan because the proposed driveway and circulation improvements would provide adequate access to Old Lawley Toll Road and Highway 29. The project complies with the current California Department of Forestry and California Building Code requirements for fire safety and all applicable fire safe regulations, including appropriate defensive space areas. Therefore, impacts would be less than significant.

c/d. Implementation of the project would include improvements to the access driveway, designed consistent with County standards. Proposed site access was reviewed and approved by the Napa County Fire Department, Engineering Services Division, and Public Works Department, as conditioned.

Mitigation Measures:

None required.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 species including bats, migratory birds, nesting raptors and western pond turtle. The project would also involve removal of 31 trees. Mitigation is proposed for potential biological impacts that would reduce potentially significant impacts to less than significant. As identified in Section V, 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 are or can be mitigated to a less than significant level.

b. The project would have limited 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 minimally increase demands for public

services, traffic and air pollutants, all of which would contribute to cumulative effects when existing and future development in Napa County are considered. Cumulative impacts of this nature are discussed in previous sections of this document. Therefore, potential cumulative impacts would be less than significant.

c. All impacts identified in this document are considered less than significant or less than significant with the incorporation of mitigation measures. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Therefore, impacts would be less than significant.

Mitigation Measures: No additional mitigation measures required.

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