

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

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

1. **Project Title:** Jericho Canyon Vineyard (JCV) Winery Major Modification #P19-00128-MOD and Use Permit Exception to the Conservation Regulations #P21-00351-Con Regs
2. **Property Owner:** Dale and Marla Bleecher; 3292 Old Lawley Toll Road, Calistoga, CA 94515; phone: (707) 942-9665 or email: dale@jerichocanyonvineyard.com or marla@jerichocanyonvineyard.com
3. **County Contact Person, Phone Number and email:** Emily Hedge, Planner III; phone (707) 259-8226 or email: emily.hedge@countyofnapa.org.
4. **Project Location and Assessor's Parcel Number (APN):** The project is located on a 131.05 acre parcel within the AW (Agricultural Watershed) zoning district. The parcel is accessed via a private driveway off of Old Lawley Toll Road approximately 1 mile from the intersection of Old Lawley Toll Road and State Highway 29. Project address: 3320 Old Lawley Toll Road, Calistoga, CA 94515. APN: 017-060-045
5. **Project sponsor's name and address:** Thomas Carey; 433 Soscol Avenue Suite A160 #4, Napa, CA 94559; phone: (707) 479-2856 or email: tcarey.law@gmail.com
6. **General Plan description:** Agriculture, Watershed, and Open Space (AWOS) designation
7. **Zoning:** Agricultural Watershed (AW) district
8. **Background/Project History:**

The 131.05 acre property at 3292 Old Lawley Toll Road is currently developed with several residential and agricultural buildings and a winery building and cave. Approximately 38.5 acres of the property is occupied by vineyards.

January 16, 2002 – Use Permit #00376-UP for Jericho Canyon Vineyards (JCV) was approved by the Planning Commission for a new 20,000 gallon per year winery consisting of a 5,200 s.f. building and 4,100 s.f. of caves. The use permit authorized: daily private tours and tastings for up to 10 visitors per day; hours of operation 8:30 am to 5:00 pm; a marketing plan of four (4) events per year with a maximum of 30 persons held between 11:00 am and 10:00 pm (including event clean up); one (1) full time, one (1) part time, and one (1) seasonal/harvest employee; custom production up to 8,000 gallons by two (2) entities; five (5) parking spaces; and improvements to the existing septic system. Concurrently the applicant submitted an exception request for the driveway width to the Director of Public Works. The request was evaluated and it was determined that the request for the proposed 18 foot wide access road with localized narrowing to 14 feet wide for a length of 50 feet was acceptable and that the driveway design would provide the “same overall and practical effect as the standards”.

December 10, 2002 – Time extension request #02528-X was approved by the Zoning Administrator to extend the expiration date of the Use Permit from January 30, 2003 to January 30, 2004.

June 18, 2003 – Use Permit Modification #03017-MOD was approved administratively to allow the use of the existing residential garage for one year of crush activities while the approved winery was under construction.

September 20, 2003 – Planning staff required the applicant to identify additional parking, beyond those originally shown on the Use Permit plans. Due to the existing development proximity to the creek, space on site for additional parking was limited. The existing gravel area across from the residence was already in use as parking for the existing residential and agricultural uses on site. The applicant worked with staff and Public Works to request recognition and use of the area for residential and agricultural parking. The applicant submitted a request to the Public Works Department requesting an exception to the Road and Street Standards requirement for surfacing of the parking area

in order to limit work occurring in the stream setback. Public Works granted an exception to allow a different surfacing material, as the parking area was determined to provide the same overall and practical effect as the standards, while limiting the required work within the stream setback. The parking spaces were not reviewed under a formal request for an exception to the Conservation Regulations, however, consideration to the stream setback was evaluated during review by Public Works.

August 5, 2004 – Minor Modification #P04-0346-MOD was approved administratively to allow for construction of an approximately 1,960 s.f. cover over the existing the crush pads.

As currently existing, JCV Winery consists of an existing 5,200 square foot building with a covered crush pad, and a 6,715 square foot cave (permitted at 4,100 s.f.). Operational aspects include by appointment tours and tasting of approximately 40 visitors per day, resulting in approximately 280 guests per week and 14,600 guest per year. Visitation levels are currently out of compliance with permitted levels. The winery has an annual marketing plan of four (4) events with up to 30 guests, resulting in 120 guests per year. The winery employs six (6) full-time, one (1) part-time, and two (2) seasonal on-site employees. Employee levels are currently out of compliance with permitted levels.

9. **Description of Project:** Approval for a modification of the previous project approvals (Use Permit #00376-UP and Minor Modification #P04-0346-MOD) for an existing 20,000 gallons per year winery to allow the following:

A. COMPONENTS NECESSARY TO REMEDY EXISTING VIOLATIONS:

- 1) Recognition of days of operation Monday through Sunday. The winery has approval for operations Monday through Saturday;
- 2) Recognition of hours of operation for production activities of 8:00 a.m. to 6:30 p.m. The winery has approval for production activities between 8:30 a.m. to 5:00 p.m.;
- 3) Recognition of six (6) full-time, one (1) part-time, and two (2) seasonal on-site employees. The winery has approval for one (1) full-time, one (1) part-time, and one (1) seasonal on-site employee;
- 4) Recognition of 41 visitors per day and 126 visitors per week. The winery has approval for 10 visitors per day with an average of 15 visitors per week;
- 5) Recognition of approximately 2,600 s.f. of caves. The winery has approval for 4,100 s.f. of caves and constructed 6,715 s.f. of caves; and
- 6) Recognition of the use of approximately 525 s.f. within the existing garage for storage associated with the winery. The winery does not has approval for use of this structure.

B. EXPANSION BEYOND EXISTING ENTITLEMENTS:

Note: Some items included in this section are subject to approval of the Use Permit Exception to the Conservation Regulations (Stream Setbacks) request described below. Applicable items have been noted by an asterisk (*)

- 1) Hours of operation from 8:00 a.m. to 6:30 p.m. (existing conditions requested to be recognized via the County's Code Compliance program) for production activities and 10:00 a.m. to 4:00 p.m. for hospitality activities to 7:00 a.m. to 6:30 p.m. for production activities; 9:00 a.m. to 7:00 p.m. for hospitality employees, and 10:00 a.m. to 6:30 p.m. for visitors;
- 2) Increase employment from six (6) full-time, one (1) part-time, and two (2) seasonal on-site employees (existing conditions requested to be recognized via the County's Code Compliance program) to eight (8) full time, four (4) part-time, and four (4) seasonal employees;
- 3) Phase increase in tours and tastings by appointment only from 41 visitors per day (existing conditions requested to be recognized via the County's Code Compliance program) to Phase 1 levels of 50 visitors per day and a weekly maximum of 350 visitors;
- 4) Phase increase in tours and tastings by appointment only to Phase 2 levels of 90 visitors per day with twelve (12) days of the year allow 120 visitors per day, and a weekly maximum of 500 visitors;
- 5) Increase cave from 6,715 s.f. (existing conditions requested to be recognized via the County's Code Compliance program) to 22,078 s.f. comprised of approximately 19,600 s.f. of production space and 2,500 s.f. of hospitality space;
- 6) Increase production from 20,000 gallons per year to 50,000 gallons per year;
- 7) Modification of the existing Marketing Program consisting of four (4) events per year for up to 30 guests between the hours of 11 a.m. to 10 p.m. including clean up to allow 12 events per year for up to 100 people, between the hours of 11:00 a.m. to 10 p.m. with a one (1) hour quite clean up. Food for events with up to 20 guests may be prepared on site in the commercial kitchen and all larger events will be catered;
- 8) *Conversion of an existing 3,275 s.f. agricultural barn to a hospitality building, including an approximately 500 s.f. commercial kitchen and a 160 s.f. deck on the second floor;
- 9) *On-premises consumption of wine to take place in the approximately 3,700 s.f. existing unimproved outdoor area consisting of picnic tables east of the converted agricultural barn;
- 10) Installation of six new parking stalls for a total of 18 spaces;
- 11) Removal of Use Permit #00376-UP Condition of Approval #1(d) regarding custom crush activity;
- 12) Improvements to the existing water system;

- 13) Improvements to the existing wastewater system;
- 14) *Construction of a bioretention area (approximately 200 s.f.); and
- 15) *Improvements to the existing winery access driveway

The project includes a request for a Use Permit Exception to the Conservation Regulations. The project proposes both recognition and retention of existing improvements and approval of proposed site improvements or entitlements on portions of the property that encroach into required stream setbacks pursuant to Napa County Code (NCC) Section 18.108.025.B as set forth below.

- A. The request includes recognition, retention, and maintenance, in their current configuration and use limitations, the following existing site improvements, or portions thereof, which encroach into the minimum stream setback of 55 feet. Some items included in this section may be subject to additional improvements to expand uses or meet County/State requirements. Applicable items have been noted by an asterisk (*)
- 1) *Recognition of an existing, approximately 3,700 s.f. outdoor area east of the agricultural barn that has historically been used in conjunction with agricultural and residential purposes. The area is proposed to be used for on-premises consumption and hospitality activities which may require physical improvements (see item B1 below);
 - 2) *Recognition and continued use of the existing winery access driveway (see item B2 below);
 - 3) *Recognition and continued use of the existing parking area comprised of 11 parking spaces and logs used as wheel stops (see item B3 below);
 - 4) Recognition of the development footprint of the existing agricultural barn which includes approximately 120 s.f. of the northeast corner located in the setback, extending approximately 15 feet into the setback (barn is proposed to be converted to a winery use);
 - 5) Recognition of a wood retaining wall bordering the existing outdoor area adjacent to the stream; and
 - 6) Recognition of the existing fire suppression infrastructure, including fire hydrants, located adjacent to the existing driveway on the northern and southern side of the existing outdoor area.
- B. The request also includes the following proposed improvements within the stream setback:
- 1) Improvements to the outdoor area to meet California Building Code requirements for accessibility, including earthwork to resurface a portion of the area and installation of a guard rail along the retaining wall. Improvements are required for use of the area for on-premises consumption and hospitality activities;
 - 2) Improvements to the winery access driveway including widening inside the gate, removing a portion of an existing rock wall, and paving an area at the northern edge of the driveway to extend the paved area to allow for a fire truck hammerhead turnaround and staging area at the existing fire hydrant. Improvements are required to meet County RSS;
 - 3) Improvements to the parking area including replacement of the existing log wheel stops and striping of parking spaces. Improvements are required to meet County RSS;
 - 4) Installation of signage along the driveway north of the parking area to denote the remaining driveway as emergency access only. Improvements are required to meet County RSS; and
 - 5) Construction of an approximately 200 s.f. bioretention area located between the existing parking area and the existing outdoor area. Improvements are required to meet County requirements for stormwater management

The project also includes a request for an exception to the Napa County Road and Streets Standards (RSS). The exception proposes a width reduction at the existing driveway gate and two portions of the driveway as described in the letter from Applied Civil Engineering, dated March 27, 2019. The road modification is requested in order to preserve the mature trees and limit disturbance within the stream setback of Jericho Creek. All sections of the private driveway not requesting a road exception will meet the Napa County Road and Street Standards. See exception request for additional detail.

10. Describe the environmental setting and surrounding land uses.

The project site is located on a 131.05-acre parcel northeast of the City of Calistoga. The parcel is accessed via a private driveway off of Old Lawley Toll Road approximately 1 mile from the intersection of Old Lawley Toll Road and State Highway 29. The private driveway is approximately 350 feet long from Old Lawley Toll Road to the winery facility.

The existing development is located in the southern portion of the property on a relatively flat area in a small valley adjacent to Jericho Creek. The creek runs North-South through the property. The property is developed with an existing 5,200 square foot winery building and a 6,715 square foot cave (permitted at 4,100 s.f.). Other winery development includes an access driveway, 19 parking spaces, a water system, and a wastewater system. Non-winery related development on site includes a residence, a farm labor dwelling with a pool, two reservoirs, and a solar array.

Approximately 38.5 acres of vineyards are located on the western side of the property and on the eastern side of the property across Jericho Creek. A reservoir is located within the vineyards, northeast of the winery development. The northern portion of the property is undeveloped, forested land comprised of Oak woodlands and coniferous forests, and contains a reservoir.

The southern property line and the majority of the eastern property line are bordered by Old Lawley Toll Road. Surrounding properties include vineyards, rural residential structures, and undeveloped parcels.

The winery development is located on a relatively flat portion of the property, measuring at approximately 570 feet above sea level. The site drops down to approximately 550 feet in the channel of Jericho Creek. The property rises from the winery area to approximately 630 feet on the western property line, 800 feet along the eastern property line, and up to 1,000 feet above sea level along the northern most property line.

The soils at the location of the caves and winery development are primarily Perkins Gravelly Loam, 5 to 9 percent slopes, with light to moderate runoff. Soils across Jericho Creek are Habright rock-Outcrop complex 30 to 75 percent slopes and Boomer gravelly loam, volcanic bedrock, 14 to 60 percent slopes. The northern portion of the property includes Forward-Kidd complex, 11 to 60 percent slopes. Foundations materials consist of Late Tertiary Assemblages, Andesitic to Basaltic Lava flows. The project parcel was not physically impacted by the 2020 Glass Fire.

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

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.?

On June 30, 2021, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No responses were received.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

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

On the basis of this initial evaluation:

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

Emily Hedge

6/28/22

Signature

Date

Name: Emily Hedge, Planner III
Napa County Planning, Building and Environmental Services Department

I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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/c. Visual resources are those physical features that make up the environment, including landforms, geological features, water, trees and other plants, and elements of the human cultural landscape. A scenic vista, then, would be a publicly accessible vantage point such as a road, park, trail, or scenic overlook from which distant or landscape-scale views of a beautiful or otherwise important assembly of visual resources can be taken in. As generally described in the **Environmental Setting and Surrounding Land Uses** section, above, the area is defined by a mix of the winery development, vineyards, rural residential structures, and forested open space. As currently proposed the physical changes included with the requested modification include the expansion of the existing cave, conversion of the existing agricultural barn to a winery building, construction of a bioretention area south of the existing outdoor area, the demarcation of a total of 18 parking spaces, including the existing gravel area southeast of the agricultural barn, and minor widening of the existing driveway inside the entry gate and at the northernmost end of the driveway.

The existing agricultural barn is located approximately 350 feet onto the site. Visibility of the structure from Old Lawley Toll Road is limited. The design of the winery hospitality building that will replace the existing barn is intended to be similar to and complement the existing winery building. Although some of the parking spaces may be visible from Old Lawley Toll Road, the area is already used for parking for residential and agricultural uses so there will be minimal visible change to this area of the property. The improvement to the driveway inside the gate includes resurfacing, which is minimal and will not significantly alter the site. The widening of the driveway on the northern end will not be visible from the roadway due to the existing vegetation and development on site. The project does not include any new construction or other physical modifications that would be visible from Old Lawley Toll Road or surrounding roads. The project will not have a substantial adverse effect on a scenic vista or substantially degrade the existing visual character or quality of public views of the site and its surroundings. Impacts are expected to be less than significant.

b. Due to the age of the agricultural barn it was evaluated for potential historic status. An Historic Resource Survey, dated March 3, 2017, was prepared by Artisan-Architecture. The study consisted of a field study, conducted on February 21, 2017, and background research on the history of the property and overall historical context of that area of the county. Based on the site visit and research, the report concludes that the structure does not qualify as a historic resource under CEQA. No trees, rock outcroppings or designated historic buildings would be damaged as a result of the proposed project, nor is any of the construction that will be associated with the project within a state scenic highway. No impacts would occur.

d. The project intends to make modifications to the winery operations by increasing the number of by appointment tours and tastings, marketing events, and full-time/part-time employment, and extending hours of operation. The expansion of marketing events could result in an increase in the amount of time existing sources of light are functioning during nighttime hours, however, this increase would be temporary in nature and only occurring during marketing events which are proposed for 12 times a year. Marketing events would be held between 11:00 a.m. and 10:00 p.m. with a one hour quiet clean up. No new lighting is proposed with the physical improvements to the cave or parking area. As currently proposed, the conversion of the existing agricultural barn to a hospitality building does not show any new lighting. In the event that additional permanent outdoor lighting is installed, pursuant to standard Napa County conditions of approval for wineries, outdoor lighting would be required to be shielded and directed downwards, with only low level lighting allowed in parking areas. As subject to the standard conditions of approval, below, the project would not have a significant impact resulting from new sources of outside lighting. Impacts are expected to 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 are required.

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

Discussion:

a/b/e. The 131.05-acre project site includes approximately 38.5 acres of vineyards on the property. The area comprising the winery

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

development is designated as “Other Land”, while the vineyards directly west of the winery development are designated as “Prime Farmland” and the vineyards to the east of the winery are designated “Unique Farmland” by the Napa County Important Farmland Map of 2016 prepared by the California Department of Conservation District, Division of Land Resource Protection, pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency. All physical improvements would take place within the existing developed areas or an underground expansion to the existing cave. The project would not impact any of the parcel’s agricultural land. General Plan Agriculture Preservation and Land Use policies AG/LU-2 and AG/LU-13 recognize wineries, and any use consistent with the Winery Definition Ordinance and clearly accessory to a winery, as agriculture. Therefore, the proposed project would not conflict with existing zoning for agricultural uses. There is no existing agricultural contract on the property. There are no other changes included in this proposal that would result in the conversion of Farmland. As a result, the proposed project would not result in the conversion of special status farmland to a non-agricultural use. No impacts would occur.

c/d. According to the Napa County Environmental resource maps (based on the following GIS layers – Sensitive Biotic Vegetation: Aquatic, Chaparral/Scrub, Coniferous, Grassland, Oak Woodland, and Riparian Woodland Forest) the project site contains sensitive biotic communities including Riparian Woodlands, Oak Woodlands, and Coniferous forest. All physical improvements take place within the existing developed area, areas that have already been disturbed from their natural state, or as an underground expansion to the existing cave. These improvements are not within areas that would cause a conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production, nor would it result in the loss or, or conversion of, forest land to a non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits. No impacts would occur.

Mitigation Measures: None are required.

III.	AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

In view of the Supreme Court’s opinion, local agencies may rely on Thresholds designed to reflect the impact of locating development near areas of toxic air contamination where such an analysis is required by CEQA or where the agency has determined that such an analysis would assist in

making a decision about the project. However, the Thresholds are not mandatory and agencies should apply them only after determining that they reflect an appropriate measure of a project's impacts. These Guidelines may inform environmental review for development projects in the Bay Area, but do not commit local governments or BAAQMD to any specific course of regulatory action.

BAAQMD published a new version of the Guidelines dated May 2017, which includes revisions made to address the Supreme Court's opinion. The May 2017 Guidelines update does not address outdated references, links, analytical methodologies or other technical information that may be in the Guidelines or Thresholds Justification Report. The Air District is currently working to revise any outdated information in the Guidelines as part of its update to the CEQA Guidelines and thresholds of significance.

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

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

The impacts associated with implementation of the project were evaluated consistent with guidance provided by BAAQMD. Ambient air quality standards have been established by state and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants emitted by development, traffic and other activities anticipated under the proposed development include ozone, ozone precursors oxides of nitrogen and reactive organic gases (NO_x and ROG), carbon monoxide (CO), nitrogen dioxide (NO₂), and suspended particulate matter (PM₁₀ and PM_{2.5}). 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 entire project, which is approximately 8,200 square feet of enclosed floor area, consisting of 3,029 square feet of space dedicated to production uses and 5,185 square feet of floor space dedicated to hospitality uses, and a 22,075 square foot cave comprised of 19,625 square feet of space dedicated to production uses and 2,450 square feet of floor space dedicated to 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 NO_x (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 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 construction activities related to the cave expansion. Construction emissions would have a temporary effect; consisting mainly of dust during construction activities, exhaust emissions from construction related equipment and vehicles, and relatively minor emissions from paints and other coatings. The Air District recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to these relevant

best management practices identified by the Air District and the County's standard conditions of project approval, construction-related impacts are considered less than significant:

7.1 SITE IMPROVEMENTS

c. AIR QUALITY

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

1. *Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.*
2. *Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.*
3. *Cover all haul trucks transporting soil, sand, or other loose material off-site.*
4. *Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
5. *All vehicle speeds on unpaved roads shall be limited to 15 mph.*
6. *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
7. *Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.*
8. *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perfact_04-16-15.pdf 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 physical improvements and operational changes would not significantly increase odors associated with the winery. Construction-phase pollutants would be reduced to a less than significant level by the above-noted standard condition of approval. The project would not create pollutant concentrations or objectionable odors affecting a substantial number of people. Impacts would be less than significant.

Mitigation Measures: None are required.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

- | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The existing winery and residential development is located in the southern portion of the property on a relatively flat area in a small valley on the western side of Jericho Creek, which runs North-South through the property. Approximately 38.5 acres of vineyards are located on the western side of the property and on the eastern side of the property across Jericho Creek. A reservoir is located within the vineyards, northeast of the winery development. The northern portion of the property is undeveloped, forested land comprised of Oak woodlands and coniferous forests, and contains a second reservoir. The southern property line and the majority of the eastern property line are bordered by Old Lawley Toll Road.

a/b. According to the Napa County Environmental resource maps (based on the following GIS layers – Sensitive Biotic Vegetation: Aquatic, Chaparral/Scrub, Coniferous, Grassland, Oak Woodland, and Riparian Woodland Forest) the property contains sensitive biotic communities including Riparian Woodlands, Oak Woodlands, and Coniferous forest. In the project area, Jericho Creek contains riparian woodlands. As discussed above, portions of the existing development and proposed improvements are within the stream setback or directly adjacent to the creek. However, all physical improvements take place within the existing developed area, areas that have already been disturbed from their natural state, or as an underground expansion to the existing cave and do not necessitate removal of trees or other vegetation within or adjacent to the creek.

According to the Napa County Environmental resource maps (based on the following GIS layer – Natural Diversity Database (CNDDDB)) the project site is within a boundary for pallid bats. As noted above, new construction is limited to cave expansion and improvements to existing structures and facilities and disturbed areas on site. The winery has been in continual use since operations began in 2006 and the residential and agricultural uses were in place when the owners purchased the property in 1989. Bat species are known to inhabit old trees and structures no longer in use. Due to the continual use of the residential and winery uses on the site, it is unlikely that bat species would utilize the existing structures or onsite vegetation as habitat. The project does not include any building demolition or tree removal that could impact potential sensitive species.

Construction of a bioretention area is required to meet County requirements for stormwater management. The proposed location for the bioretention area would be constructed in between the outdoor area and the parking lot, on a portion of the property disturbed from its natural state. The bioretention area would manage runoff generated as a result of the converted barn and physical improvements to the outdoor area.

Based on the limited site improvements and minor modifications to winery operations it is unlikely that the proposed project would have a substantial adverse effect on any candidate, sensitive or special status species, or that it would have a substantial adverse effect on riparian habitat or sensitive natural communities. Impacts would be less than significant.

c. According to the Napa County Environmental resource maps (based on the following GIS layer – Wetlands), Jericho Creek and the northern reservoir are identified as a wetland. Physical improvements in areas surrounding the creek are limited and necessary to meet County access, safety, and water quality requirements. The project does not propose work in the creek. The project will not have a

substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

- d. All proposed improvements would occur on, or adjacent to, previously disturbed areas of the property. Therefore, project activities would not interfere with the movement of any native resident or migratory fish or wildlife species or with their corridors or nursery sites. No impacts would occur.
- e. The Napa County Conservation Regulations (Napa County Code chapter 18.108) establishes a 55-foot setback from the top-of-bank of Jericho Canyon Creek, based on the associated topography of between 5 and 15 percent slopes. Jericho Creek is directly adjacent to the existing winery and residential development. Based on information provided by the property owner and review of aerials, the existing agricultural barn, gravel area used for parking, semi-permeable outdoor area, and wooden buttress and railing along the top of bank of the creek appear to have been developed and constructed prior to the adoption of the Conservation Regulations. The winery building and cave, approved in 2002, are outside of the stream setback. The project includes a request for a Use Permit Exception to the Conservation Regulations in order to recognize some of the existing development and permit proposed improvements within the 55-foot setback.

Project components located within the creek setback include the following: improvements to the surface material of the existing outdoor area, improvements to the winery access driveway including removing a portion of an existing rock wall for compliance with County RSS, and construction of an approximately 200 s.f. bioretention area located between the existing parking area and the existing outdoor area. No physical improvements are proposed in the existing outdoor area, which currently includes picnic tables, and consists of compacted dirt, grass, and woodchips. However improvements to the area may be necessary to meet California Building Code requirements for accessibility. Future improvements should utilize pervious materials, limiting physical impacts to the area. Any additional improvements beyond what is proposed herein would require the processing of another Conservation Regulation Exception. The driveway improvements are proposed to comply with the RSS and are the recommended by the Fire Marshal's Office and Engineering Division. The bioretention area would provide treatment to water runoff from the winery buildings and outdoor area before it reaches the creek, providing a benefit to on-site water quality. The converted barn structure, which has approximately 120 s.f. of the northeastern corner within the setback, would stay within the footprint of the existing building and would not encroach any closer into the stream setback. All of the development in areas within the stream setback would take place on areas originally developed for the residential and agricultural uses on the property. No tree removal is required within the stream setback. New construction is limited to an underground expansion of the cave, which is located on the western side of the existing winery building and is not within the creek setback. Improvements to the existing wastewater system would take place on existing developed areas or within vineyard blocks. Proposed improvements within the setback are the minimum necessary to comply with state and county codes related to accessibility, fire safety, access, and water quality. Impacts would be less than significant.

- f. The site is not subject to any adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans. No impacts would occur.

Mitigation Measures: None are required.

V. CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a/b. According to Napa County Environmental Resource maps (based on the following GIS layers – Historic sites and Historic Sites – Lines) there are no known historically sensitive sites or structures on the parcel. Due to the age of the agricultural barn it was evaluated for potential historic status. An Historic Resource Survey, dated March 3, 2017, was prepared by Artisan-Architecture. The study consisted

of a field study, conducted on February 21, 2017, and background research on the history of the property and overall historical context of that area of the county. Based on the parcel research, the barn is anticipated to have been constructed after 1919. The interior of the barn is divided into horse stalls, currently used as storage space, a fortification room, an open equipment shed, and a hay rack. Based on the site visit and research, the report concludes that the structure does not qualify as a historic resource under CEQA.

According to Napa County Environmental Resource maps (based on the following GIS layers – Arch sensitive areas, Arch sites, Arch Surveys) there are no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features on the project parcel. 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. Impacts are anticipated to be less than significant.

7.2 ARCHEOLOGICAL FINDING

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

If human remains are encountered during 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, no information has been encountered that would indicate that this project would encounter human remains. If human remains are encountered during project development, construction of the project is required to cease, and the requirements of Condition of Approval 7.2, listed above, would apply. No impacts would occur.

Mitigation Measures: None are required.

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

Discussion:

- a. The proposed project would comply with Title 24 energy use requirements and would not result in significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation. There is an existing solar array on the property near the southern reservoir, which serves the residential and winery uses on the property. Impacts would be less than significant.
- b. The proposed project would not conflict with the provisions of a state or local plan for renewable energy or energy efficiency because there are no plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None are required.

VII.	GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) Be located on expansive soil creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a.

- i.) There are no known faults that run beneath the project site on the most recent Alquist-Priolo Earthquake Fault Zoning Map. The closest known fault is approximately 0.65 miles to the southeast of the project site. As such, the proposed project would result in a less than significant impact with regards to rupturing of a known fault. Impacts would be less than significant.
- ii.) All areas of the Bay Area are subject to strong seismic ground shaking. Code and standards related to the construction of the cave, improvements to the agricultural barn, and roadway improvements would reduce the potential impacts to a less than significant level in relation to seismic ground shaking.
- iii.) According to Napa County Environmental Resource maps (based on the following GIS layer – Liquefaction) the parcel is located in an area with a Very Low susceptibility for liquefaction. No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Condor Earth prepared A Geologic Assessment and Preliminary Recommendations for the proposed 15,360 square foot winery cave addition, dated March 22, 2019, including a discussion of the site geology based on literature review, site reconnaissance, and the experience in the project vicinity. Preliminary recommendations consider the proposed cave expansion feasible from a geologic and tunnel engineering point of view. The agricultural barn conversion will be completed in compliance with the latest edition of the California Building Code for seismic stability. Segments of the driveway planned for expansion will be built to existing standards which will further reduce the potential

along the roadway for adverse effects due to liquefaction. Impacts would be less than significant.

- iv.) According to the Napa County Environmental Resource Maps (Landslides line, polygon, and geology layers) there are areas on the east side of Jericho Creek which may be landslide deposits. There is also one area on the east side of Jericho Creek, to the north of the winery, shown as a large landslide deposit. The existing winery development sits on a relatively flat portion of the site on the western side of the creek. There are no know landslides in this area. The hillside along the western side of the development is planted with vineyards. The assessment prepared by Condor Earth notes that the staff did not observe topographic features suggesting prior landslide activity at the wine cave or portal locations during site reconnaissance. Impacts are expected to be less than significant.
- b. The project proposes an insignificant amount of ground disturbing activities. Construction and improvements are located in areas already developed by the winery, residential structures, historic agricultural activities, vineyard, and parking. The potential amount of top soil associated with the driveway improvement (Civil plans estimate 100 cubic yards) would not be substantial and is only being completed to bring roadways into compliance with the existing RSS. Approximately 13,400 cubic yards of soil would result from the cave construction. The spoils would be spread on site within vineyard rows or removed to an approved site. Impacts would be less than significant.
- c/d. According to the Napa County Environmental Resource Maps (based on the following layers - Geology, Surficial deposits, Soil Types, Geologic Units), the soils at the location of the caves and winery development are primarily Perkins Gravelly Loam, 5 to 9 percent slopes, with light to moderate runoff. Soils across Jericho Creek are Habright rock-Outcrop complex 30 to 75 percent slopes and Boomer gravelly loam, volcanic bedrock, 14 to 60 percent slopes. The northern portion of the property includes Forward-Kidd complex, 11 to 60 percent slopes. Geologic units associated with the winery area include Pre-Quaternary deposits and bedrock from the Tertiary era. The project site is in an area with a very Low susceptibility for liquefaction. As discussed above the Geologic Assessment and Preliminary Recommendations prepared by Condor Earth considered the proposed cave expansion feasible from a geologic and tunnel engineering point of view. The conversion of the agricultural barn and other site improvements would take place on areas already disturbed or developed. The project is not proposed on an unstable geologic unit or soil that would become unstable or would create direct or indirect risks to life or property. Impacts are expected to be less than significant.
- e. The project would not violate any water quality standards or waste discharge requirements. According to the Onsite Wastewater Disposal Feasibility Study prepared by Applied Engineering, March 27, 2019, the proposed wastewater flows associated with the proposed project exceed the design capacity of the current system, therefore the system will need to be expanded or modified. The study provides multiple options for improving the system, including expanding the existing leach lines or separating the process and domestic waste streams. Plans demonstrating the feasibility of these options have been provided. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the selected design and plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Impacts would be less than significant.
- f. No paleontological resources or unique geological features have been identified on the property or were encountered on the property when the existing building and cave were constructed or when the vines were planted. The project as proposed would require minimal earth disturbing activities and construction is unlikely to uncover paleontological or unique geological features. Impacts would be less than significant.

Mitigation Measures: None are required.

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

Discussion:

On April 20, 2022, the Bay Area Air Quality Management District (BAAQMD) adopted new recommended thresholds for determining the significance of individual projects' greenhouse gas impacts under CEQA. Under the new thresholds, proposed land use projects may be analyzed for consistency with a qualified greenhouse gas (GHG) reduction strategy in the event one has been adopted. To date, Napa County has not adopted a qualified GHG reduction strategy pursuant to CEQA Guidelines section 15183.5. Absent an adopted strategy, BAAQMD recommends that a land use project must include specified minimum design elements to ensure that the project is contributing its "fair share" toward achieving the state's key climate goal of carbon neutrality by 2045. Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAQMD recommended minimum design elements.

- 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. 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.

Consistent with the 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. 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). For the purposes of this analysis potential GHG emissions associated with winery 'construction' and 'development' and with 'ongoing' winery operations have been discussed.

Greenhouse gas (GHG) emissions from construction represent a very small portion of a project's lifetime GHG emissions. The BAAQMD recommended thresholds do not include a construction-related climate impact threshold at this time. 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). The physical improvements associated with this project includes the 15,360 square foot cave expansion, conversion of the agricultural barn to a winery building, construction of an approximately 200 s.f. bioretention area, and some width expansion of the driveway. As discussed in Section III. Air Quality, construction emissions would have a temporary effect and BAAQMD recommends incorporating feasible control measures as a means of addressing construction impacts. If the proposed project adheres to relevant best management practices identified by the BAAQMD and the County's standard conditions of project approval, construction-related impacts are considered less than significant. See Section III. Air Quality for additional information.

The BAAQMD proposed thresholds for land use projects are designed to address "Operational" GHG emissions which represent the vast majority of project GHG emissions. Operational emissions associated with a winery generally 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).

As noted above, Napa County has not adopted a qualified GHG reduction strategy or an air quality plan, therefore projects will be evaluated per the BAAQMD recommended minimum design elements.

Specifically for buildings, the project must not:

- Include natural gas appliances or natural gas plumbing (in both residential and nonresidential development); and
- Result in any wasteful, inefficient, or unnecessary electrical usage as determined by the analysis required under CEQA section 21100(b)(3) and CEQA Guidelines section 15126.2(b).

The project will be required, through conditions of project approval, to prohibit the use of natural gas appliances or plumbing. Additionally, at the time of construction the project will be required to comply with the California Building Code, which is currently being updated to include regulations to assist in the reduction of air quality impacts associated with construction, such as prohibiting natural gas appliance and plumbing. The project has a solar array which will provide energy to the project development. The new construction will be required to install energy efficient fixtures complying with CA building code Title 24 standards. See section VI. Energy for additional information on energy usage.

Specifically for transportation, the project must:

- Achieve compliance with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2, and
- Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target reflecting

the following recommendations:

- Residential projects: 15 percent below the existing VMT per capita;
- Office projects: 15 percent below the existing VMT per employee; or
- Retail projects: no net increase in existing VMT.

The project will be required to comply with the recently adopted version of CALGreen Tier 2. Project approval will include a condition of approval to ensure this is reviewed and implemented at the time of construction through adherence to the California Building Code.

As discussed in section XVII. Transportation the County maintains a TIS Guidelines that include VMT analysis requirements for projects based on trip generation. The project trip generation numbers are below the County threshold for requiring a VMT analysis and is therefore presumed to have a less than significant impact for VMT. The project TIS, prepared by GHD, dated December 2020, includes the applicant's proposal for a Traffic Demand Management (TDM) Plan with the intent of reducing vehicle miles traveled. See section XVII. Transportation for additional detail.

Additionally, the applicant already implements the following greenhouse gas reduction methods at the winery: generation of onsite renewable energy (onsite solar array), vehicle miles traveled reduction plan, low-impact development, water efficient landscaping, recycling, and use of the cave for natural heating/cooling. New development resulting from this project will utilize energy conserving lighting and water efficient fixtures. A condition of approval will be included to require implementation of the checked Voluntary Best Management Practices Measures submitted with the project application. For these reasons, project impacts related to GHG emissions are considered less than significant.

If the proposed project adheres to these relevant design standards identified by BAAQMD, the requirements of the California Building code, and the County's conditions of project approval, impacts are considered less than significant.

Mitigation Measures: None are required.

IX.	HAZARDS AND HAZARDOUS MATERIALS. Would the project	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires?

Discussion:

- a. The proposed project would not involve the transport of hazardous materials other than those small amounts utilized in typical winery operations. Impacts would be less than significant.
- b. Hazardous materials such as diesel and maintenance fluids would potentially 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 an existing winery that would not be expected to use any substantial quantities of hazardous materials. The operation changes are not anticipated to significantly increase the quantities. Therefore, it would not be reasonably foreseeable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environments. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the existing winery buildings. The nearest schools are elementary, junior and senior high schools in the city of Calistoga, all of which are over 2 miles southeast of the site. No impacts would occur.
- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.
- e. No impact would occur as the project site is not located within an airport land use plan.
- f. The Napa County Emergency Operations Plan (EOP) outlines procedures, including establishing leadership roles and responsibilities of various agency staff, that guide local preparedness, response, recovery and resource management efforts associated with occurrence of a natural disaster, significant emergency, or other threat to public safety. The project would not result in closure or permanent obstruction of adjacent public rights-of-way. No component of the implementation of the EOP would otherwise be impaired by the proposed modifications to the use permit.

Planned improvements to the driveway have been reviewed by the County Fire Department and Engineering Services Division and found acceptable, as conditioned. Planned improvements must be completed prior to implementation of the proposed operational changes to employment, visitation, and the marketing program. The proposed winery would not obstruct an emergency response or evacuation plan. Impacts would be less than significant.

- g. The existing development is located in the southern portion of the property on a relatively flat area in a small valley adjacent to Jericho Creek. Approximately 38.5 acres of vineyards are located on the western side of the property surrounding the winery and residential development and on the eastern side of the property across Jericho Creek. A reservoir is located within the vineyards, approximately 750 feet northeast of the winery development. The southern portion of the property, including the existing winery and residential development and the vineyards and designated with a Moderate fire hazard severity. The northern portion of the property is undeveloped, forested land comprised of Oak woodlands and coniferous forests. A reservoir is located in this area, approximately 1,000 feet north of the winery building. The northern portion of the property is designated with a Very High fire hazard severity. Although the 2020 Glass Fire burned development very near the property, no physical damage was sustained.

The approximately one mile segment of Old Lawley Toll Road from State Route 29 to the Jericho Canyon Vineyard project driveway is primarily a paved road. Measurements of roadway width indicate the roadway varies from 16-18 feet throughout this segment. This portion of the road has minimal turns until the project driveway. The road is within a small valley containing residential development, some vineyards, and forested hillsides. However, there are pull-out areas along the roadway that allow motorists to yield to oncoming traffic (if necessary).

The proposed project increases visitation for by appointment tours and tastings, marketing events, and employees which will increase the total number of visitors and guests who visit the project on an annual basis and employees on site throughout the year. This change exposes a larger amount of people to an area that has shown it can be impacted by wildfire. The proposed physical improvements and operational changes do not increase the potential for significant loss, injury or death due to wild-land fires.

Furthermore, the proposed project complies with State's current Fire Safe Regulations, which are currently under review and revision by the Board of Forestry through their rulemaking process. Given the Fire Safe Regulations have yet to be adopted, the current version is in effect and applied to the project. However, once adopted future changes in winery operation would be subject to those rules in place at the time of application. Impacts of the project would be less than significant.

Mitigation Measures: None are required.

X.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:				
	i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

On 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 June 8, 2021, 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.

In March 2022, Governor Newsom enacted Executive Order N-7-22, which requires prior to approval of a new groundwater well in a basin subject to the Sustainable Groundwater Management Act and that is classified as medium- or high-priority, obtaining written verification from the GSA (Groundwater Sustainability Agency) managing the basin that groundwater extraction would not be inconsistent with any sustainable groundwater management program established in any applicable GSP (Groundwater Sustainability Plan) and would not decrease the likelihood of achieving sustainability goals for the basin covered by a GSP, or that it is determined first that extraction of groundwater from the new/proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure. On June 7, 2022, the Napa County Board of Supervisors provided direction regarding interim procedures

to implement Executive Order N-7-22 for issuance of new well permits during the declared drought emergency. Because the Board's interim procedures and the Executive Order N-7-22 apply to issuance of new well permits only and the project relies on an existing well, the project is not subject to the EO or the Board's interim procedures.

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. 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 (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, provided a definition, explained the shared responsibility for Groundwater Sustainability and the important role monitoring as a means to achieving groundwater sustainability.

Thresholds for water use have been established by the Napa County Department of Public Works, using reports by the United States Geological Survey (USGS), the GRAC recommendations, and the LSCE reports. 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 and LSCE. The County has concluded that the annual one acre-foot of water per parcel acre criteria on the Valley Floor has proven to be both scientifically and operationally adequate. Any project that reduces water usage or any water usage that is at or below the established threshold is assumed not to have a significant effect on groundwater levels.

The project area is categorized as "all other areas" based upon current County Water Availability Analysis (WAA) policies and therefore water use criteria is parcel specific based upon a Tier 2 analysis. A Tier 2 WAA, dated March 26, 2019, was prepared by Condor Earth, to determine the estimated water use of the existing development, the proposed project, and on-site water availability. As detailed in section (b) below, the analysis concluded that the project demand is less than the annual recharge rate and meets the minimum water recharge use criterion.

- a. The project would not violate any water quality standards or waste discharge requirements. According to the Onsite Wastewater Disposal Feasibility Study prepared by Applied Engineering, March 27, 2019, the proposed wastewater flows associated with the proposed project exceed the design capacity of the current system, therefore the system will need to be expanded or modified. The study provides multiple options for improving the system, including expanding the existing leach lines or separating the process and domestic waste streams. Plans demonstrating the feasibility of these options have been provided. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the selected design and plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Impacts would be less than significant.
- b. Given the location of the project as "all other areas" based on County WAA Guideline policies and the immediate hydrogeological conditions of the project's recharge area, a WAA, dated March 26, 2019, was prepared by Condor Earth. The analysis includes a project specific analysis of groundwater recharge (Tier 1), an analysis of the potential for well interference at neighboring wells located within 500 feet and springs within 1,500 feet of the project well (Tier 2), and consideration of potential interference with surface water (Tier 3).

There are two (2) reservoirs on the property. The reservoir located approximately 1,000 feet north of the winery development is used for vineyard irrigation. There are four (4) wells on the property. Wells #1 and #2 serve existing winery and domestic use, Well #3 is not in use, and Well #4 is considered the Project Well.

Existing water uses on the property include a residence, farm labor dwelling, 38.5 acres of vineyards, landscaping, and the winery. Vineyard irrigation is provided by the existing reservoir, therefore it is not included in the total calculation for groundwater demand using project wells. The estimated water use, prepared by Applied Civil Engineering (updated June 2022), estimated the total existing water usage based on the permitted entitlements to be 2.4 Acre-feet per year (af/yr). Components of the existing violations include additional visitation and employees beyond the permitted entitlements, therefore current water usage at the winery would exceed the levels included in the report as "Existing". However the applicant has incorporated design measures to reduce the total water use on site to below the permitted levels.

The total proposed water usage on site (utilizing the wells) is anticipated to decrease from 2.4 af/yr to 2.3 af/yr. The project represents a decrease of 0.1 acre-foot per year. The reduction is primarily due to the proposed use of treated process wastewater for landscape irrigation. The winery will maintain its domestic and process water use at or below 2.3 af/yr by implementing the following which will be incorporated as conditions of approval on the project:

- Track and monitor winery water use;
- Develop written standard operating procedures (SOPs) for cleaning and sanitation activities;
- Train production staff in implementation of SOPs;

- Evaluate SOPs annually;
- Implement employee education, training, and incentives around water use;
- Ensure that employees have the right tools to save water - timers on hoses, spray nozzles, brooms, and squeegees;
- Implement low flow tank washing;
- Implement low flow/high pressure barrel washing system;
- Regularly inspect water system and fix leaks; investigate alternative;
- Material if leaks continue (e.g., hoses, nozzles, etc.);
- Reuse water for barrel washing, tank washing, landscape irrigation and vineyard irrigation; and
- Install low-flow domestic water fixtures

Additional water reduction measures would result from changes to the residential consumption through the use of low-flow domestic water fixtures, drought-tolerant plants, low flow and low evaporation watering practices (drip hoses, nighttime watering), and use of treated process wastewater for irrigation. The table below details each source of existing and proposed groundwater use.

Usage Type	Permitted Entitlements [Acre-AF/YR]	Proposed Usage [Acre-AF/YR]
Residential Water		
Primary Residence	0.75	0.5
Pool	0.1	0.1
Secondary Residence-Farm Labor	0.2	0.2
Winery		
Process	0.430	1.075
Employees	0.034	0.269
Daily Visitors	0.034	0.127
Events	0.005	0.055
Event Staff	0.001	0.006
Irrigation Water Use		
Lawn *Estimated use remains the same. Irrigation will use winery treated process waste water.	0.32	*0
Other Landscape *Estimated use remains the same. Irrigation will use winery treated process waste water.	0.5	*0
Vineyard Irrigation (38.5 +/- acres) *Vineyard irrigation is provided by the existing reservoir, therefore it is not included in the total calculation for water demand on the project wells.	*0	*0
Total Water Demand on Wells	2.4 AF/YR	2.3 AF/YR

To estimate the average and dry year annual recharge occurring on the project parcel, Condor used climate data from PRISM Climate Group covering a 31-year record (1988 to 2018). Condor used a water year of October 1 to September 30. Normal (average year) annual rainfall was noted as 33.9 inches. Condor used the water year with the least precipitation in the dataset to represent a “dry” year. Dry year annual rainfall was noted as 7.1 inches. Based on the 131.5 acre parcel size, the total volume of precipitation is 370 acre feet (AF) in a normal year and 77 AF in a dry year. Condor used a groundwater recharge estimate ratio of 10 percent, based on the geological material of the site, land use, and topographic slope conditions, described as hard rock aquifers in the valley of sloped terrain. This yields 37 AF in a normal year and 7.7 AF in a dry year. Compared to the total proposed water use of 2.3 acre feet, the parcel will have sufficient recharge in a normal and dry year. Condor concludes that the project demand does not approach the annual recharge and meets the minimum water recharge use criterion.

In order to conduct a Tier 2 well and spring setback analysis, Condor performed a public records search for wells within the 500-foot well interference radius and the 1,500-foot spring interference radius around the property’s wells, as included in the WAA Guidance

document. No wells were identified within 500 feet of the project Well #4, or Wells #1 and #2, therefore no well interference is anticipated. No springs were identified within 1,500 feet of the Project Well #4.

In regards to a Tier 3 analysis, Condor opined that although the project well is located approximately 190 feet from Jericho Canyon Creek, and therefore within the Tier 3 setbacks for "very low capacity pumping rates (i.e. less than 10 gallons per minute [gpm]), as described in the WAA Guidelines, the project demand is less than 2.5 gpm as an annual average and is unlikely to cause a measureable difference in surface flows. The applicant has also incorporated design measures to reduce the total water use on site to below the entitled levels. This is a reduction from current operating levels. Based on an overall reduction in total groundwater use, further Tier 3 analysis is not required.

The findings of the Water Availability Analysis demonstrate that the project would not substantially deplete local groundwater supplies and would not have a significant impact on groundwater resources in a normal or dry year, and that the project wells will not interfere with surrounding wells or springs. There is no existing evidence that the project well will impact Jericho Canyon Creek.

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

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

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

The proposed project would result in a decrease in existing groundwater use, remaining below the recharge area's water allotment, 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 and the County is not aware of, nor has it received any reports of groundwater deficiencies in the area. The proposed groundwater uses would not result in a significant impact.

The project will include the County's project specific Condition of Approval setting a limitation on groundwater use for the parcel to 2.3 AF/YR and requiring well monitoring, as well as, the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use.

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- a. Groundwater Management - The parcel shall be limited to 2.3 acre-feet of groundwater per year for all water consuming activities (utilizing wells) on the parcel. A Groundwater Demand Management Program shall be developed and implemented for the property as outlined in COA 6.15(a) below.

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

¹ Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or

erroneous information do not constitute substantial evidence.

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

a. Groundwater Demand Management Program

1. The permittee shall install a meter on each well serving the parcel. Each meter shall be placed in a location that will allow for the measurement of all groundwater used on the project parcel. Prior to the issuance of a grading or building permit for the winery or expanding any operations as approved under this modification, the permittee shall submit for review and approval by the PBES Director a groundwater demand management plan which includes a plan for the location and the configuration of the installation of a meter on all wells serving the parcel.
2. The Plan shall identify how best available technology and best management water conservation practices will be applied throughout the parcel.
3. The Plan shall identify how best management water conservation practices will be applied where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.
4. As a groundwater consuming activity already exists on the property, meter installation and monitoring shall begin immediately and the first monitoring report is due to the County within 120 days of approval of this modification.
5. For the first twelve months of operation under this permit, the permittee shall read the meters at the beginning of each month and provide the data to the PBES Director monthly. If the water usage on the property exceeds, or is on track to exceed, 2.3 acre-feet per year, or if the permittee fails to report, additional reviews and analysis and/or a corrective action program at the permittee's expense shall be required and shall be submitted to the PBES Director for review and action.
6. The permittee's wells shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.
7. At the completion of the reporting period per 6.15(a)(5) above, and so long as the water usage is within the maximum acre-feet per year as specified above, the permittee may begin the following meter reading schedule:
 - i. On or near the first day of each month the permittee shall read the water meter, and provide the data to the PBES Director during the first weeks of April and October. The PBES Director, or the Director's designated representative, has the right to access and verify the operation and readings of the meters during regular business hours.

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY

- a. All required meters shall be installed and all groundwater usage monitoring required in COA 4.20(a) and 6.15(a) above shall commence prior to final occupancy.
- 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 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 proposed project would implement standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into the project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.
- d. The site lies outside the boundaries of the 100 and 500 year flood hazard boundaries. The parcel is not located in an area that is subject to inundation by tsunamis, seiches, or mudflows. No impacts would occur.
- e. The proposed project would not conflict with a water quality control plan or sustainable groundwater management plan because there are no such plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None are required.

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

Discussion:

- a. The proposed project would not change the existing residential and agricultural land uses of the property, which are consistent with the single-family houses and vineyards developed on properties proximate to the site. The proposed project would not introduce a non-agricultural use, nor any new, non-winery development to the property. The proposed project would integrate with the property's surroundings and would not physically divide an established community. The project would have no impact.
- b. The subject parcel is located in the AW (Agricultural Watershed) zoning district, which allows wineries and uses accessory to wineries subject to use permit approval. The County has adopted the Winery Definition Ordinance (WDO) to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects. Agricultural Preservation and Land Use Policy AG/LU-1 of the 2008 General Plan states that the County shall, "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." The property's General Plan land use designation is AR (Agricultural Resource) and AWOS (Agriculture, Watershed, and Open Space), both of which allow "agriculture, processing of agricultural products, and single-family dwellings." More specifically, General Plan Agricultural Preservation and Land Use Policy AG/LU-2 recognizes wineries and other agricultural processing facilities, and any use clearly accessory to those facilities, as agriculture. The project would allow for the continuation of agriculture as a dominant land use within the county and is fully consistent with the Napa County General Plan. The proposed use of the property for the "fermenting and processing of grape juice into wine" (NCC §18.08.640) supports the economic viability of agriculture within the county consistent with General Plan Agricultural Preservation and Land Use Policy AG/LU-4 ("The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/open space...") and General Plan Economic Development Policy E-1 (The County's economic development will focus on ensuring the continued viability of agriculture...).

The winery development is subject to a 300-foot setback from Old Lawley Toll Road. A portion of the existing agricultural barn proposed for conversion to a winery structure is within the setback. The following exemption applies here, as shifting the barn outside its existing footprint to accommodate the proposed winery uses could necessitate unnecessary ground disturbance within or directly adjacent to the stream setback. Napa County Code section 18.104.230C states:

Legally constructed structures, existing prior to the enactment of the Winery Definition Ordinance (January 23, 1990), may be exempted from the setback provisions of subsection A of this section if it is found that use of this exemption will result in a more environmentally beneficial placement of the winery. The winery may not encompass or expand beyond the legally established footprint of the structure as it existed on the above stated date. Any expansion of such structure beyond the footprint that legally existed on the above date shall comply with the setback provisions of subsection A of this section.

As discussed in section IV. Biological Resources, the project includes a request for a Use Permit Exception to the Conservation Regulations in order to permit some of the existing development and proposed winery improvements within the 55-foot setback. The Napa County Conservation Regulations (Napa County Code chapter 18.108) establishes a 55-foot setback measured from the top-of-bank of Jericho Creek, based on the associated topography of between 5 and 15 percent slopes. Jericho Creek is directly adjacent to the existing winery and residential development. Based on information provided by the property owner and review of aeriels, the existing agricultural barn, the gravel area used for parking, the semi-permeable outdoor area, and the wooden buttress and railing along the top of bank of the creek appear to have been developed and constructed prior to the adoption of the Conservation Regulations. The winery building and cave, approved in 2002, are outside of the stream setback. All of the development in areas within the stream setback would take place on areas originally developed for the residential and agricultural uses on the property. No tree removal is required within the stream setback. New construction is limited to an underground expansion of the cave, which is located on the western side of the existing winery building, and is not within the creek setback. Improvements to the existing wastewater system would take place on existing developed areas or within vineyard blocks. Proposed improvements within the setback are the minimum necessary to comply with state and county codes related to accessibility, fire safety, access, and water quality.

There are no applicable habitat conservation plans or natural community conservation plans applicable to the property. The project complies with the remainder of Napa County Code and all other applicable regulations. Impacts would be less than significant.

Mitigation Measures: None are required.

XII.	MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

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

Mitigation Measures: None are required.

XIII.	NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. The project would result in a temporary increase in noise levels during construction of the cave and conversion of the existing agricultural barn. Impacts due to a temporary increase in ambient noise generated from construction activities, or from groundborne vibration, would remain below a level of significance through compliance with the Napa County Noise Ordinance (Napa County Code Chapter 8.16). The

County Noise Ordinance limits construction activities to daylight hours (7:00 a.m. to 7:00 p.m.) using properly muffled vehicles. In addition to the County Noise Ordinance, the project applicant will be required to comply with project Conditions of Approval (outlined below) related to construction noise, which will limit activities further by requiring construction activities to be limited to daylight hours, vehicles to be muffled, and backup alarms adjusted to the lowest allowable levels. The nearest offsite residence is approximately 400 linear feet to the west of the existing winery building and cave portals. At the closest portion, the existing agricultural barn is approximately 500 feet from the residence and the outdoor area would be approximately 575 feet. The existing winery building would remain between the structures and the nearest residence. No physical work or improvements are proposed in the outdoor area. Due to the distance there is a low potential for impacts related to construction noise to result in substantial temporary or long-term construction noise impacts. Impacts would be less than significant.

7.3. CONSTRUCTION NOISE

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

Additional regulations contained within County Code Chapter 8.16 establish exterior noise criteria for various land uses in the County. As described in the Project Setting, above, land uses in the area are dominated by open space uses, rural residential properties, and vineyards. Of those land uses, the residential land use is considered the most sensitive to noise. Based on the standards in County Code section 8.16.070, noise levels, measured at the exterior of a residential structure or residential use on a portion of a larger property, may not exceed 50 decibels for more than half of any hour in the window of daytime hours (7:00 a.m. to 10:00 p.m.) within which the applicant proposes to conduct events. Noise impacts of the proposed project would be considered bothersome and potentially significant if sound generated by it had the effect of exceeding the standards in County Code more than 50 percent of the time (i.e., more than 50 decibels for more than 30 minutes in an hour for a residential use).

Noise from winery operations is generally limited and intermittent, meaning the sound level can vary during the day and over the course of the year, depending on the activities at the winery. The primary noise-generating activities are equipment associated with wineries including refrigeration equipment, bottling equipment, barrel washing, de-stemmers and press activities occurring during the harvest crush season, delivery trucks, and other vehicles. The Napa County General Plan EIR indicates the average, or equivalent, sound level (Leq) for winery activities is 51dBA in the morning and 41dBA in the afternoon. Audibility of a new noise source and/or increase in noise levels within recognized acceptable limits are not usually considered to be significant noise impacts, but these concerns should be addressed and considered in the planning and environmental review processes. Typical winery operations would occur between 7:00 a.m. and 7:00 p.m. (excluding harvest) with marketing events generally occurring between 11:00 AM and 10:00 PM.

The proposed project includes an increase in production, but no changes to the location of equipment or current processing activities. The proposed project involves modifications to operational aspects of the winery including an increase in appointment tours and tastings from 41 visitors per day to 50 visitors per day (Phase 1) and 90 visitors per day (Phase 2) with twelve days a year having up to 120 visitors per day, and the existing annual marketing program of four events for 30 guests would increase to 12 events for 100 guests. By appointment tours and tasting and marketing events would continue to use the existing winery building, and would begin using the converted agricultural barn and the outdoor area adjacent to the converted agricultural barn. The outdoor area is also a proposed location for on-premises consumption. No physical improvements are proposed for the outdoor area. Additionally the project would increase employees from six (6) full-time and one (1) part-time to eight (8) full-time and four (4) part-time. Employee hours of operation would extend from ending at 6:30 p.m. to ending at 7:00 p.m. Due to the addition of the outdoor location, an increase in by appointment tours and tastings and marketing events would have the potential to increase the duration and generate higher noise levels, compared to existing conditions.

The nearest offsite residence is approximately 400 linear feet to the west of the existing winery building and cave portals. At the closest portion, the existing agricultural barn, proposed to be converted to winery use, is approximately 500 feet from the residence, and the outdoor area would be approximately 575 feet. The existing winery building would remain between the structures and the nearest residence.

Under the proposed project, the largest event that would occur on the parcel would have an attendance of no more than 100 people, and all events would end by 10:00 p.m., with quiet clean-up conducted afterwards. Winery operations would occur between 7:00 a.m. and 7:00 p.m. (excluding harvest). The potential for the creation of significant noise from increased visitation is significantly reduced, since visitation will continue to be primarily inside, with continued use of the existing winery building, visitation within the expanded cave,

and use of the converted agricultural barn. The approximately 3,700 square foot outdoor area is directly adjacent to the winery development; surrounded by the agricultural barn proposed to be converted to a winery building to the west and Jericho Creek to the east. The outdoor area is proposed to be used for on-premise consumption, which generally occurs less frequently than the maximum visitation throughout the day. On-premise consumption is also proposed within the winery buildings. Events are proposed to be held both within the winery buildings and on the outdoor area. Events would be limited to 12 times per year.

Noise samples performed under County authority (Illingworth & Rodkin, Inc, March 18, 2021), as part of the analysis for the Scarlett Winery Use Permit (P16-00428) Appeal Hearing, provided typical noise source levels for small to moderate sized winery events. Based on the report, the 100-person event proposed as part of this application would fit within the category of event size analyzed. The report includes typical noise levels generated by winery events, including wine tasting/dinner with background music, raised conversation, and non-amplified music, at a distance of 50 feet from the source. The cumulative duration of noise from these fairly continuous sounds attributable to marketing events would be more than 30 minutes in any hour, therefore, the L50 would be the applicable regulatory threshold. The maximum source noise level would be 67 dBA L50 at a distance of 50 feet assuming free-field conditions.

Based on the “inverse square law”, which yields a six (6) dB sound reduction for each doubling of the distance from the source, the nearest residence at approximately 500 feet from the proposed winery building (converted agricultural barn) and 550 feet from the outdoor area, noise levels could be estimated between 45 to 50 dBA L50. Noise levels would be less assuming the events were held completely or partially indoors. For events occurring outdoors, the existing winery building and converted agricultural building would be between the outdoor area and the nearest residence. It is unlikely that the noise level would exceed County exterior noise limit for daytime hours of 7:00 a.m. – 10: 00 p.m. of 50 dBA (Napa County Code Chapter 8.16 Noise Control Regulations, Table 8.16.070).

Continuing enforcement of Napa County’s Noise Ordinance by the Division of Environmental Health and the Napa County Sheriff, including the prohibition against amplified music, should further ensure that marketing events and other winery activities do not create a significant noise impact. Events and non-amplified music, excluding quiet clean-up, are required to finish by 10:00 p.m. Amplified music or sound systems would not be permitted for outdoor events as identified in standard Condition of Approval 4.10 below. Temporary events would be subject to County Code Chapter 5.36 which regulates proposed temporary events. The proposed project would not result in long-term, significant, permanent noise impacts. Impacts would be less than significant.

4.10 **AMPLIFIED MUSIC**

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

- c. The project site is not located within an airport land use plan or the vicinity of a private airstrip. No impact would occur.

Mitigation Measures: None are required.

XIV.	POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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. Cumulative impacts related to population and housing balance were identified in the 2008 General Plan EIR. As set forth in Government Code §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

environment damage with the provision of a “decent home and satisfying living environment for every Californian.” (See Public Resources Code §21000(g).) The 2008 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 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 requested use permit major modification would facilitate the continued operation of an existing winery on the project site, with expanded production and hospitality service. The proposed staffing at the winery includes recognition of six (6) full-time and one (1) part-time existing unpermitted employees to eight (8) full-time and four (4) part-time employees. The addition of five (5) new employees is not anticipated to generate a substantial need for additional housing.

The proposed project does not require installation of any new infrastructure, including that which might induce growth by extending services outside of the boundaries of the subject site or increasing the capacity of any existing roadway. Napa County collects fees from developers of nonresidential projects to help fund local affordable housing (see Napa County Code Section 18.107.060 – Nonresidential developments – Housing fee requirement). The fees are assessed with new construction and are collected at time of building permit issuance for new construction of winery buildings or conversion of utility space to occupied space as is proposed with the project. New visitors to the winery could increase demand for group transportation services to the winery, though the potential for employment changes of other businesses supporting the winery’s requested operations is uncertain, unquantifiable, and speculative.

The policies and programs identified in the General Plan Housing Element function, in combination with the County’s housing impact mitigation fee, ensure adequate cumulative volume and diversity of housing. With small staffing increases proposed and no off-site expansion of utilities or facilities to serve other developments, the project would have a less than significant impact on population growth.

- b. The existing residence, which is currently occupied by a winery employee, and the farm labor dwelling on the property, would remain on the property with the requested use permit major modification. No residential buildings on or off of the property would be demolished as a result of the project. Thus, no residents would be displaced, and there would be no impact.

Mitigation Measures: None are required.

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

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, such as winery access that meets Napa County RSS or was determined to meet the same overall practical effect (Exception to the RSS included with this application), defensible space, and sprinklers in the expanded cave and converted agricultural building will be required as part of the development. The Fire Department and Engineering Services Division have reviewed the application and recommend approval, as conditioned. There would be no foreseeable impact to emergency response times with compliance with these conditions of approval. The proposed project scope does not include construction of any new residential units nor accompanying introduction of new residents that would utilize existing parks or potentially increase student enrollment in schools located in the cities west and south of the winery. No new parks or other public recreational amenities or facilities (such as police or fire stations) are proposed to be built with or as a result of the requested use permit major modification. School impact fees, which assist local school districts with capacity building measures, would be levied for any required building permits for the project, however as demonstrated in **Section XIV(a), Population and Housing**, the project is expected to create a minimal increase in the county's population and its need for housing such that local schools would not be strained by the proposed project and its increase in visitation, marketing events, and employment. The proposed project would have minimal impact on public parks as no residences are proposed, and as previously noted the increase in regional population from the proposed project is expected to be minimal. Impacts to public services would be less than significant.

Mitigation Measures: None are required.

XVI.	RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 requested use permit major modification does not include any residential component and is not likely to lead to the accompanying introduction of new residents to the site or area. The use permit major modification would increase the number of winery employees and the number of daily tours and tastings visitors to the property, some of whom might visit regional recreational facilities on the way to or from other wineries. However, given that the purpose of employees' and guests' trips are to and from the winery as the primary destination, such visits to area recreational facilities are anticipated to be infrequent and would not drastically accelerate the deterioration of the park amenities. This impact would be less than significant.
- b. No new public recreational amenities are proposed to be built with or as a result of the requested use permit major modification. The proposed project would have no impact.

Mitigation Measures: None are required.

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

a./c./d. Access to the Jericho Canyon Vineyard Winery is via a private driveway off Old Lawley Toll Road. The driveway provides access to the subject property only. The driveway is approximately 350 feet in length and the entire driveway runs parallel to Jericho Creek. The driveway is paved with asphalt, varies in width from 14 to 22 feet, and is paved with longitudinal slopes averaging below 10%. The driveway has excellent site distance throughout the entire length of the driveway.

The winery is seeking an exception to the RSS to allow for a reduction in commercial roadway width in two locations and a reduction in gate width. The request for the exceptions, dated March 27, 2019, is based on environmental constraints (heritage trees and natural water courses). Improving the existing private driveway to the full 20 foot width along the entire length would require substantial grading and mature tree removal within stream setbacks. The two requests are to allow segments of the driveway to be less than the minimum width. In both areas the stretch of driveway is completely visible from end to end. A driver approaching either segment of the driveway can see the other end of the segment with reduced width and can therefore easily stop to let an oncoming vehicle pass before entering the segment with reduced width. All portions of the driveway not discussed in this Road Exception Evaluation will meet commercial standards as defined in the RSS. The request has been reviewed by the Engineering Division and Fire Marshal's Office and staff determined that the request achieves the same overall practical effect of the RSS by providing defensible space and consideration toward life, safety and public welfare as conditioned in the Road Exception Evaluation memo, dated June 23, 2022.

No transit, bicycle or pedestrian facilities exist on Old Lawley Toll Road, or at the project site, nor are any facilities planned at this time. As proposed the project would not conflict with any plans, ordinances or policies addressing the circulation system. The project would not substantial increase hazards due to design features. Impacts would be less than significant.

b. As part of the statewide implementation of Senate Bill (SB) 743, the Governor's Office of Planning and Research (OPR) settled upon automobile vehicle miles of travel (VMT) as the preferred metric for assessing passenger vehicle-related impacts under CEQA and issued revised *CEQA Guidelines* in December 2018, along with a *Technical Advisory on Evaluating Transportation Impacts in CEQA* to assist practitioners in implementing the *CEQA Guidelines* revisions.

The County's General Plan Circulation Element contains a policy statement (Policy CIR-7) indicating that the County expects development projects to achieve a 15% reduction in project-generated VMT to avoid triggering a significant environmental impact. Specifically, the policy directs project applicants to identify feasible measures that would reduce their project's VMT and to estimate the amount of VMT reduction that could be expected from each measure. The policy states that "projects for which the specified VMT reduction measures would not reduce unmitigated VMT by 15 or more percent shall be considered to have a significant environmental impact." That policy is followed by an action item (CIR-7.1) directing the County to update its CEQA procedures to develop screening criteria for projects that "would not be considered to have a significant impact to VMT" and that could therefore be exempted from VMT reduction requirements.

The new *CEQA Guidelines* and the OPR Technical Advisory note that CEQA provides a categorical exemption (Section 15303) for additions to existing structures of up to 10,000 square feet, so long as the project is in an area that is not environmentally sensitive and where public infrastructure is available. OPR determined that “typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract 110-124 trips per 10,000 square feet”. They concluded that, absent substantial evidence otherwise, the addition of 110 or fewer daily trips could be presumed to have a less than significant VMT impact.

The County maintains a set of Transportation Impact Study Guidelines (TIS Guidelines) that define situations and project characteristics that trigger the need to prepare a TIS. The purpose of a TIS is to identify whether the project is likely to cause adverse physical or operational changes on a County roadway, bridge, bikeway or other transportation facility, to determine whether the project should be required to implement or contribute to improvement measures to address those changes, and to ensure that the project is developed consistent with the County’s transportation plans and policies. Per the County’s current TIS Guidelines, a project is required to prepare a TIS if it generates 110 or more net new daily vehicle trips.

The TIS Guidelines also include VMT analysis requirements for projects based on trip generation, which includes a screening approach that provides a structure to determine what level of VMT analysis may be required for a given project. The Jericho Winery Major Modification would fall into the category of a “project modifying an existing facility that would generate additional trips”. The TIS Guidelines state that if the net cumulative result of all project modifications after January 1, 2022, would generate less than 110 net new daily passenger vehicle and truck trips the project is presumed to have a less than significant impact for VMT. The applicant submitted a TIS for the Project, prepared by GHD, dated December 2020. Based on maximum employee and visitor/guest data for the harvest/crush season, the proposed project would be expected to generate 49 daily trips on a weekday and 53 daily trips on a Saturday, which is below the 110 trip threshold and therefore presumed to have a less than significant impact. The TIS the report includes the applicant’s proposal for a Traffic Demand Management (TDM) Plan with the intent of reducing vehicle miles traveled. Proposed approaches include limiting the total number of guests on site at one time and during a single day, as well as the use of shuttles and other high occupancy vehicles for groups of 15 or more guests at daily tastings and marketing events. Employee and guest incentives include staggered employee work hours, ride share opportunities, and “car free” tourism as described in the program of the Napa Valley Destination Council and Napa Valley Transportation Agency. The Department of Public Works has reviewed the project and approved it as conditioned. The project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Impacts would be less than significant.

- e. Developers of new or expanded land uses are required to provide adequate parking or demonstrate that adequate parking exists to meet their anticipated parking demand. Excess parking that could stimulate unnecessary vehicle trips or commercial activity exceeding the site’s capacity is discouraged. The project proposes a total of 18 vehicle parking spaces provided on site, with one (1) of those spaces designated for ADA access. The parking areas are existing and currently used for residential and agricultural uses on site. As discussed above the applicant proposes a number of programs to reduce vehicle trips to the site, including carpooling and use of shuttles for larger groups. These efforts will reduce the number of parking spaces need throughout the day. The proposed project would not be in conflict with General Plan Policy CIR-14.

Mitigation Measures: None are required

XVIII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

significance of the resource to a California Native American tribe.

Discussion:

a/b. On June 30, 2021, County Staff sent invitations to consult on the proposed project to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No responses were received.

Mitigation Measures: None are required.

XIX.	UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
	a) Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<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 would not violate any water quality standards or waste discharge requirements. According to the Onsite Wastewater Disposal Feasibility Study prepared by Applied Engineering, March 27, 2019, the proposed wastewater flows associated with the proposed project exceed the design capacity of the current system, therefore the system will need to be expanded or modified. The study provides multiple options for improving the system, including expanding the existing leach lines or separating the process and domestic waste streams. Plans demonstrating the feasibility of these options have been provided. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the selected design and plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Impacts would be less than significant.

The project does not require the construction of new or expanded water, storm water drainage, electric power, natural gas, or telecommunications facilities. The Onsite Wastewater Disposal Feasibility Study submitted by Applied Civil Engineering analyzed the proposed project's increase in employment, visitors for by appointment tours and tastings, and marketing events and found that the winery's domestic wastewater treatment and dispersal system would require expansion to meet the increase in wastewater generated. The winery's existing septic tank, grease interceptor, sump tanks, recirculation tank, and treatment unit are all adequately sized to handle the increased flows associated with the proposed project, but the subsurface drip dispersal field would need to be expanded by 260 square feet. The report shows that there is adequate space for the expansion of the subsurface drip dispersal system. The Napa County Division of Environmental Health has reviewed the project and concurred with its findings. Expansion of the subsurface drip dispersal

system will be a requirement before a certificate of occupancy can be issued. Impacts are expected to be less than significant.

- b. As discussed in Section X, the findings of the Water Availability Analysis completed by Condor Earth on March 26, 2019, demonstrates that the project would not substantially deplete local groundwater supplies and would not have a significant impact on groundwater resources. The estimated water use, prepared by Applied Civil Engineering (updated June 2022), estimated the total existing water usage based on the permitted entitlements to be 2.4 acre-feet per year (af/yr). The total proposed water usage on site (utilizing the wells) is anticipated to decrease from 2.4 af/yr to 2.3 af/yr. The project represents a decrease of 0.1 af/yr. The reduction is primarily due to the proposed use of treated process wastewater for landscape irrigation, with additional water reduction measures resulting from changes to the residential consumption through the use of low-flow domestic water fixtures, drought-tolerant plants, low flow and low evaporation watering practices (drip hoses, nighttime watering), and use of treated process wastewater for residential irrigation. Vineyard irrigation was not included in the total usage calculation because it is irrigated with water from the northern reservoir. Based on climate data from PRISM Climate Group covering a 31-year record (1988 to 2018), the 131.5 acre the total volume of precipitation is 370 acre feet (af) in a normal year and 77 af in a dry year. Condor used a groundwater recharge estimate ratio of 10 percent, based on the geological material of the site, land use, and topographic slope conditions, described as hard rock aquifers in the valley of sloped terrain. This yields 37 AF in a normal year and 7.7 af in a dry year. Compared to the total water use of 2.3 af, the parcel will have sufficient recharge in a normal and dry year. Impacts would be less than significant.
- c. According to the Onsite Wastewater Disposal Feasibility Study prepared by Applied Engineering, March 27, 2019, the proposed wastewater flows associated with the proposed project exceed the design capacity of the current system, therefore the system will need to be expanded or modified. The study provides multiple options for improving the system, including expanding the existing leach lines or separating the process and domestic waste streams. Plans demonstrating the feasibility of these options have been provided. The Division of Environmental Health reviewed this report and concurred with its findings, conditioning that the selected design and plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and approved by the Division of Environmental Health. Impacts would be less than significant.
- d/e. According to the Napa County Baseline Data Report, all of the solid waste landfills where Napa County's waste is disposed have more than sufficient capacity related to the current waste generation. The project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Mitigation Measures: None are required.

XX.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. There are no proposed project features that would substantially impair an adopted emergency response plan or emergency evacuation

plan. The proposed project includes features and modification that, if implemented, would improve emergency response and evacuation. This will be accomplished through conditions such as requiring expansion of width to the project driveway, sprinklers in the expanded wine cave and converted building, and maintenance defensible space. The winery is seeking an exception to the RSS to allow for a reduction in commercial roadway width in two locations and a reduction in gate width. In both areas the stretch of driveway is completely visible from end to end. A vehicle approaching either segment of road, a drivers can see the other end of the segment with reduced width and can therefore easily stop to let an oncoming vehicle pass before entering the segment with reduced width. All portions of the driveway not discussed in the Road Exception Evaluation will meet commercial standards as defined in the RSS. The request has been reviewed by the Engineering Division and Fire Marshal's Office and staff determined that the improvement achieves the same overall practical effect of the RSS by providing defensible space and consideration toward life, safety and public welfare as conditioned in the Road Exception Evaluation memo, dated June 23, 2022. Improvements to the northern end of the driveway would allow adequate space for a fire truck to access the converted building and the northern cave portal. Impacts would be less than significant.

- b. The proposed project and property is located in an area of wildland fire interface of moderate and very high fire risk (General Plan Safety Element Figure 2 – Fire Hazards Severity Map). The proposed project increases visitation for by appointment tours and tastings, marketing events, and employees which will increase the total number of visitors and guests who visit the project on an annual basis and employees on site throughout the year. This change exposes a larger amount of people to an area that has shown it can be impacted by wildfire. The proposed physical improvements are within the existing developed area of the site, bordered on the east by Jericho Creek and the north and west by vineyards. The southern property line is bordered by Old Lawley Toll Road. The approximately one mile segment of Old Lawley Toll Road from State Route 29 to the Jericho Canyon Vineyard project driveway is primarily a paved road with minimal turns. The physical improvements and operational changes would not result in a physical modification to the slope of the site, change prevailing winds, or alter other factors that would likely exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Conditions of Approval will be applied to the project requiring the applicant to prepare and submit to County Fire an emergency evacuation plan for review and approval, and to prohibit tours and tastings and marketing events to be conducted upon issuance of a Red Flag Warning by the National Weather Service of Napa County Office of Emergency Services or a Public Safety Power Shutoff (PSPS) Warning by Pacific Gas and Electric (PG&E). Impacts would be less than significant.
- c. The project would require on site improvements such as requiring expansion of width to the project driveway, sprinklers in the expanded wine cave and converted building, and maintenance defensible space, which would expand fire safety for the winery. These improvements are considered minor and are not considered the types of improvements that exacerbate wildfire risk or significant environmental risk. Impacts will be less than significant.
- d. The physical improvements are in an area of the site, which is already graded and paved. The hillside to the west of the winery development is planted in vineyards and contains the 4,100 square foot existing cave. This previous development has not caused issue with the potential for a landslide. The proposed project would not physically alter the site in a way, which would expose people or structures to risks such as downstream or downslope flooding or landslides resulting from runoff, post-fire instability or drainage changes. Impacts would be less than significant.

Mitigation Measures: None are required.

XXI.	MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

- c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion:

- a. As previously stated the physical improvements associated with this project includes the 15,360 square foot cave expansion, conversion of the agricultural barn to a winery building, and some width expansion of the driveway. Some portions of the existing development and proposed improvements are within the stream setback or directly adjacent to the creek. However, the improvements and uses are limited and necessary to meet County access, safety, and water quality requirements.

As identified in Section IV. Biological Resources, no work is proposed within the stream, no tree or vegetation removal is required, and all improvements would occur on, or adjacent to, previously disturbed areas of the property. Based on the limited site improvements and minor modifications to winery operations it is unlikely that the proposed project would have a substantial adverse effect on any candidate, sensitive or special status species, or that it would have a substantial adverse effect on riparian habitat or sensitive natural communities. The project would not result in significant impacts to rare or endangered plant or animal species

As identified in Section V. Cultural Resources, according to the Napa County Environmental Resource Maps no historical or archaeological resources have been identified on the property and previous construction of the winery buildings and cave did not discover any resources. Besides the cave, the lack of significant earthmoving on the site suggests that accidental upset is unlikely. The project would not result in significant impacts or eliminate important examples of the major periods of California history or prehistory.

- b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential impacts to air quality, greenhouse gas emissions, hydrology, and traffic are discussed in the respective sections above and were determined to have a less than significant impact. Potential impacts to air pollution and GHG emissions are being addressed through meeting BAAQMD recommended design elements, with the addition of Greenhouse Gas Voluntary Best Management Practices, and VMT reduction strategies as discussed in Section VIII. Green House Gas and Section XVII. Transportation. The applicant already implements the following greenhouse gas reduction methods at the winery: generation of onsite renewable energy (onsite solar array), vehicle miles traveled reduction plan, low-impact development, water efficient landscaping, recycling, and use of the cave for natural heating/cooling. New development resulting from this project will utilize energy conserving lighting and water efficient fixtures. Section X. Hydrology includes detail on the Water Availability Analysis which demonstrates that the proposed project would result in a decrease of 0.1 af/yr over the entitled levels, and would remain below the estimated groundwater recharge rate of 37 af in a normal year and 7.7 af in a dry year, and consequently would not interfere with groundwater recharge or lowering of the local groundwater level. The Traffic Impact Report detailed in Section XVII. Transportation concluded that the proposed project would not have significant impacts on the County roadway system. The project falls below the County threshold requiring a VMT analysis, however any future projects would look at the total number of trips onsite when determining if a VMT analysis is required at that time. Potential cumulative impacts would be less than significant.
- c. All impacts identified in this negative declaration are less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human being either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None are required.